

MINUTES
LAMBTON COUNTY COUNCIL

September 4, 2013

Lambton County Council was in session in Council Chambers, Wyoming, Ontario, at 1:00 p.m. on the above date. Warden in the Chair; Roll called; All members present except D. Kirkland and P. Gilliland.

Disclosures of Pecuniary Interest: Councillor Davis-Dagg and Councillor Bilton declared a pecuniary interest with respect to the Delegation of Ms. Ingrid Willemsen, Ms. Elizabeth Vellavance on behalf of WAIT (We're Against Industrial Turbines) and Mr. Dave Hemmingway of SWEAR (Safe Wind Energy for All) regarding industrial wind energy facilities being sited in rural communities as both Councillors own lands on which windmills are or may be located.

Councillor Gillis declared a pecuniary interest at the Committee P.M. meeting of August 22, 2013 regarding Correspondence CS 09-02-13 from Halton Region Council adopting a resolution for Enbridge Pipelines Inc. Line 9 Reversal. Councillor Gillis has a relative employed by Enbridge.

In-Camera Committee Room #3

#1: Veen/Gillis: That the Warden declare that County Council go in-camera to discuss the following:

- a) to receive a report addressing a labour relations issue, the subject matter of which could reasonably be attributed to identifiable individuals including any communication necessary for this purpose, pursuant to section 239(2)(d) of the *Municipal Act, 2001*.
- b) a matter of an update regarding the proposed acquisition/disposition of property rights (leasehold rights) including any communications necessary for this purpose pursuant to section 239(2)(c) and 239(2)(g) of the *Municipal Act, 2001*.

Carried.

Open Session

The Warden declared that County Council go back into Open Session. Council then reconvened at 1:40 p.m. in the Council Chambers.

Rise and Report Motions of the In-Camera Session dated September 4, 2013

#2: Napper/Veen: That Council rise and report.

Carried.

The County Clerk noted that there were no resolutions to report from the Closed Session meeting.

#3: Boushy/Marriott : That Council adopt the report of the Closed Session meeting.
Carried.

Delegations

#4: Arnold/McGugan: That we invite the delegations within the Bar to speak to County Council.
Carried.

- a) Mr. Zubin Chadha, Sustainability Coordinator for the County of Lambton spoke before Council to provide an update on the implementation of the County's Integrated Community Sustainability Plan.
- b) Ms. Mary Jean O'Donnell, Chair of the Bluewater Sustainability Initiative (BSI), spoke before Council in regards to sustainability and the possible role of the County.

#5: Bradley/Gillis: That the position of the Sustainability Coordinator for the County of Lambton be referred to the 2014 budget process.
Carried.

- c) Ms. Thea deGroot, member of the Sarnia-Lambton Food Coalition as well as Ms. Simone Edginton and Ms. Lana Smith, both dietitians with the County of Lambton spoke to Council on behalf of the Coalition to ask for Council's endorsement of the Sarnia-Lambton Food Coalition's Food Charter.

#6: Bradley/Davis-Dagg: That County Council endorse the Sarnia-Lambton Food Coalition's Food Charter as presented, that being:

"The charter outlines the values and beliefs about food in our community to provide guidance for decisions among government, local businesses, non-profit organizations, families and individuals. As signatories to this food charter, we commit to work in partnership toward a healthy food system."

Carried.

Disclosure of Pecuniary Interest

Councillor Davis-Dagg and Councillor Bilton declared a pecuniary interest with respect to the Delegation of Ms. Ingrid Willemsen, Ms. Elizabeth Vellavance on behalf of WAIT (Wind Action Industrial Turbines) and Mr. Dave Hemmingway of SWEAR (Safe Wind Energy for All) regarding industrial wind energy facilities being sited in rural communities as both Councillors own lands on which windmills are or may be located.

- d) Ms. Ingrid Willemsen, Ms. Elizabeth Bellavance on behalf of WAIT (Wind Action Industrial Turbines) and Mr. Dave Hemmingway of SWEAR (Safe Wind Energy for All) spoke before Council regarding health, environmental and social-economic effects associated with industrial wind energy facilities being sited in rural communities. They also shared the experiences regarding negative effects which can occur when industrial wind facilities are sited in close proximity to family homes and sensitive environments.

- * #7: Napper/Marriott: That Lambton County Council support the request for the expenditure of \$20,000 to seek Intervener Status in the Drennan versus K2 Wind et al action.

Tabled.

#8: Arnold/Boushy: That motion #7 of this day's minutes be tabled until a report is brought forth at the September 18, 2013 Committee meeting regarding the County's legal and financial interest and the implications of same in being an Intervener.

Carried.

