

MINUTES
OF THE
COUNCIL OF THE
COUNTY OF OXFORD

County Council Chamber
Woodstock
April 8, 2009

MEETING #13

Oxford County Council meets in regular session this eighth day of April 2009, in the Council Chamber, County Administration Building, Woodstock.

1. CALL TO ORDER:

9:30 a.m., with Warden Holbrough in the chair.

All members of Council present except Councillors Sobeski and Talbot.

Councillors Sobeski and Talbot arrive at 9:41 a.m.

Staff Present: M. R. Bragg, Chief Administrative Officer/Deputy Clerk
L. S. Buchner, Director of Corporate Services
J. Kubiak, Corporate Manager of Human Resources
M. Metcalfe, Acting Director of Public Health and Emergency Services
M. Misek-Evans, Corporate Manager of Community and Strategic Planning
R. G. Walton, Director of Public Works

2. APPROVAL OF AGENDA:

RESOLUTION NO. 1:

Moved by: Don McKay
Seconded by: Donald Doan

That the Agenda be approved.

DISPOSITION: Motion Carried

3. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:

NIL

4. ADOPTION OF COUNCIL MINUTES OF PREVIOUS MEETING:

Council Minutes of March 25, 2009

RESOLUTION NO. 2:

Moved by: Don McKay
Seconded by: Donald Doan

That the Council Minutes of March 25, 2009 be adopted.

DISPOSITION: Motion Carried

5. PUBLIC MEETINGS:

RESOLUTION NO. 3:

Moved by: Stephen Molnar
Seconded by: Kenn. R. Howling

That Council rise and go into a public meeting pursuant to Section 51(20) of the Planning Act, R.S.O. 1990, as amended, to consider an application for draft approval of a plan of subdivision, and that the Warden chair the public meeting.

DISPOSITION: Motion Carried (9:32 a.m.)

1. Application for Draft Approval of a Plan of Subdivision
751486 Ontario Inc. (Hunt Homes) - 32T-08006
subject lands are described as Parts 1 and 2, Plan 41R-7749
in the City of Woodstock, located on the east side of Mill Street,
south of Parkinson Road

Marg Misek-Evans, Corporate Manager of Community and Strategic Planning, addresses the Planning Report touching on consistency with the Provincial Policy Statements and proposes monitoring for methane on the site. She advises that some issues had been raised by neighbouring property owners. The proponent has agreed to redesign the proposal in an attempt to address some of the concerns raised.

The City of Woodstock has deferred the application and M. Misek-Evans recommends that the County also defer it.

A general discussion ensues regarding the effect of such a deferral on the public process and Council's ability to comment on the redesign, as well as the necessary storm water management issues to be addressed.

RESOLUTION NO. 4:

Moved by: Stephen Molnar
Seconded by: Kenn. R. Howling

That Council adjourn the public meeting and reconvene as Oxford County Council with the Warden in the chair.

DISPOSITION: Motion Carried (9:42 a.m.)

C-2 2009-91
Re: Application for Draft Plan of Subdivision
32T-08006 – 751486 Ontario Inc. (Hunt Homes)

Recommendation Contained in Report No. C-2 2009-91:

That Oxford County Council hold a public meeting pursuant to Section 51(20) of the Planning Act, R.S.O. 1990, as amended, to consider an application for draft approval of a plan of subdivision; and further

that Oxford County Council, at its regular meeting of April 22, 2009, consider draft plan approval to a proposed subdivision submitted by 751486 Ontario Inc. (File No. 32T-08006), prepared by T.H. Brooks Surveying Ltd. dated December 15, 2008 and shown as Plate 2 of Report No. C-2 2009-91; comprising Parts 1 & 2, Plan 41R-7749 in the City of Woodstock, subject to the conditions included in Report No. C-2 2009-91.

No action is taken on the recommendation contained in Report No. C-2 2009-91 as presented. See Resolution No. 5.

RESOLUTION NO. 5:

Moved by: Michael Harding
Seconded by: Sandra Talbot

It is recommended that Oxford County Council satisfy the public meeting requirements of Section 51(20) of the Planning Act, RSO 1990 as amended, with respect to application 32T-08006 for 751486 Ontario Inc. by holding said public meeting on April 8, 2009 in accordance with Report C-2 2009-91; and further

That Oxford County Council defer further consideration of application 32T-08006 for up to 2 months to permit the applicant the opportunity to amend the application.

DISPOSITION: Motion Carried

6. DELEGATIONS AND PRESENTATIONS:

NIL

7. CONSIDERATION OF DELEGATIONS AND PRESENTATIONS:

Not Required.

