

MINUTES
LAMBTON COUNTY COUNCIL

May 6, 2009

Lambton County Council was in session in the Council Chambers, Wyoming, Ontario, at 12:30 p.m. on the above date. Warden in the Chair; Roll called; All members present.

Disclosures of Pecuniary Interest: None.

In-Camera

#1: Napper/Case: That the Warden declare that County Council go in-camera to discuss a matter concerning litigation or pending litigation, a matter concerning labour relations and employee negotiations and a matter subject to solicitor-client privilege.

Carried.

Open Session

The Warden declared that County Council go back into open session.

Rise and Report Motions of the In-Camera Session dated May 6, 2009

#2: Perry/MacDougall: That Council rise and report.

Carried.

The Chief Administrative Officer noted that there were no resolutions to report from the Closed Session meeting.

#3: Perry/MacDougall: That Council adopt the report of the Closed Session meeting.

Carried.

Delegations

Messrs. Andrew Falby and Hermann Martens withdrew their request to speak as a delegation to Council regarding the former Marshall Gowland Manor site.

#4: Arnold/Gillis: That we invite Ms. Arlene Patterson, President of the Sarnia-Lambton Health Coalition, within the Bar, to speak to County Council regarding how hospital cuts threaten our health.

Carried.

* Amend to reflect the fact that Council also directed staff to pay an additional sum of \$500.00 towards the cost of transportation via bus, to the protest at Queen's Park concerning protecting our local hospitals - see Council June 3, 2009, mot. #5.

Minutes

The Lambton County Council (Open Session) and (Closed Session) minutes dated February 12 and March 4, 2009 and (Open Session) dated March 18, 2009 - Budget, were presented.

#5: Foubister/Minielly: That the Lambton County Council (Open Session) and (Closed Session) minutes dated February 12 and March 4, 2009 and (Open Session) dated March 18, 2009 - Budget be accepted as presented.

Carried.

Correspondence

5-7-09 A resolution from the Municipality of South Bruce, dated March 10, 2009, advising that Provincial funding to Ontario's Conservation Authorities has decreased by 87% since 1992 and member Municipalities are now required to fund approximately 40% of the Ontario Conservation Authorities' budgets. The Municipality of South Bruce is requesting support that Conservation Ontario implement and prioritize a major lobby effort against the Provincial Government and Ministry of Natural Resources to demand fair funding.

#6: Gilliland/Bradley: That the County of Lambton support the resolution from the Municipality of South Bruce to ask that Conservation Ontario implement and prioritize a major lobby effort against the Provincial Government and Ministry of Natural Resources to demand fair funding to Conservation Authorities.

Carried.

Correspondence to Receive and File

5-2-09 A Member Communication from the Association of Municipalities of Ontario (A.M.O.), dated March 9, 2009, advising that the pesticides ban takes effect April 2, 2009. The ban prohibits the sale and use of pesticides for cosmetic purposes on lawns, gardens, parks and school yards and includes many herbicides, fungicides and insecticides. There are exceptions for public health or safety reasons such as fighting West Nile Virus, killing stinging insects like wasps or controlling poison ivy and other plants poisonous to the touch.

5-8-09 A petition, dated March 22, 2009, advising that March 22nd is World Water Day. County Council is being asked to call upon the Federal Government to urge the World Bank to ensure access to clean, affordable water for the world's poor and to strengthen the role of the public sector and our own community in setting water policies and delivering/regulating water services. Please note that copies of the letters signed by individuals will be available on the centre table the day of Council for those wishing to view them.

5-13-09 A letter from Tay Valley Township, dated March 30, 2009, requesting support of its resolution to request the Ministry of Natural Resources Fishery Council of Zone 18, postpone implementing any limit on sunfish until further studies have been conducted to find out what the effects of a larger pan fish population could have on Walleye and Bass. The Township is further requesting that the Ministry of Tourism be asked to conduct a study to find out what type of impact a pan fish limit will have on the American tourism industry. Tay Valley Township is asking that the pan fish regulation stay status quo.

