

MINUTES
LAMBTON COUNTY COUNCIL

February 4, 2015

Lambton County Council was in session in Council Chambers, Wyoming, Ontario, at 9:30 a.m. on the above date. Warden in the Chair; Roll called; All members present except A. Bruziewicz.

Disclosures of Pecuniary Interest: None.

In-Camera Committee Room #3

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

- a) a matter to be considered for the purpose of providing instruction and directions to officers and employees and for receipt of legal advice from the County Solicitor pertaining to litigation before the Human Rights Tribunal of Ontario involving an identifiable individual, including any communications necessary for these purposes, pursuant to sections 239(2)(b) and 239(2)(f) of the *Municipal Act, 2001*.
- b) a matter to be considered for the purpose of receiving advice and providing instructions and directions to officers and employees, pertaining to labour relations involving CUPE 2926, which will include information pertaining to identifiable individuals, including any communications necessary for this purpose, pursuant to section 239(2)(d) and 239(2)(b) of the *Municipal Act, 2001*.
- c) to receive a report pertaining to the potential acquisition or disposition or the establishment of other economic relationships pertaining to real property located within the geographic area of the City of Sarnia, including any communications necessary for this purpose, pursuant to section 239(2)(c) of the *Municipal Act, 2001*.

Carried.

Open Session

The Warden declared that County Council go back into Open Session. Council then reconvened at 9:30 a.m. in the Council Chambers.

Rise and Report Motions of the In-Camera Session dated February 4, 2015

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

Carried.

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

#3: McGugan/Gillis: That Council adopt the report of the Closed Session meeting.
Carried.

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

Presentation

Lisa Daniels, Curator, the Judith & Norman Alix Art Gallery accepted a donation of artwork along with a pledge to the Endowment Fund for the acquisition of historical art from Scott Ferguson and Ron Van Horne. Seeking to complement and enhance the permanent collection, the Gallery looks to donors to help in its mission to present works of art of the highest quality through the Art Acquisition Fund.

Delegations

Chief Thomas Bressette, Chippewas of Kettle and Stony Point First Nation addressed County Council regarding the current speed limits on County Road 7 and access to the highway adjacent to the First Nation community.

#5: Arnold/Gillis: That staff bring back a report regarding reduced speed limits on County Road 7.
Carried.

Mr. Santo Giorno, Ingrid Williamsen and Audrey Boer, WAIT-PW spoke to County Council on the current state of the Charter challenge and continued support by Council on this initiative.

#6: Bradley/Napper: That the County provide an additional amount of \$20,000 on top of the remaining \$20,000 previously approved for Divisional Court, to proceed with an appeal at the Court of Appeal level.

A recorded vote starting with Councillor Marriott was requested by Councillor Bradley on motion #6 of this day's minutes:

S. Arnold Yes (3)
D. Boushy..... Yes (3)
M. Bradley Yes (3)

A. Broad Yes (1)
A. Bruziewicz..... Absent
T. Case..... Yes (2)
D. Cook No (2)
P. Gilliland Yes (2)
A.M. Gillis Yes (3)
B. MacDougall Yes (3)
L. MacKenzie Yes (1)
K. Marriott..... Yes (1)
J. McCharles Yes (2)
D. McGugan Yes (1)
L. Napper Yes (3)
I. Veen..... Yes (1)
B. Weber No (3)

Yeas - 29; Nays - 5.

Motion carried.

Mr. Harold Coffin made a presentation to County Council requesting that three bridges in Lambton County be named after three fallen officers: Constable William Rodgers, Constable Gary MacDonald and Constable Randolph Chatterson.

#7: Arnold/Boushy: That Council write a letter in support of the endeavor to have the three bridges named after the three fallen officers.

Carried.

Ms. Marlene Wood, General Manager, Tourism Sarnia-Lambton (TSL) provided an update to County Council regarding TSL's activities and plans.

Mr. George Mallay, General Manager, Sarnia-Lambton Economic Partnership (SLEP) deferred his presentation to Council until March 4, 2015.

Minutes

The Inaugural Session minutes dated December 10, 2014 were presented.

#8: Broad/McCharles: That the Inaugural Session minutes dated December 10, 2014 be accepted as presented.

Carried.

Correspondence to Receive and File

CC 02-03-15 A letter from Bob Chiarelli, Minister of Energy dated November 12, 2014 regarding a letter sent to Premier Kathleen Wynne concerning a proposed upgrader refinery. The Minister has asked Serge Imbrono, Deputy Minister of Energy and Giles Gherson, Deputy Minister of Economic Development, Employment and Infrastructure to review such submission and respond to the matter.