8. CONSIDERATION OF CORRESPONDENCE:

1. Stratford General Hospital Foundation
March 16, 2009

Re: Appreciation for Financial Support of Redevelopment Project and Update

RESOLUTION NO. 6:

Moved by: Stephen Molnar
Seconded by: Patrick Sobeski

That the correspondence received from the Stratford General Hospital Foundation, regarding appreciation for financial support of their redevelopment project and providing an update, be received.

DISPOSITION: Motion Carried

2. Tillsonburg District Memorial Hospital
March 13, 2009

Re: Appointment to Board

RESOLUTION NO. 7:

Moved by: Sandra Talbot
Seconded by: Don McKay

That Councillor Stephen Molnar be appointed to the Tillsonburg District Memorial Hospital Board for a period of one year commencing July 2009.

DISPOSITION: Motion Carried

3. CAW Local 88/636
March 25, 2009
Re: Appreciation of Buy Canadian - Build Communities Resolution

RESOLUTION NO. 8:

Moved by: Sandra Talbot
Seconded by: Don McKay

That the correspondence from CAW Local 88/636, expressing appreciation to Council for unanimously supporting the Buy Canadian - Build Communities resolution, be received.

DISPOSITION: Motion Carried

9. REPORTS FROM DEPARTMENTS:

A CORPORATE SERVICES

A-1 2009-18
Re: 2009 Tax Policy By-laws

RESOLUTION NO. 9:

Moved by: Michael Harding
Seconded by: Don McKay

That the recommendation contained in Report No. A-1 2009-18, titled "2009 Tax Policy By-laws", be adopted with Tax By-law No. 5061-2009 being divided from the report.

DISPOSITION: See Action of Council
following Resolution No. 10

RESOLUTION NO. 10:

Moved by: Michael Harding
Seconded by: Don McKay

That Tax By-law No. 5061-2009, being a by-law to establish Capping Calculation Options, be divided from the recommendation in Report No. A-1 2009-18 and deferred.

DISPOSITION: Motion Carried

DISPOSITION
RESOLUTION NO. 9: Motion Carried

Recommendation Contained in Report No. A-1 2009-18:

That the following 2009 tax policy by-laws be presented to Council for enactment:

- By-law No. 5058-2009, being a By-law to Set Tax Ratios;
- By-law No. 5059-2009, being a By-law to Set Tax Rate Reductions for Prescribed Property Subclasses;
- By-law No. 5060-2009, being a By-law to Establish and Levy Tax Rates for Upper Tier Purposes;
- By-law No. 5061-2009, being a By-law to Establish Capping Calculation Options; and

- By-law No. 5062-2009, being a By-law to Set a Lower Limit for Applying Tax to New Construction Properties.

RESOLUTION NO. 11:

Moved by: Michael Harding
Seconded by: Don McKay

Whereas County Council is desirous of giving further consideration to the effect of implementing the new optional tax capping parameters that effectively exclude certain properties from the capping calculation once they reach or cross over their current value assessment (CVA) tax, with the intent to accelerate the number of properties that are taxed at their full CVA and reduce the amount of tax savings that is clawed back from decreasing properties;

Therefore, staff be directed to seek additional property specific information for those properties that are exposed to the clawback provisions to determine the level of relief that would be generated by adding these new capping parameters to those used in Oxford County in 2008, as well as information that may be necessary to ascertain the impact on funding the remaining capped properties;
And that staff report back to Council no later than May 13, 2009 in order to allow Council time to consider the implications and formulate a decision on the optional tax capping parameters before the legislated by-law requirement date of June 30, 2009, as recently amended by regulation.

DISPOSITION: Motion Carried

A-2 2009-19
Re: Development Charges Study

RESOLUTION NO. 12:

Moved by: Michael Harding
Seconded by: Sandra Talbot

That the recommendation contained in Report No. A-2 2009-19, titled "Development Charges Study", be adopted.

DISPOSITION: Motion Carried

Recommendation Contained in Report No. A-2 2009-19:

That County Council receive Report No. A-2 2009-19 and provide direction to staff and Hemson Consulting Ltd. in the preparation of the County development charge by-laws, as follows:

- a) that the County development charge by-laws be prepared in accordance with past practice regarding:
 - annual indexing of development charges on April 1st of each year;
 - expression of residential and non-residential development charge rates;
 - default collection point of development charges at time of building permit, unless otherwise provided for through agreement; and
 - front ending and service in lieu agreements.
- b) that the County development charge by-laws be prepared in accordance with past practice regarding statutory and non-statutory exemptions, with the exception of the following:
 - provision for new non-statutory exemptions for affordable housing and temporary uses and related definitions; and
 - consideration of additional area specific geographic exemptions requested by Area Municipal Councils.
- c) that the County development charge by-laws incorporate a new definition for total floor area.

