

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE  
COUNCIL MINUTES – August 12, 2019**

**Present:** Mayor Kurtis Smith, Deputy Mayor Mary Ann Hendrikkx, Councillor Mike Brodie, and Councillor Betty Ann MacKinnon

**Absent:** Councillor Sue Clarke

**Also Present:** CAO/Treasurer Cathy Case, Clerk Jennifer Turk, Public Works Manager Jeff Little, and Planner Erin Besch (for part of the meeting)

**Call to Order**

At 7:00 pm, Mayor Kurtis Smith called the meeting to order. A moment of silent reflection was observed.

**Declaration of Pecuniary Interest and General Nature Thereof**

The Municipal Conflict of Interest Act requires any member of Council to declare a pecuniary interest and the general nature thereof; and where the interest of a member of Council has not been disclosed by reason of the member's absence from a meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

Deputy Mayor Hendrikkx declared pecuniary interest regarding Zoning By-law Amendment Application Z08-2019, 30229 Centre Road, Lymarikx Farms Ltd, Dan & Carrie Hendrikkx as Deputy Mayor Hendrikkx has shares in Lymarikx Farms Ltd.

**Minutes**

**MOVED by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that the Minutes of the July 22, 2019 regular meeting minutes be approved as circulated. CARRIED.**

**Correspondence**

- A. Upcoming Conferences/Seminars/Meetings
- 1) Regular Council Meeting - Tuesday, September 3, 2019
  - 2) Regular Council Meeting - Monday, September 16, 2019
  - 3) Public Meeting – Tuesday, September 24, 2019 @ 6:30 PM (Community Hub/Kerwood Park)
  - 4) Regular Council Meeting - Monday, September 30, 2019 (Tentative)
  - 5) CC-1 Middlesex Workforce Development Partnership - Invitation to Launch Middlesex The Place We Call Home

- 6) CC-2 Middlesex County Clerks & Treasurers - Golf Day - August 30, 2019
- B. Recommended Reading
- 1) CC-3 BRA - Board of Directors July 2019 Meeting Notes
  - 2) CC-4 MMAH - Municipal Notification Letter - Proposed PPS - July 22 2019
  - 3) CC-5 R Cormack - Letter of Thank You - Adelaide Metcalfe Sports Day & BBQ
- C. Action Required
- 1) CC-6 College of Physicians and Surgeons of Ontario - 2020 Council Award
  - 2) CC-7 Township of McKellar - Resolution - Municipal Amalgamation

**MOVED by Councillor MacKinnon**  
**SECONDED by Deputy Mayor Hendrikx**  
**Resolved that Council support the Township of McKellar resolution regarding municipal amalgamation. CARRIED.**

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Brodie**  
**Resolved that Council receive and file Correspondence items CC-1 to CC-6. CARRIED.**

- 3) CC-8 Enbridge - Proactive Notification Pipeline Maintenance Program

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Brodie**  
**Resolved that Council receive and file Correspondence item CC-8. CARRIED.**

#### Delegations & Timed Events

7:05 PM PUBLIC MEETING

Deputy Mayor Hendrikx reiterated her pecuniary interest and left Council chambers.

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Brodie**  
**Resolved that the public meeting to hear Zoning By-law Amendment Z08-2019 (Lymarikx Farms Ltd., 30229 Centre Road), be opened at 7:06 pm. CARRIED.**

Zoning By-law Amendment, Z08-2019  
Lymarikx Farms Ltd, 30229 Centre Drive  
Agent: Dan & Carrie Hendrikx

There was no representation in attendance for the application.

Planner Erin Besch reviewed Zoning By-law Amendment Application Z08-2019 to rezone the severed parcel created through Consent B05-2018 from General Agriculture

(A) Zone to Surplus Dwelling (SD) Zone in order to recognize the residential use of the lands and to rezone the retained parcel created through Consent B05-2018 from General Agriculture (A) Zone to Agriculture Only (AO) Zone to prohibit new residential dwellings on the lands.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment Z08-2019 be approved as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and the requirements of the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

There were no comments from members of the public in attendance. There were no comments from Council.

