



**MUNICIPALITY OF SOUTHWEST MIDDLESEX  
REGULAR COUNCIL MEETING**

WEDNESDAY, MARCH 10, 2021 7:00 PM  
via Electronic Participation

# COUNCIL MINUTES

**Meeting can be viewed at:**

<https://www.youtube.com/channel/UC6oo98BZcAvuVMKLDx88I4A>

## **SOUTHWEST MIDDLESEX COUNCIL AGENDA**

The Municipal Council of the Municipality of Southwest Middlesex met in Regular Session on March 10, 2021 at 7:00 p.m.

### **COUNCIL PRESENT:**

Mayor Allan Mayhew (Chair presiding), Deputy Mayor Marigay Wilkins, Councillors Doug Bartlett, Ian Carruthers, Christa Cowell, Mark McGill, Mike Sholdice and Martin Vink

### **STAFF PRESENT:**

CAO/Clerk – Jill Bellchamber-Glazier, Director of Operations – Greg Storms, Fire Chief – Colin Shewell, Treasurer – Kristen McGill, Drainage Superintendent – Andrew Neely, Deputy Clerk – Denny Giles

### **ALSO PRESENT:**

Brandon Widner, P. Eng. Spriet Associates

## **1. CALL TO ORDER**

Mayor Mayhew calls the meeting to order at 7:01 p.m.

Mayor Mayhew noted that the meeting is being held as a virtual meeting due to the declared emergency, in order to help stop the spread of COVID-19.

Mayor Mayhew confirmed that the meeting will be recorded and streamed live and published in accordance with council's Electronic Recording of Meetings Policy.

## **2. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

Councillor Christa Cowell declared a potential indirect pecuniary interest on Council/Committee Agenda Dated March 10, 2021, Item No. 16.4., Item Title: By-Laws, Agreement for CBO Services w/ MC for the following reasons: I have a deemed pecuniary interest under section 3 that arises from indirect pecuniary interest pursuant to clause 2(b).

## **3. ADDITIONS TO THE AGENDA**

#2021-064

Moved by Councillor Carruthers

Seconded by Deputy Mayor Wilkins

THAT the Regular Agenda of Council dated March 10, 2021 be accepted as presented.

Carried

## **4. DELEGATIONS AND PRESENTATIONS**

### Meeting to Consider Engineer's Report – Kelly Drain

Council met to consider the report prepared by Spriet Associates dated December 21, 2020 and provided opportunity to any person who own lands within the area requiring drainage to address council.

- Brandon Widner provided an overview of the work required;
- Landowners were provided with the opportunity to ask questions;
- The Chair invited Members of Council to ask questions;

#2021-065

Moved by Councillor Cowell

Seconded by Councillor Vink

THAT Council accepts the Engineer's Report in reference to the Kelly Drain and refers the by-law to the by-law section of the agenda for the 1<sup>st</sup> and 2<sup>nd</sup> reading only.

Carried

Court of Revision – McFarlane Drain

#2021-066

Moved by Councillor Sholdice

Seconded by Councillor Cowell

THAT Mayor Mayhew, Deputy Mayor Wilkins, Councillors Sholdice, Vink, and McGill are appointed as members of the Court of Revision for the McFarlane Drain; and

THAT Mayor Mayhew is appointed as Chairperson of the Court of Revision for the McFarlane Drain.

Carried

#2021-067

Moved by Councillor Bartlett

Seconded by Councillor Vink

THAT the regular meeting of council is suspended to move into the Court of Revision for the McFarlane Drain at 7:23 p.m.

Carried

Council resumed at 7:29 p.m.

## **5. CONSENT AGENDA**

- a. SWM Council Meeting Minutes – February 10, 2021 and February 24, 2021
- b. SWM Vouchers
- c. Mayor Mayhew County Council Update – February 16, 2021
- d. Resolutions: Ontario Fire College
- e. Resolution: Township of Archipelago
- f. Middlesex-London Board of Health Update
- g. Resolution: Norfolk County
- h. NASM Plan Approval – McNally Farms
- i. Resolution: Lake of Bays
- j. Resolution: Niagara Region
- k. ICIP Green Stream Program – Transfer Payment Agreement with SWM
- l. Ontario Fire Marshal's Communiqué
- m. Resolutions: Amendments to Tile Drainage Installation Act
- n. Resolution: Township of Brock

#2021-068

Moved by Councillor McGill

Seconded by Councillor Carruthers

THAT Council support the Resolution from Norfolk County related to carbon tax exemptions related to agricultural industry.