And that the Council for the County of Oxford adopt the revised Local Service Policy contained in Appendix 1 to Report No. A-2 2009-19, as it relates to County roads and services;

And that the Council for the County of Oxford schedule separate meetings for the purposes of holding public meetings under the Development Charges Act for public consideration of the Development Charge By-laws and Background Study, tentatively scheduled for May 27, 2009.

B SOCIAL SERVICES AND HOUSING

NIL

C COMMUNITY AND STRATEGIC PLANNING

C-1 2009-92

Re: Official Plan Amendment for the
Implementation of the 2005 Provincial Policy Statement
Supplementary Report on Proposed Wind Energy Policies

RESOLUTION NO. 13:

Moved by: Donald Doan
Seconded by: Kenn. R. Howling

That the recommendation contained in Report No. C-1 2009-92, titled "Official Plan Amendment for the Implementation of the 2005 Provincial Policy Statement Supplementary Report on Proposed Wind Energy Policies", be adopted.

DISPOSITION: Motion Carried

Recommendation Contained in Report No. C-1 2009-92:

That no further consideration be given to the proposed wind energy policies which were presented to County Council as part of Official Plan amendment application 11-144; and further,

that County Council consider the three previously adopted Official Plan Amendments (No. 136, 138 and 139) to have fully implemented Official Plan Amendment application OP 11-144 and that the application be now closed.

C-2 2009-91

Re: Application for Draft Plan of Subdivision
32T-08006 – 751486 Ontario Inc. (Hunt Homes)

Report dealt with under Public Meetings.

D PUBLIC WORKS

D-1 2009-29

Re: Tender Award – Bridge Rehabilitation Project
Oxford Roads 6 and 8

RESOLUTION NO. 14:

Moved by: Donald Doan
Seconded by: Kenn. R. Howling

That the recommendation contained in Report No. D-1 2009-29, titled "Tender Award – Bridge Rehabilitation Project - Oxford Roads 6 and 8", be adopted.

DISPOSITION: Motion Carried

Recommendation Contained in Report No. D-1 2009-29:

That County Council award a contract to Weathertech Restoration Services Inc., London, the low bidder in the amount of \$401,510.00 plus GST, for the rehabilitation of bridges on Oxford Road 6 and Oxford Road 8.

D-2 2009-30

Re: Tender Awards – 2009 Cold-in-Place Recycle and
2009 Hot Mix Asphalt Contracts

RESOLUTION NO. 15:

Moved by: James Hayes
Seconded by: Margaret Lupton

That the recommendation contained in Report No. D-2 2009-30, titled “Tender Awards – 2009 Cold-in-Place Recycle and 2009 Hot Mix Asphalt Contracts”, be adopted.

DISPOSITION: Motion Carried

Recommendation Contained in Report No. D-2 2009-30:

That County Council award a contract to Arnill Construction Limited, operating as Seeley & Arnill Construction, Durham, the low bidder in the amount of \$1,596,920.96 plus GST, for the 2009 cold-in-place recycle (CIP) project on various County of Oxford roads;

And that County Council award a contract to Walmsley Bros. Limited, London, the low bidder in the amount of \$2,332,355.00 plus GST, for the 2009 Hot Mix Asphalt (HMA) on various County of Oxford Roads following the completion of the CIP work.

D-3 2009-32

Re: Class Environmental Assessment Addendum –
Innerkip Wastewater Servicing Study

RESOLUTION NO. 16:

Moved by: James Hayes
Seconded by: Margaret Lupton

That the recommendation contained in Report No. D-3 2009-32, titled “Class Environmental Assessment Addendum – Innerkip Wastewater Servicing Study”, be adopted.

DISPOSITION: Motion Carried

Recommendation Contained in Report No. D-3 2009-32:

That County Council accept the Class Environmental Assessment Addendum to the Innerkip Wastewater Servicing Study;

And that Council approve the posting of the Class Environmental Assessment Addendum to the Innerkip Wastewater Servicing Study for the required thirty day comment period.

E HUMAN RESOURCES

NIL

F C.A.O./CLERK

NIL

G PUBLIC HEALTH AND EMERGENCY SERVICES

NIL

H WARDEN

NIL

10. UNFINISHED BUSINESS:

NIL

11. NOTICE OF MOTIONS:

NIL

12. NEW BUSINESS/ENQUIRIES/COMMENTS:

Councillor Harding notes that the Federal Gas Tax Credit to municipalities had doubled and wonders if the 2009 Budget reflected this increase. L. Buchner, Director of Corporate Services, advises that it did not.

Deputy Warden McKay makes note of a Public Meeting scheduled regarding reconstruction of County Road 5 and suggests that County Road 5 could be upgraded from a gravel surface.

Councillor Talbot enquires about timing for water main construction on County Road 4. R. Walton, Director of Public Works, replies that the project to extend services to Havelock Corners is under way, but he will need to confirm an actual start date for construction.

