



## Staff Report

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**Report To:** Dan Best, Chief Administrative Officer  
**From:** **Rebekah Msuya-Collison, Director of Legislative Services/Clerk**  
**Date:** September 8 2020  
**Report:** CL#25-2020  
**Subject:** Appoint Livestock Valuer and Line Fences Viewer

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### **Recommendations:**

**That** South Huron Council receives report CL#25-2020 – Appoint Livestock Valuer and Line Fences Viewer; and

**That** Council appoint Sarah Shapton, Carolyn Johns as Municipal Livestock Valuer for the Municipality of South Huron; and

**That** Council appoint Sarah Shapton, Carolyn Johns and Deputy Mayor Jim Dietrich as Fence Viewers for the Municipality of South Huron.

### **Purpose:**

The purpose of this report is to recommend persons for appointment as municipal Livestock Investigator and Fence Viewer.

### **Background and Analysis:**

Staff initiated the recruitment process in the “Hub”, on the municipal website and social media accounts following the June 1, 2020 CL#17-2020 Report to Council on the current status of appointments for Municipal Livestock Investigator and Municipal Fence Viewer. Applications from persons wishing to stand for appointment as Municipal Livestock Investigator and Municipal Fence Viewer with Council were accepted up to July 31, 2020 and interviews were conducted the week of August 17, 2020.

Interviews were conducted remotely, the exception being the existing municipal Livestock Investigator and Fence Viewer who is also recommended for re-appointment. Where an applicant applied to more than one position, a single interview was conducted that included questions related to both vacancies and the applicant was considered for both positions.

### **Vacancy – Fence Viewer**

Due to the requirement of three fence-viewers under the *Line Fences Act*, staff is recommending a Council member as the third appointment, this could be either on an as-needed basis to resolve the dispute and issue a decision when required or a specific Council member coinciding to the end of current Council term.

The difficulty with the first approach is that a viewing has to be held no later than 30 days from the date of receipt of an application. Deputy Mayor Jim Dietrich was approached and advised that he would fill the vacancy if necessary. Staff has also reached out to adjoining municipalities to see whether they have an appointed Fence Viewer that would be interested in assisting the municipality, if necessary, in the case of a conflict.

There is no such minimum requirement for an additional municipal livestock investigator.

### **Operational Considerations:**

Council has the authority to determine appointments regardless of the recommendations. Livestock Valuers and Fence Viewers are appointed by By-law and continue until such time as new members are appointed by Council.

It is the Clerk's responsibility to determine whether the fence-viewers have jurisdiction to arbitrate (i.e. make an "award") based on the specific circumstances. The Clerk Department assists both the Livestock Valuers and Fence Viewers in the administration and training for these programs.

### **South Huron's Strategic Plan:**

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Transparent, Accountable, and Collaborative Governance

**Financial Impact:**

Compensation is based per occurrence and mileage rates, as per our current mileage rates and as set out in the current Remuneration By-Law.

**Legal Impact:**

The Line Fence's Act does provide for an appeal process however this is outside of Council's role and is heard by provincially-appointed line fence referee or deputy referee.

**Staffing Impact:**

There will be no staffing implications as a result of this report.

**Policies/Legislation:**

*Line Fences Act*

*Protection of Livestock and Poultry from Dogs Act*

**Consultation:**

Rachel Anstett, HR Coordinator  
D. Best, Chief Administrative Officer

**Related Documents:**

Appointment By-Laws 48-2020 and 49-2020 (By-law section of agenda)

Respectfully submitted,

**Rebekah Msuya-Collison, Director of Legislative Services/Clerk**

**Report Approval Details**

Document Title:	CL25-2020 - Appoint Livestock Valuer and Line Fences Viewer.docx
Attachments:	
Final Approval Date:	Sep 3, 2020

This report and all of its attachments were approved and signed as outlined below:

**Sandy Becker - Aug 28, 2020 - 1:12 PM**

**No Signature - Task assigned to Rebekah Msuya-Collison was completed by workflow administrator Dan Best**

**Rebekah Msuya-Collison - Sep 3, 2020 - 1:38 PM**

**Dan Best - Sep 3, 2020 - 1:38 PM**