- e) Ron MacDougall, President of the Lambton Federation of Agriculture made a presentation to County Council regarding the proposed Draft Woodlands Conservation By-Law.

#9: Arnold/Weber: That the recommendations proposed by the Lambton Federation of Agriculture be incorporated into the revised draft of the Woodlands Conservation By-Law being currently prepared by staff as follows:

- a) A landowner should not require a permit to conduct good woodlot management on their farms.
- b) It is necessary to have an appeals process and an appeal committee. These committees should be drawn from elected officials, not staff, making it more representative of a broad County perspective and more accountable to the individuals involved.

*Motion was deferred until the last meeting of County Council on November 27, 2103 for consideration at that time. See LCC (Open Session) minutes dated October 2, 2013. Original motion was withdrawn - see LCC (Open Session) minutes dated November 27, 2013.

- c) That the By-Law Officer should make personal contact with the landowner before entering a property.
- d) Is there a need for a Minor Exemption Approval for repairs and maintenance of any drainage system covered within this By-Law as it adds cost and delays repairs?
- e) A clear definition of what is NOT covered including windbreaks, fence rows, etc. to prevent a misinterpretation of the intended wording of the By-Law in the future.

Carried.

Minutes

The Lambton County Council (Open Session) and (Closed Session) minutes dated July 3, 2013 were presented.

#10: MacDougall/Foubister: That the Lambton County Council (Open Session) and (Closed Session) minutes dated July 3, 2013 be accepted as presented.

Carried.

Correspondence to Receive and File

CC 09-03-13 A letter to Warden Todd Case dated July 12, 2013 from the Honourable Kathleen Wynne, Minister of Agriculture and Food regarding Hiawatha Horse Park in Sarnia. The Ontario Government believes in a strong, sustainable future for the horse racing industry. Their plan, guided by the report of the Horse Racing Industry Transition Panel, will put the industry on a sustainable path.

The Panel's draft plan, *Toward a Sustainable Future: A Path for Horse Racing in Ontario*, is available on the website at Ontario.ca/horseracingtransition, where you can submit written suggestions on how the draft plan can be improved. The Plan will incorporate stakeholder and public input into their final plan, which will be released in October 2013 to allow for phased implementation beginning April 1, 2014.

CC 09-11-13 A letter from Jeff Leal, Minister of Rural Affairs to Lambton County Council dated August 16, 2013 regarding the launch of the renewed Rural Economic Development (RED) Program. The renewed RED Program is designed to help rural communities become better positioned to attract investment, create jobs, and sustain a highly skilled workforce.

The renewed RED Program addresses infrastructure, health care, education and other issues of importance to rural Ontario residents. Applications are welcomed from municipalities; not-for-profit organizations; industry; economic development and regional-focused associations; business and corporations; First Nations; Metis and Inuit; as well as broader public sector organizations.

#11: Bradley/Napper: That Correspondence CC 09-03-13 and CC 09-11-13 be received and filed.

Carried.

CC 09-04-13 A letter to Mr. David Ullrich of Great Lakes St. Lawrence Cities Initiative dated July 19, 2013 from Ms. Mary Brennan, Director of Council Services/Clerk, Corporation of the County of Essex regarding Deep Geologic Repository in Kincardine. Essex County Council, at its Wednesday July 17, 2013 meeting, adopted the following resolution:

182-13 Moved by Ms. Stomp

Seconded by Mr. Wright

Whereas the Municipality of Kincardine has offered to house a Deep Geologic Repository (DGR) of low and intermediate level nuclear waste at the Bruce Nuclear Power Station site, supported by Ontario Power Generation (OPG);

And Whereas concern has been expressed by other Municipalities in both Canada and the United States, as well as individuals, citizen and environment groups;

And Whereas the County of Essex, in the Province of Ontario, shares many of those concerns, including, but not solely related to, the risk of embedment of nuclear waste at a site less than 1 kilometer from the Great Lakes, a source of drinking water to 40 million people and supplying 21% of the world's freshest water;

And Whereas the proposed site is in limestone above an ancient waterbed, and there has been no intensive research done on other sites available in the granite of the Canadian Shield, or elsewhere;

And Whereas there has not been a disaster/containment plan articulated;

Be It Resolved that the County of Essex is not in support of the Kincardine location for DGR at this time, and requests more information, alternatives and plans be presented, and more research and results be reported and critically reviewed before a final decision is made.

This motion is to be forwarded to Great Lakes St. Lawrence Cities Initiative for distribution to the appropriate authorities and interested parties. **Carried**

CC 09-13-13 A letter to Warden Todd Case from Pat Davidson, MP, Sarnia-Lambton Riding dated August 19, 2013 regarding recent correspondence sent to Jacques Gagnon of Via Rail Canada concerning additional service cuts. MP Pat Davidson felt the need to ensure that all were aware of her position on this matter.