13. CLOSED SESSION:

RESOLUTION NO. 17:

Moved by: Kenn. R. Howling
Seconded by: Donald Doan

That Council rise and go into a Closed session for the purpose of considering Report No. D-1 (CS) 2009-31 regarding matters that have not been made public concerning a proposed acquisition of land.

DISPOSITION: Motion Carried (10:24 a.m.)

Oxford County Council meets in Closed session, as part of a regular meeting, this eighth day of April 2009, in the Council Chamber, County Administration Building, Woodstock.

A. CLOSED SESSION COMMENCEMENT TIME:

10:24 a.m. with Warden Holbrough in the chair.

All members of Council present.

Staff Present: M. R. Bragg, Chief Administrative Officer/Deputy Clerk
L. S. Buchner, Director of Corporate Services
J. Kubiak, Corporate Manager of Human Resources
M. Metcalfe, Acting Director of Public Health and Emergency Services
M. Misk-Evans, Corporate Manager of Community and Strategic Planning
R. G. Walton, Director of Public Works

B. DISCLOSURES OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:

NIL

C. DELEGATIONS AND PRESENTATIONS:

NIL

D. CONSIDERATION OF CORRESPONDENCE:

NIL

E. REPORTS FROM DEPARTMENTS:

A CORPORATE SERVICES

NIL

B SOCIAL SERVICES AND HOUSING

NIL

C COMMUNITY AND STRATEGIC PLANNING

NIL

D PUBLIC WORKS

D-1 (CS) 2009-31

E HUMAN RESOURCES

NIL

F C.A.O./CLERK

NIL

G PUBLIC HEALTH AND EMERGENCY SERVICES

NIL

H WARDEN

NIL

F. UNFINISHED BUSINESS:

NIL

G. NEW BUSINESS/ENQUIRIES/COMMENTS:

NIL

H. TIME OF COMPLETION OF CLOSED SESSION:

10:27 a.m.

RESOLUTION NO. 18:

Moved by: Kenn. R. Howling
Seconded by: Donald Doan

That Council rise and reconvene in Open session.

DISPOSITION: Motion Carried (10:27 a.m.)

14. CONSIDERATION OF MATTERS ARISING FROM THE CLOSED SESSION:

A CORPORATE SERVICES

NIL

B SOCIAL SERVICES AND HOUSING

NIL

C COMMUNITY AND STRATEGIC PLANNING

NIL

D PUBLIC WORKS

D-1 (CS) 2009-31

RESOLUTION NO. 19:

Moved by: Kenn. R. Howling
Seconded by: Donald Doan

That the recommendation contained in Report No. D-1 (CS) 2009-31 be adopted.

DISPOSITION: Motion Carried

E HUMAN RESOURCES

NIL

F C.A.O./CLERK

NIL

G PUBLIC HEALTH AND EMERGENCY SERVICES

NIL

H WARDEN

NIL

15. BY-LAWS:

BY-LAW NO. 5058-2009

Being a By-law to set tax ratios for Prescribed Property Classes for the year 2009.

BY-LAW NO. 5059-2009
Being a By-law to Set Tax Rate Reductions for Prescribed Property Subclasses.

BY-LAW NO. 5060-2009
Being a By-law to Establish and Levy Tax Rates for Upper Tier Purposes for the Year 2009.

BY-LAW NO. 5061-2009 **Deferred**
Being a By-law to Adopt Optional Tools for the Purposes of Administering Limits for the Commercial, Industrial and Multi-Residential Property Classes.

BY-LAW NO. 5062-2009
Being a By-law to Adopt Optional Tools for the Purposes of Administering Limits for Eligible Properties within the meaning of Section 331 (New Construction) for the Commercial, Industrial and Multi-Residential Property Classes.

BY-LAW NO. 5063-2009
Being a By-law to repeal By-law No. 4988-2008 and to appoint a Chief Administrative Officer, Deputy Clerk and Deputy Treasurer for the County of Oxford.

RESOLUTION NO. 20:

Moved by: Margaret Lupton
Seconded by: James Hayes

That the following By-laws be now read a first and second time: No. 5058-2009, No. 5059-2009, No. 5060-2009, No. 5062-2009 and No. 5063-2009.

DISPOSITION: Motion Carried

RESOLUTION NO. 21:

Moved by: Margaret Lupton
Seconded by: James Hayes

That the following By-laws be now given an third and final reading: No. 5058-2009, No. 5059-2009, No. 5060-2009, No. 5062-2009 and No. 5063-2009.

DISPOSITION: Motion Carried

16. ADJOURNMENT:

Council adjourns its proceedings until the next meeting scheduled for Wednesday, April 22, 2009 at 6:30 p.m.

10:32 a.m.

Minutes adopted on April 22, 2009 by Resolution No. 2

Paul J. Holbrough
WARDEN

Brenda J. Tabor
CLERK