CC 02-05-15 A letter from Joe Steffler, Warden of The Corporation of the County of Huron dated November 24, 2014 regarding the decision to eliminate home to home postal delivery. The County of Huron passed a motion at the November 24th meeting advising that Council does not support the proposed plan to eliminate residential home to home delivery and herein petition Canada Post to reconsider this plan immediately and retain this valuable service for communities.

CC 02-06-15 An email from Katrina DiGiovanni, Deputy Clerk, Township of Pelee dated December 2, 2014 regarding a resolution passed by The Corporation of the Township of Pelee advising that Council does not support the proposed plan to eliminate residential home to home delivery and herein petition Canada Post to reconsider this plan immediately and retain this valuable service for communities.

CC 02-07-15 An email from Kathy Kielt, Deputy Clerk, Township of Pelee dated December 2, 2014 regarding a resolution adopted by Council requesting that all municipalities express their support for free, fair and reciprocal trade between the United States and Canada and support the principle that any restrictive "Buy American" provisions in U.S. legislation are contrary to that spirit of free trade.

CC 02-11-15 An email from Edgerton Forsyth, P.Eng, WWII Veteran 4th Armoured Division dated January 8, 2015 regarding a memorial wall of names of Canada's fallen to be built on the front lawn of Parliament Hill. A Private Members Bill C417 created by Inky Mark, MP, Dauphin, Swan Lake, Marquette Manitoba proposed the creation of a Memorial Wall of Names for Honouring and Recognizing all of Canada's Fallen in war and peacekeeping duties since 1812 but it has never been debated. Mr. Forsythe is asking for a motion of support for the Memorial Wall of Names to be forwarded to our government.

CC 02-13-15 A media release from Blue Water Bridge Canada dated January 19, 2015 advising that the Blue Water Bridge international crossing will be partially closed beginning in April for the resurfacing and waterproof undercoating of its original span. Work is expected to be finished by July 1, 2015. Bridge co-owners, Blue Water Bridge Canada (BWBC) and the Michigan Department of Transportation (MDOT) are coordinating the construction project.

CC 02-14-15 A letter from Randy Hope, Mayor/CEO, Municipality of Chatham-Kent regarding proposal for enhancing pollinator health and reducing the use of neonicotinoid pesticides in Ontario. Mayor Hope is asking that the Province conduct a cost benefit analysis and that the Province rely on a risk based technology evaluation process, not the precautionary principal before proceeding on the regulations outlined in the Pollinator Health Discussion paper. Also, that the Province collaborate with farm and industry organizations towards a proposal that benefits pollinator health without crippling agriculture in Ontario.

CC 02-15-15 An email from John Grace, Chair, Southwest Economic Alliance Board (SWEA) advising of the focus of SWEA for 2015. The focus is on creating opportunities for a strong and vibrant economy across the region and would like to take a fresh look at the business model and the value propositions for membership across Southwestern Ontario before proceeding with a detailed succession plan for the management structure. SWEA encourages and welcomes members and partners to share their ideas.

#9: Napper/MacKenzie: That correspondence CC 02-03-15, CC 02-05-15, CC 02-06-15, CC 02-07-15, CC 02-11-15, CC 02-13-15, CC 02-14-15 and CC 02-15-15 be received and filed.

Carried.

CC 02-17-15 An email from Bev Horodyski, Convention & Motorcoach Marketing Co-ordinator, Tourism Sarnia-Lambton dated January 28, 2015 regarding County Council's support of the Federation of Canadian Municipalities (FCM) hosting opportunity in September 2017. Should the County wish to support, they must submit a Request for Proposal as well as a resolution of Council prior to the closing date of February 21, 2015.

#10: Bradley/McCharles: That the County support the request to host the Federation of Canadian Municipalities (FCM) meeting and the required documents be submitted prior to the closing date.

Carried.

Correspondence from Member Municipalities

CC 02-16-15 A letter from Mike Bradley, Mayor, City of Sarnia dated January 26, 2015 requesting that Lambton County Council pass a motion to adopt a strategic plan exercise during the first year of a new term of office for Council and to have the process underway and completed by no later than the fall of 2015.

#11: Bradley/Case: That correspondence CC 02-16-15 be accepted as presented.

Carried.