Carried

#2021-069

Moved by Councillor Carruthers

Seconded by Councillor Sholdice

THAT Council support and endorse Niagara Regional Council's resolution re: Schedule 6, Bill 197, *COVID-19 Economic Recovery Act, 2020*.

Carried

#2021-070

Moved by Councillor Carruthers

Seconded by Deputy Mayor Wilkins

THAT Council support the Resolution from the Township of Brock related to Cannabis regulation.

Carried

#2021-071

Moved by Councillor Carruthers

Seconded by Councillor Cowell

THAT the council for the Municipality of Southwest Middlesex receives Consent Agenda items 5.a through 5.n as information, and approve the February 10, 2021 and February 24, 2021 council meeting minutes.

Carried

**6. COMMITTEE OF ADJUSTMENT**

None

**7. PUBLIC MEETINGS**

None

## **8. STAFF REPORTS**

a. Fire  
No Reports

b. Administration  
i. ITS Policy

#2021-072

Moved by Deputy Mayor Wilkins

Seconded by Councillor Bartlett

THAT Council adopts the Acceptable Use of Technology Policy by by-law.

Carried

ii. Mill Street – Middlemiss

#2021-073

Moved by Councillor Carruthers

Seconded by Councillor Bartlett

THAT the Council authorize the termination agreement related to the 2006 agreement between Southwest Middlesex and Welshes for use of the unopened road allowance known as Mill Street; and

THAT the Council enter into a development agreement with Ed Karsch related to the development of Mill Street; and further

THAT following the agreements being entered into staff be directed to bring back with a by-law to close Part 5 of Mill Street.

Carried

c. Building

d. Finance  
i. SWM Municipal Benefits Renewal

#2021-074

Moved by Deputy Mayor Wilkins

Seconded by Councillor Carruthers

THAT council maintain current employee benefit coverage levels.

AND THAT council authorize the renewal of the benefits program with RWAM Insurance Administrators Inc.

AND THAT the increase in coverage cost of \$6,725.04 be funded through the insurance reserve.  
Carried

ii. Delegation of Authority to Treasurer

#2021-075

Moved by Councillor Carruthers

Seconded by Councillor Cowell

THAT Council delegate the authority to the Treasurer to undertake certain actions related to the cancellation, refund, reduction, or increase of taxes under Sections 354, 357, 358, and 359 of the *Municipal Act, 2001* and the apportionment of unpaid taxes in accordance with Section 356 of the *Municipal Act, 2001*.

Carried

e. Operations

i. Eichenberger Drain Tender

#2021-076

Moved by Councillor McGill

Seconded by Councillor Bartlett

THAT council accept the Engineer's recommendation, that the tender be awarded to McNally Excavating (subject to no appeals to the Agriculture, Food and Rural Affairs Tribunal being received).

Carried

ii. Pool Heater Replacement – Glencoe Pool

#2021-077

Moved by Councillor Carruthers

Seconded by Deputy Mayor Wilkins

THAT Council approves the quote as provided by Gerber Electric in the amount of \$19,615.30 Taxes Included, for the replacement of the Pool Heater at the Glencoe Pool.

Carried

iii. Off Road Vehicles (ORV's/ATV's)

#2021-078

Moved by Councillor Carruthers

Seconded by Councillor Sholdice

THAT Council approves the ORV By-law, as presented, prohibiting the use of ORVs on local roads for Recreational purposes;

AND THAT Staff be directed to meet with the local ORV Clubs(s) and affected agencies;

AND THAT staff report back to council on these discussions on the formation of a local club that would permit the controlled use of local roads for Recreational purposes utilizing ORVs.

Carried

iv. 2021 Gravel Tender Results

#2021-079

Moved by Councillor McGill

Seconded by Councillor Vink

THAT Council approves the Tender Price as supplied by Johnson Bros. Ltd. for the supply and delivery of the Municipality's gravel requirements for 2021 being Granular M at \$18.92 per tonne, ¾ Clear at \$22.50 per tonne and Granular "A" at \$17.85 per tonne;

AND THAT Council supports Option A;

AND THAT \$43,000 be moved from the 2020 Dust Control Operational Surplus Budget to accommodate the increase in gravel pricing for 2021.

