Regular Council Meeting
Monday February 11th, 2019
7:00 p.m. Council Chambers, Fingal

PRESENT: Mayor G. Jones
Deputy Mayor R. Monteith
Councillors: S. Emons
J. Pennings

ABSENT: Councillor P. North

ALSO PRESENT: Kim Grogan, Treasurer
Brent Clutterbuck, Drainage Superintendent (7:00 p.m.-8:12 p.m.)
Paul Van Vaerenbergh, Public Works Superintendent (7:00 – 8:00 p.m.)
Jeff McArthur, Fire Chief (7:00 – 8:12 p.m.)
June McLarty, Administrative Assistant (7:00 p.m. – 8:12 p.m.)

ADDITIONAL AGENDA ITEMS:

12. CLOSED SESSION

(a) A position, plan, procedure, criteria or instructions to be applied to any negotiations
   carried on or to be carried on by or on behalf of the municipality or local board (section
   239 (2) (k)) – Talbotville Development.

DISCLOSURES:

ADOPTION OF MINUTES:

2019-081 Councillor Pennings – Councillor Emons Approval of Minutes

THAT the Minutes of the Regular Council Meeting of January 30th, 2019 are
hereby adopted.

CARRIED

2019-082 Deputy Mayor Monteith – Councillor Pennings Southwold Young at Heart
Committee Mtg. Minutes Mtg. Minutes

THAT the minutes of the Southwold Young at Heart Committee Meeting of
January 2nd, 2019 are hereby adopted.

CARRIED
THAT the Minutes of the Family Day Committee Meeting of January 16th, 2019 are hereby adopted. 
CARRIED

Mayor Jones gave his compliments to the Family Day Committee for a job well done at the 2019 Southwold Winterfest.

DRAINAGE:

Auckland Drain Branch “F” 2019

Drainage Superintendent Brent Clutterbuck reported that this work will be done prior to the reconstruction of Wonderland Road in 2020. The estimated total cost of this project is $135 600.00

THAT Council of the Township of Southwold has received and reviewed the report prepared by Spriet Associates for the Auckland Drain Branch “F” 2019 dated January 11, 2019 and decided to proceed with the drainage works;

AND FURTHER THAT the meeting to Consider the Report under Section 42 of the Drainage Act will be held at Council’s regular meeting of February 25th, 2019 at 7:05 p.m.;

AND FURTHER THAT Council instructs the Clerk to notify all affected parties of this meeting as instructed under Section 41(1) of the Drainage Act. 
CARRIED

Henderson Drain 2019

Drainage Superintendent Brent Clutterbuck reported that the construction on this drainage if for a drain outlet on Wonderland Road. The estimated cost on this drain is $302 400.00.

THAT Council of the Township of Southwold has received and reviewed the report prepared by Spriet Associates for the Henderson Drain 2019 dated January 25, 2019 and decided to proceed with the drainage works;

AND FURTHER THAT the meeting to Consider the Report under Section 42 of the Drainage Act will be held at Council’s regular meeting of February 25th, 2019 at 7:05 p.m.;

AND FURTHER THAT Council instructs the Clerk to notify all affected parties of this meeting as instructed under Section 41(1) of the Drainage Act.
CARRIED
Lindsay Drain 2019
Drainage Superintendent Brent Clutterbuck explained that the meetings to consider the reports on these drains will begin at 7:05 p.m. The estimated cost of this drain is $856,000.00. Treasurer Grogan caused that upcoming drainage works are significant and may require external financing to carry costs until recovery. Mayor Jones reported that the County is baring some of the costs along with the City of St. Thomas and CN railway.

2019-086 Deputy Mayor Monteith – Councillor Emons

THAT Council of the Township of Southwold has received and reviewed the report prepared by Spriet Associates for the Lindsay Drain 2019 dated January 25, 2019 and decided to proceed with the drainage works;

AND FURTHER THAT the meeting to consider the report under section 42 of the Drainage Act will be held at Council’s regular meeting of February 25th, 2019 at 7:05 p.m.;

AND FURTHER THAT Council instructs the Clerk to notify all affected parties of this meeting as instructed under section 41(1) of the Drainage Act.