Information Reports

CAO

#12: Bradley/Weber: That the following Information Reports be received and filed:

- a) Information Report dated February 4, 2015 regarding Attrition Management Update.
- b) Information Report dated February 4, 2015 regarding the 2014 Ontario West Municipal Conference.

Carried.

Items Not Requiring a Motion

The following item was presented to County Council for its information:

- a) Minutes of the Woodlands Hearings Board dated January 20, 2015.

Reports Requiring a Motion

FINANCE, FACILITIES & COURT SERVICES DIVISION

Report dated February 4, 2015 Regarding External Borrowing Practices: An Examination

#13: Case/McGugan:

- a) That Council continue to build the Corporation's reserves and reserve funds by following Council's "Funded Amortization Plan" under which its annual budget contains programmed contributions to reserves and reserve funds.
- b) That Council reaffirm existing County borrowing practices of restricting the use of long-term debt to only finance Tangible Capital Assets projects with a useful life expectancy of five years or greater.
- c) That Council direct that once the combined balance of unencumbered reserve and reserve funds exceeds \$15 million, that 10% of the funds available be applied against the Corporation's annual financing requirements in its annual budget before any external borrowings are considered.
- d) That staff annually report to Council as to the amount of internal resources available to fund the County's borrowing requirements.

Carried.

CAO

Memorandum dated February 4, 2015 Regarding the Strategic Plan

#14: Bradley/Weber: That a Steering Committee consisting of the Warden, Deputy Warden and representatives from the Municipal Groups, as well as the necessary staff, be formed to oversee the development of a new strategic plan for the County.

Carried.

Committee Minutes

Mr. K. Marriott presented the Committee A.M. minutes dated January 21, 2015.

#15: Marriott/Weber: That the Committee A.M. minutes dated January 21, 2015 be accepted as presented.

Carried.

Mr. L. Napper presented the Committee P.M. minutes dated January 21, 2015.

#16: Napper/Cook: That the Committee P.M. minutes dated January 21, 2015 be accepted as presented.

Carried.

Notice of Motion

Councillor Bradley presented a Notice of Motion for discussion at the County Council meeting regarding an Integrity Commissioner and Code of Conduct as follows:

"That Lambton County Council request County staff to prepare a report, to be returned back to County Council within 45 days, on the establishment of an Integrity Commissioner and a Code of Conduct for Lambton County Council for implementation by no later than December 1st, 2015."

#17: Bradley/Case: That the Notice of Motion be amended from 45 days to 60 days so that it now reads:

"That Lambton County Council request County staff to prepare a report, to be returned back to County Council within 60 days, on the establishment of an Integrity Commissioner and a Code of Conduct for Lambton County Council for implementation by no later than December 1st, 2015."

Carried.

OTHER BUSINESS

Oil Springs Commemoration

Councillor Arnold spoke with high regards about a belt buckle recently purchased to commemorate Oil Springs' 150th anniversary. He noted the contribution the municipality has made to the County of Lambton.

Economic Growth and Development

Councillor Arnold noted that all local municipalities and Lambton County should be invited to speak and participate in any discussion concerning initiatives for the regionalization of economic growth and development.

Branding Signage

Councillor Weber inquired as to whether there was funding for signage for the Branding Committee as part of the County Budget process for 2015.

Clean Harbors Expansion

#18: Bradley/Boushy: That Clean Harbors, the Ministry of the Environment and any other interested parties be invited to County Council to provide an update regarding the expansion plans for Clean Harbors.

Carried.

Board of Health Orientation

Councillor McGugan spoke to the issue of orientation of new members to Council when they sit as the Board of Health.

Waste Management Meeting

#19: Case/Bradley: That Waste Management and the Ministry of the Environment be invited to a future meeting of Council to speak to the monitoring of waste at the Warwick site.

Carried.

By-Laws

#20: Marriott/MacKenzie: That By-Laws #3 to #7 of 2015, as circulated, be taken as read a first and second time.

Carried.

#21: MacKenzie/Marriott: That By-Laws #3 to #7 of 2015, as circulated, be taken as read a third time and finally passed.

Carried.

Adjournment

#22: Veen/MacKenzie: That the Warden declare the meeting adjourned with the next regular meeting of County Council to be held on Wednesday, March 4, 2015 with the In-Camera session to commence at 9:00 a.m.

Carried.

Time: 11:00 a.m.

Bev MacDougall
Warden

David Cribbs
County Clerk