5-14-09 A Member Communication from the Association of Municipalities of Ontario (A.M.O.), dated March 26, 2009, advising that the 2009 Ontario Budget confirms the Province will match federal infrastructure investments and offset additional total costs to the municipal sector related to the creation of a harmonized sales tax. The budget confirms the following:

- a) the change will be "fiscally neutral" relative to the amount of PST currently paid by Municipalities;
- b) infrastructure investments will be made by the Province to match the infrastructure stimulus commitments announced in the Federal Budget;
- c) it reconfirms Property Tax Grants for seniors as announced previously in the 2008 Budget;
- d) the Assessment Act will be amended to exclude the additional value of specific energy-efficiency enhancements when calculating current value;
- e) the Municipal Act will be amended to make it consistent with the new accounting standards of the Public Sector Accounting Board related to tangible capital assets;
- f) the Budget introduces a mandatory procurement program for the broader public sector called OntarioBuys - Municipal participation will be voluntary;
- g) ODSP and Ontario Works rates will increase by 2% starting in late 2009 - Municipalities will be shielded from the impacts of rate increases until January 2010.

5-15-09 A letter from Shell Canada Products, dated April 1, 2009, advising that Shell's decision last summer to not proceed to the next stage of development for the proposed refinery expansion project near Sarnia, Ontario, came after a full review of the proposed project, including market conditions and the project execution environment at that time. Based on their long-term assessment of these same conditions, Shell does not believe the project will become more feasible. Therefore, Shell will release the optioned land at the time the option comes for renewal.

5-16-09 A letter from Nestlé Waters Canada, dated April 3, 2009, providing a follow-up concerning environmental stewardship and health benefits associated with bottled water. Over the last nine months, 36 Municipalities and school boards across Canada have rejected resolutions to ban the sale of bottled water in their facilities. Eleven Municipalities and two school boards have banned the sale. Nestlé Waters indicates that they were disappointed when the FCM Board of Directors recently urged its members to ban the sale of bottled water on civic facilities. Nestlé states that they were not consulted and feel that livelihoods of Canadians employed were not considered. The resolution was not unanimously supported by the F.C.M. Board. Nestlé Waters has listed several facts concerning bottled water, health and the environment.

5-17-09 A memorandum from the Township of Essa, dated April 16, 2009, requesting support of its resolution to ask the Provincial Government to establish a review process for any annual salaries over \$500,000.00 in the Ontario Public Service Sector or any affiliated organization, to justify these salaries to the residents of the Province of Ontario.

5-19-09 A Members Advisory from the Federation of Canadian Municipalities, dated April 27, 2009, informing that the Canadian Radio-television and Telecommunications Commission (CRTC) launched the National Do Not Call List (DNCL) and set out the Unsolicited Telecommunications Rules with the intent of giving consumers a choice about whether to receive telemarketing calls. On April 20, 2009, in direct response to concerns raised by FCM, the CRTC announced that all Municipal politicians would now be exempted from the regulations. Initially, municipal election candidates were exempted from the restrictions imposed by the list but only if calls for these candidates were made on behalf of a registered political party. The restrictions imposed by the National DNCL legislation meant that if a candidate was not affiliated with a registered political party and called a number on the list to solicit volunteer or financial support, a complaint could be lodged with the CRTC. The candidate could then be fined \$1,500 per call. In addition, candidates or currently elected officials would be required to register with the CRTC prior to making any telemarketing calls. Candidates would also be required to pay a subscription fee to access the list. The CRTC concluded that telemarketing telecommunications made by or on behalf of non-party candidates, that includes all Municipal election candidates and office-holders, should be exempt from the National DNCL rules.

#7: McGugan/Perry: That the above correspondence items be received and filed.

Carried.