**MOVED by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that the public meeting to hear Zoning By-law Amendment Application Z08-2019 (Lymarikx Farms Ltd., 30229 Centre Road), be closed at 7:09 pm and Council reconvene in regular session. CARRIED.**

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Brodie**

**Resolved that Council approve the application for Zoning By-law Amendment Z08-2019 for 30229 Centre Road to amend the zoning of a portion of the severed parcel created through Consent B05-2018 from General Agriculture (A) Zone to Surplus Dwelling (SD) Zone in order to recognize the residential use of the lands and to amend the zoning of a portion of the retained parcel created through Consent B05-2018 from General Agriculture (A) Zone to Agriculture Only (AO) Zone to prohibit new residential uses on the lands and that Council proceed with the first and second reading of the implementing by-law with third and final reading to be provided once a deposited reference plan has been received to the satisfaction of the Township. CARRIED.**

Deputy Mayor Hendrikx returned to her chair for the remainder of the meeting.

P-1 L. Benedict – B04-2019 – Letter of Request

Planner Erin Besch presented her report to Council pertaining to the request from Lorne Benedict.

There were no comments from Council.

**MOVED by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that the request from Mr. Lorne Benedict be accepted and condition 3 of Application for Consent B04-2019 be changed to the following:**

**3. That the lands to be conveyed be transferred to Bencrest Farms Inc. and Lorne A. Benedict to ensure the consolidation with their farming operation.**

**And that no further notice be required pursuant to Section 53(26) of the Planning Act. CARRIED.**

**Staff Reports**

1) PWM-1 Bridge Inspection Report

**MOVED by Councillor Brodie**

**SECONDED by Deputy Mayor Hendrikx**

**Resolved that Council receive the Bridge Inspection Report as presented by the Public Works Manager. CARRIED.**

2) PWM-2 Kerwood Sidewalk Replacement

**MOVED by Councillor Brodie**

**SECONDED by Deputy Mayor Hendrikx**

**Resolved that Council receive the Kerwood Sidewalk Replacement report as presented by the Public Works Manager. CARRIED.**

Deputy Mayor Hendrikx inquired if benches could wait to be installed as there could be the possibility of sponsorship from area businesses and community clubs.

Mayor Smith inquired if landscaping would go back to the original state after sidewalks replaced. Public Works Manager Jeff Little advised Council that whatever materials are removed to install sidewalks, the same material will be installed back to original state.

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Brodie**

**Resolved that Council directs staff to proceed with replacement of the sidewalks in Kerwood as defined by the Kerwood Sidewalk Replacement Report presented by the Public Works Manager. CARRIED.**

3) PWM-3 Road Information Report

Public Works Manager Jeff Little advised Council that the parking lot at Kerwood Park still needed to be expanded and first base dugout at the main baseball diamond still needed to be repaired.

Councillor Brodie inquired what part of the Township had been sprayed for roadside weeds. Public Works Manager Jeff Little advised Council that the bottom half of the Township was sprayed and is on a rotating schedule.

Councillor MacKinnon inquired about signs being replaced. Public Works Manager Jeff Little advised Council that only those signs that are approved by Council for replacement are being replaced, does not include County of Middlesex signs.

Mayor Smith thanked Public Works Manager Jeff Little for his service during his time of employment with the Township upon the recent resignation that was submitted by the Public Works Manager.

**MOVED by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that Council receive the Public Works Information Report prepared by the Public Works Manager. CARRIED.**

4) C-1 By-law Enforcement July 2019 Monthly Report

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Brodie**

**Resolved that Council receive the By-law Enforcement Report for the period ending July 31, 2019 as presented by the Clerk. CARRIED.**

CAO/Treasurer Cathy Case gave a verbal update regarding 27735 Kerwood Road. Demolition will be completed in the upcoming week. Contractor is waiting for fencing to secure property during demolition.