CARRIED

Drainage Reapportionment

2019-087 Councillor Pennings – Councillor Emons

THAT Council for the Township of Southwold hereby accepts the drainage reapportionment undertaken for the Application for Consent E82/18 – Steve Goodhue, 6474 Union Road;

AND FURTHER THAT this reapportionment will become effective upon stamping of the applicable deed;

AND FURTHER THAT a copy of this resolution be forwarded to the Applicant;

AND FURTHER THAT a copy of this resolution and drainage reapportionment be filed in each applicable drain file.

CARRIED

Turville Drain No. 2 2018

In attendance: J. Van De Gevel, F. Turville, D. Shields, D. Wood, R. Swinton, Ms. Swinton, R. Tugwood and T. Sharkey

2019-088 Deputy Mayor Monteith – Councillor Pennings

THAT the Meeting to Consider the Report for the Turville Drain No.2 2018 forms at 7:15 p.m.

CARRIED

Mike DeVos from Spriet Associates presented his report to Council. This report was filed under section 4 of the Drainage Act. A new municipal drain will be constructed. An on-site meeting and survey were completed. This project will incorporate the works that was installed by the
property owner and if will contain a main drain and a branch drain. The Township will be responsible for the maintenance and the cost of the project included maintenance.

R. Swinton questioned the drain that is at the back of his property. Mr. DeVos responded that the tile drain in the back of his property was a private, not a municipal drain. This private drain is tributary branch A.

R. Tugwood questioned the water that goes through the “brook” in his rear yard. Can anyone just access your property? We have an ornamental garden. Mr. DeVos explained that the report was providing for a right of way for future maintenance of the drain across his property. He explained that Township would only be there if maintenance was required for an obstruction, repair of the culverts or cleaning the bottom of the “brook”. Mr. Tugwood questioned about going around the ornamental garden. Mr. Clutterbuck responded that there would only one instance that we would arrive to maintain the drain suddenly and it would be only if there was a need for an immediate repair to protect the motoring public on the road. Even in this instance an effort would be made to discuss any required repair prior to entry on his property. If it was reasonable to do so an alternate route could be agreed to work around gardens. If there was no way to work around the gardens, then every effort would be made to preserve perennials and small shrubs. If maintenance needs to be done it will get done. Mr. DeVos commented that we will salvage what we can.

J. Van de Gevel questioned the conditions of the pipes. Mr. DeVos reported that they are not new but not in bad condition.

D. Shields questioned if the cost now will be the cost of the project. Mr. DeVos responded that it is close but there is potential that it could change. Ms. Shields also questioned if seeding was included. Mr. DeVos questioned if it was the seeding on the swale. It is included.

T. Sharkey questioned if the ditch has been checked out, the overflow. Mr. DeVos commented that his staff has verified that the tile structure had been installed as shown in the design. There is still a little bit of work required to complete the swale. That work will be checked prior to a completion certificate being issued.

Mr. Swinton wanted some clarification on the pipe in his backyard. Mr. DeVos responded that no work was proposed to the private tile in his rear yard, it is an existing drainage pipe that is taking some of the water from his rear yard to Branch A. No petition has been submitted for any additional work to extend branch A further to the south. Mr. Clutterbuck commented that this drain was in fact discovered when the petitioners dug the hole for their house footings. When the tile was traced to the ditch it was found to be plugged with tree roots.

Mr. Swinton repeated the question that no work will be done behind my house. Mr. DeVos responded that there would be no work done behind his house but that by law you are required to be accessed because you are in the watershed. A brief explanation was given about drains under the Drainage Act.

F. Turville questioned what the conservation authority has contributed. Mr. DeVos replied that they attended the meetings and provided a report. Mr. Clutterbuck remarked that is included in the estimated costs as most Conservation Authorities charge a fee under the Conservation Authority Act to review drainage projects. Kettle Creek Conservation Authority has not charged a fee for previous projects in Southwold but they may depending on their policies. It is most likely that estimated fee will probably never be charged.
R. Swinton questioned when the work will begin. Mr. Clutterbuck mentioned that most of the work has been done. There is some work required yet to complete the swale. Mr. DeVos commented that with the surface work we need to wait for the growing season.