Carried

**9. NOTICE OF MOTION**

#2021-080

Moved by Councillor Carruthers

Seconded by Councillor Sholdice

THAT the unused balance of the budget for the Road and Sidewalk Condition Assessment being \$22,443 be added to the existing SWM 2021 sidewalk budget.

Carried

**10. CORRESPONDENCE AND PETITIONS**

None

**11. UNFINISHED BUSINESS**

None

**12. NEW BUSINESS**

None

**13. COUNTY COUNCIL AND CONFERENCE UPDATE**

Deputy Mayor Wilkins provided an update related to the meeting with the local MPPs and Middlesex area municipalities highlighting need for senior government support for expanding infrastructure for water and wastewater facilities.

**14. ANNOUNCEMENTS**

**15. CLOSED SESSION**

Closed session not anticipated.

**16. BY-LAWS**

1. By-law No. 2020/011

Being a by-law to amend zoning by-law no. 2011/065, Stanley and Cameron Towers, 4275 Olde Drive

2. By-law No. 2021/017

Being a by-law of the Corporation of the Municipality of Southwest Middlesex to prohibit and/or otherwise regulation of Off-Road Vehicles (ORVs) on Municipal Roads

3. By-law No. 2021/018

Being a by-law to establish an Acceptable Use of Technology Policy

4. By-law No. 2021/019

Being a by-law authorizing the Mayor and the CAO-Clerk to execute an agreement with the Corporation of the Municipality of Middlesex Centre for the Services of Chief Building Official



5. By-law No. 2021/020

Being a by-law to authorize the Mayor and the CAO-Clerk to sign a funding agreement with *Her Majesty the Queen in Right of Ontario* for funding through *Minister of Infrastructure Investing in Canada Infrastructure Program (ICIP): Green Stream Project* for the replacement of Main Street Waterline (Glencoe)

6. By-law No. 2021/021

Being a by-law to authorize the Treasurer to process Tax Adjustments under Sections 354, 356, 357, 358, and 359 of the Municipal Act

7. By-law No. 2021/022

Being a by-law to authorize the Mayor and the CAO-Clerk to enter into a severance and road/land use agreement with Audrey Jean Welsh and David Welsh, and Eddy Peter Karsch, Edward Walter Karsch and Eric Franklin Karsch

8. Bylaw No. 2021/023

Being a by-law authorizing the Mayor and CAO-Clerk to enter into a Development Agreement with Eddy Peter Karsch, Edward Walter Karsch and Eric Franklin Karsch for the property known as Mill Street, 34PL313; Ekfrid being all of PIN 08554-0111.

9. By-law No. 2021/024 (1<sup>st</sup> and 2<sup>nd</sup> reading)

Being a by-law to provide for the drainage works in the Municipality of Southwest Middlesex, in the County of Middlesex, being the Kelly Drain

10. By-law No. 2021/025

Being a by-law to confirm the proceedings of the council of the Municipality of Southwest Middlesex March 10, 2021

#2021-081

Moved by Deputy Mayor Wilkins

Seconded by Councillor Carruthers

THAT By-law No. 2021/024 receive first and second reading.

Carried

Having declared an interest in By-law No. 2021/019, Councillor Cowell did not participate on the following resolution to pass By-law No. 2021/019.

#2021-082

Moved by Deputy Mayor Wilkins

Seconded by Councillor Bartlett

THAT Bylaw No. 2021/019 receive first, second, third and final readings.

Carried

#2021-083

Moved by Councillor Carruthers

Seconded by Councillor Vink

THAT By-law No. 2020/011 be given third reading; and

THAT By-law No. 2021/017, By-law No. 2021/018 and By-law No. 2021/020 to By-law No. 2021/023 and By-law No. 2021/025 be given first, second, third and final readings.

Carried

**17. FUTURE MEETINGS (subject to change)**

- March 24, 2021 – 7:00 p.m. – Council & Committee of Adjustment Meeting
- April 7, 2021 – 7:00 p.m. – Council Meeting

**18. ADJOURNMENT**

The Mayor adjourned the meeting at 9:13 p.m.