5) CAOTR-1 Invoice Payment Approval  
CAOTR-1 Invoice Payment Listing-Jul 20 to Aug 8 2019

**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Brodie**

**Resolved that Council approve the accounts listing for the period July 20, 2019 to August 8, 2019 in the amount of \$165,184.49 as presented. CARRIED.**

6) CAOTR-2 Financial Report

**MOVED by Councillor MacKinnon**

**SECONDED by Deputy Mayor Hendrikx**

**Resolved that Council receive the Financial Report including July Payroll as presented by the CAO/Treasurer. CARRIED.**

- 7) CAOTR-3 Tender Report  
CAOTR-3 Tender Results

Councillor Brodie inquired about a diesel cab/chassis rather than gasoline for better resale. Public Works Manager Jeff Little advised Council that having a diesel truck would put the budget over \$9,000 to \$12,000.

**MOVED by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that Council accept the quote from McDonnell Motors for the 4x4Cab/Chassis in the amount of \$41,138.00 plus HST as recommended by the Public Works Manager. CARRIED.**

### Other Business

Councillor Brodie inquired about the County Policy of taking land from residents for future road expansion as a condition for consent applications in the Township. Councillor Brodie advised Council that County of Lambton buys the land from the property owner. Mayor Smith advised Council that this policy was circulated to all lower tier municipalities to inform them of this change.

Mayor Smith advised Council that a five (5) minute recess would occur at this time so media had a chance to interview staff and not wait until after the Closed Session.

**Moved by Councillor Brodie**

**SECONDED by Councillor MacKinnon**

**Resolved that Council recess for five (5) minutes. CARRIED.**

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Brodie**

**Resolved that Council re-convene back in Open Session. CARRIED.**

### Closed Session

**MOVED by Councillor MacKinnon**

**SECONDED by Councillor Brodie**

**Resolved that Council hold a Closed Session meeting as provided for as per Section 239 (2) of the Municipal Act, 2001, as amended:**

**(b) personal matters about an identifiable individual, including municipal or local board employees; and**

**(d) labour relations or employee negotiations; and**

**(c) a proposed or pending acquisition or disposition of land by the municipality or local board at 7:51 pm. CARRIED.**

**MOVED by Councillor Brodie**  
**SECONDED by Councillor MacKinnon**  
**Resolved that the Closed Session end at 8:20 pm and Council convene in open session. CARRIED.**

**Rise and Report**

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Brodie**  
**Resolved that Council direct staff to proceed as discussed in Closed Session. CARRIED.**

**MOVED by Councillor MacKinnon**  
**SECONDED by Deputy Mayor Hendrikx**  
**Resolved that the resignation of Jeff Little from the Public Works Manager position be received with regret. CARRIED.**

**MOVED by Deputy Mayor Hendrikx**  
**SECONDED by Councillor Brodie**  
**Resolved that Council approve the Public Works Manager Exit Program Report as presented. CARRIED.**

**By-laws**

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Brodie**  
**Resolved that third and final reading be given to:**  
**By-law No. 29 of 2019 – Zoning By-law Amendment Z03-2019 – Denning**  
**And that the by-law be signed by the Mayor and Clerk and have the corporate seal attached. CARRIED.**

**MOVED by Councillor MacKinnon**  
**SECONDED by Councillor Brodie**  
**Resolved that all three readings be given to:**  
**By-law No. 57 of 2019 – Zoning By-law Amendment Z08-2019 Lymarikx Farms Ltd.**  
**By-law No. 58 of 2019 – Confirm Council Proceedings**  
**And that the by-laws be signed by the Mayor and Clerk and have the corporate seal attached. CARRIED.**

**Adjournment**

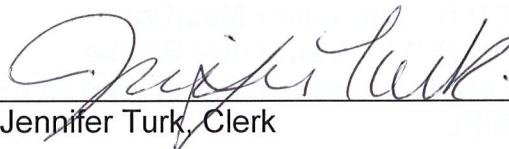
**MOVED by Deputy Mayor Hendrikx**

**SECONDED by Councillor Brodie**

**Resolved that the meeting be adjourned at 8:25 pm. CARRIED.**



Kurtis Smith, Mayor



Jennifer Turk, Clerk