Resolutions

5-20-09 A memorandum from the Association of Municipalities of Ontario (AMO), dated April 17, 2009, requesting nominations to the 2009-2010 AMO Board of Directors. If the County wishes to nominate a person for election to the Board of Directors, a Council resolution of support along with the nomination form indicating the full name of the nominee, his or her municipal title, and the Caucus for which the person is being nominated, must be submitted. Nominations must be received no later than 4:00 p.m., Friday, June 19, 2009.

#8: Bilton/Boushy: That Carolyn Jamieson be nominated to sit on the 2009-2010 AMO Board of Directors for the County Caucus.

Carried.

Items Not Requiring a Motion

The following items were presented to County Council for its information:

- a) General Managers' Updates - Minutes dated February 3, March 10, 17 and 24, 2009; and,
- b) Tourism Sarnia-Lambton - Board of Directors Minutes dated February 12 and March 12, 2009.

Committee Minutes

Mr. Wm. Bilton presented the Woodlot Committee minutes dated April 7, 2009.

#9: Bilton/Boushy: That the Woodlot Committee minutes dated April 7, 2009 be adopted as presented.

Carried.

Mrs. B. MacDougall presented the Committee A.M. minutes dated April 15, 2009.

Re: Motion #3 - Correspondence PW 5-4-09

Councillor Gillis requested that the words "**plastic, glass and aluminum**" be added before the word "**containers**" to motion #3 of the Committee A.M. minutes dated April 15, 2009.

#10: MacDougall/Napper: That the Committee A.M. minutes dated April 15, 2009 be adopted as amended.

Carried.

Ms. C. Jamieson presented the minutes of the Special Joint Meeting of the Standing Committees dated April 15, 2009.

#11: Jamieson/Kirkland: That the minutes of the Special Joint Meeting of the Standing Committee dated April 15, 2009 be adopted as presented.

Carried.

Ms. C. Jamieson presented the Committee P.M. minutes dated April 15, 2009.

#12: Jamieson/MacDougall: That the Committee P.M. minutes dated April 15, 2009 be adopted as presented.

Carried.

Other Business

Councillor Todd Case spoke to County Council regarding the proposed Highway 402 ramp in the Township of Warwick. Councillor Case noted that it is a safety issue and the former Minister herself has supported it. Construction, however, will commence shortly without the addition of the new ramp.

#13: Bradley/Boushy: That County Council request the immediate resolution of the matter as previously agreed to by the parties, and that copies of the resolution be forwarded to the Premier, the former Minister of Transportation, as well as the current Minister and local MPPs.

Carried.

Councillor Gord Perry spoke to County Council regarding an invitation from the Erie St. Clair Local Health Integration Network, to participate in a workshop discussion on Tuesday, May 12, 2009 from 6:30 p.m. to 9:30 p.m. at the Petrolia Lions Hall & Pavilion located at 451 Huggard Street, Petrolia, ON. The workshop will provide an open dialogue between the Erie St. Clair LHIN, Lambton County Council, Bluewater Health and community leaders.

Councillor Dick Kirkland announced that the Trillium Foundation will now have \$120 million to distribute to local groups across the Province.

The information report dated May 6, 2009 regarding the Open House proposed for the former Marshall Gowland Manor site was circulated to County Councillors for their information.

#14: MacDougall/Perry: That Planning and Development staff develop guidelines for the development of the former Marshall Gowland Manor site, which can be considered by Council for further direction to the architect.

Carried.

By-Laws

#15: Gilliland/Gillis: That By-Laws #19 to #25 of 2009, as circulated, be taken as read a first and second time.

Carried.

#16: Gilliland/Gillis: That By-Laws #19 to #25 of 2009, as circulated, be taken as read a third time and finally passed.

Carried.

Adjournment

#17: Foubister/Napper:

- a) That the Warden declare the meeting adjourned.
- b) **That the next meeting of County Council be held on Wednesday, June 3, 2009 with the In-Camera Session to commence at 1:00 p.m.**

Carried.

Time: 2:25 p.m.

Jim Burns
Warden

Ronald G. Van Horne
Chief Administrative Officer