Mr. Tugwood questioned the timetable or schedule we use to check on the drains. Mr. Clutterbuck responded that we respond by maintenance request.

Mayor Jones asked if everyone had any more questions and if the questions they had asked had been answered. There were no more questions asked.

Mr. Clutterbuck informed everyone that a property owners name was mis-spelled in the report. He provided a sheet with the correct spelling to anyone who wished one.

2019-089 Deputy Mayor Monteith – Councillor Pennings  
Turville Drain No. 2 2018

THAT the Report on the Turville Drain No. 2 2018 prepared by Spret Associates pursuant to Section 4 of the Drainage Act, dated January 10, 2019, be accepted by the Council of the Township of Southwold;

AND THAT Council authorizes staff to initiate the tender process, if required, for the construction of the Turville Drain No. 2 2018;

AND THAT Council consider the provisional By-law.  
CARRIED

2019-090 Councillor Pennings – Councillor Emons  
By-law 2019-09

THAT By-law No. 2019-09, be read a first, second time and provisionally adopted;

AND THAT the Court of Revision be held on March 11, 2019 at 7:15 p.m.  
CARRIED

2019-091 Councillor Emons – Councillor Pennings  
Adjournment Mtg. to Consider Report – Turville Drain No. 2 2018

THAT the Meeting to the Consider the Report for the Turville Drain No. 2 2018 hereby adjourns at 7:47 p.m.;

AND THAT the regular meeting of Council reconvenes.  
CARRIED

REPORTS:

Activity Report from the Drainage Superintendent
Drainage Superintendent Brent Clutterbuck reported the drainage reports for the Wonderland Road Drains were delivered on Friday. His report does not include an update on the budget portion. He also informed Council that Sid Vander Veen, Drainage Coordinator from OMAFRA has officially retired.
Activity Report from the Fire Chief
Fire Chief Jeff McArthur reported that his report did not include a structure fire on Longhurst Line on February 3. Mayor Jones thanked the firefighters for coming out and helping at the Southwold Winterfest.

Activity Report from the Public Works Superintendent
Public Works Superintendent Paul Vaerenbergh reported he was glad to see that staff are doing some updating with their training. Mayor Jones officially welcomed Mr. Vaerenbergh to the team.

Activity Report from the Chief Building Official
Treasurer Kim Grogan reported that the 2.8 million was added to summary for the waste water treatment plant.

Activity Report from the CAO/Clerk
Council reviewed this report. No questions were asked.

Bill 68- Modernizing Ontario’s Municipal Legislation Act and Changes to Municipal Policies
Treasurer Kim Grogan reported that this report is mainly for information before Mark McDonald comes to Council on February 25th. He will outline his mandate and answer any questions. Under Bill 68 Council is required to pass a policy on Council- employee relations.

Farm Tax Ratio
Treasurer Kim Grogan reported that the County will be discussing with the Elgin County Federation of Agriculture a reduction in the farm tax ratio. Ms. Grogan provided examples of a reduction of the tax ratio on the Township’s tax levy. Ms. Grogan also explained the lowering of the tax ratio could actually add to burden of tax on a farm property.

CORRESPONDENCE:

Southwold Solar Energy Proposal
Council reviewed this proposal.

BY-LAW:

2019-092 Councillor Pennings – Deputy Mayor Monteith

THAT By-law No. 2019-10 read a first and second time.

CARRIED
2019-093  Councillor Emons – Councillor Pennings

THAT By-law No. 2019-10 be read a third time and finally passed.

CARRIED

OTHER BUSINESS:

Council reviewed the items under Other Business

CLOSED SESSION:

2019-094  Councillor Pennings – Deputy Mayor Monteith

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at 8:12 p.m. in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters:

- A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (section 239 (2) (k)) – Talbotville Development

CARRIED

STAFF DIRECTION

Staff was given direction from Council on the item that were discussed in the Closed Session.

AJOURNMENT:

2019-095  Deputy Mayor Monteith – Councillor Emons

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at 9:20 p.m.

CARRIED

Deputy Clerk
Kim Grogan

Mayor
Grant Jones