#12: Bradley/MacDougall: That Council support Correspondence CC 09-04-13 and CC 09-13-13 as presented.

Carried.

Information Reports

INFRASTRUCTURE & DEVELOPMENT SERVICES DIVISION

#13: Foubister/Weber: That the following Information Reports from the Infrastructure and Development Services Division be received and filed:

- a) Information Report dated September 4, 2013 Regarding The Climate Reality Project Conference.
- b) Information Report dated September 4, 2013 Regarding Sustainability Coordinator Update.

Carried.

LONG-TERM CARE DIVISION

Information Report dated September 4, 2013 Regarding Physiotherapy and Exercise Funding - Court Order

#14: That the Information Report dated September 4, 2013 Regarding Physiotherapy and Exercise Funding - Court Order be received and filed.

Carried.

Committee Minutes

Mr. B. Bilton presented the Committee A.M. minutes dated August 22, 2013.

Re: Motion #9 - Information Report dated August 22, 2013 Regarding Tobacco-Free Grounds Policy

Councillor Davis-Dagg advised that as a point of clarification in motion #9 of the Committee A.M. minutes dated August 22, 2013, the phrase "until an overall By-Law for all County buildings is developed" should have read "until otherwise directed to do so by County Council", and requested that the motion be amended.

#15: Davis-Dagg/Marriott: That motion #9 of the Committee A.M. minutes dated August 22, 2013 be amended to delete the phrase "**until an overall By-Law for all County buildings is developed**" and replaced with the phrase "**until otherwise directed to do so by County Council**", so that the motion now reads as follows:

"#9: Davis-Dagg/Marriott: That the Community Health Services Department (CHSD) not implement the proposed Tobacco-Free Grounds Policy until otherwise directed to do so by County Council.

Defeated."

Carried.

A new vote was requested on amended motion #9 of the Committee A.M. minutes dated August 22, 2013.

#16: Davis-Dagg/Marriott: That the Community Health Services Department (CHSD) not implement the Tobacco-Free Grounds Policy until otherwise directed to do so by County Council.

Defeated.

#17: Bilton/Boushy: That the Committee A.M. minutes dated August 22, 2013 be accepted as amended.

Carried.

Disclosure of Pecuniary Interest

Councillor Gillis declared a pecuniary interest at the Committee P.M. meeting of August 22, 2013 regarding Correspondence CS 09-02-13 from Halton Region Council adopting a resolution for Enbridge Pipelines Inc. Line 9 Reversal. Councillor Gillis has a relative employed by Enbridge.

A conflict was declared by Councillor Gillis when asked to present the Committee P.M. minutes dated August 22, 2013. Vice-Chair Weber was not present at that meeting. Councillor Foubister was asked to present the Committee P.M. minutes dated August 22, 2013.

#18: Foubister/McGugan: That the Committee P.M. minutes dated August 22, 2013 be accepted as presented.

Carried.

OTHER BUSINESS

Plympton-Wyoming Historical Society

Councillor Napper invited County Council to the Inaugural Meeting of the Plympton-Wyoming Historical Society Committee which will be held Tuesday, September 10, 2013 at 7:00 p.m. at the new Camlachie Museum located at 6707 Camlachie Road.

Suicide Prevention Strategy

Councillor Davis-Dagg spoke to Council regarding a possible suicide prevention strategy and symposium.

#19: Davis-Dagg/Bradley: That Council request staff to prepare a report on a suicide prevention strategy including a symposium for all involved with the issue in the County.
Carried.

Lambton County Councillors BBQ

The City of Sarnia has offered to host the Lambton County Councillors BBQ for 2014 as part of their Centennial event.

Victoria Playhouse Petrolia Event

Councillor McCharles has offered complimentary tickets to the "Hollywood Sings" performance at the Victoria Playhouse Petrolia on Wednesday, September 11, 2013 on a first come, first served basis.

By-Laws

#20: McCharles/Marriott: That By-Laws #27 and #28 of 2013, as circulated, be taken as read a first and second time.
Carried.

#21: Veen/Weber: That By-Laws #27 and #28 of 2013, as circulated, be taken as read a third time and finally passed.
Carried.

Adjournment

#22: Foubister/Gillis: That the Warden declare the meeting adjourned with the next regular meeting of County Council to be held on Wednesday October 2, 2013 with the In-Camera session to commence at 1:00 p.m.

Carried.

Time: 4:00 p.m.

Todd Case
Warden

David Cribbs
County Clerk
General Manager, Corporate Services