

MINUTES
LAMBTON COUNTY COUNCIL

April 4, 2018

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 B. Hand.

Disclosures of Pecuniary Interest: None.

In-Camera Committee Room #3

#1: Bruziewicz/Marriott: That the Warden declare that County Council go in-camera to review and adopt the Closed Session minutes of County Council dated February 7, 2018 and Closed Session minutes of Committee A.M. dated February 21, 2018 addressing:

- a) a preliminary report dated January 9, 2018 from the Ontario Ombudsman regarding an ongoing investigation under the Ombudsman Act, pursuant to section 239(3)(b) of the *Municipal Act, 2001*.
- b) the security of the property of the municipality or local board and potential litigation affecting the municipality pursuant to section 239(2) of the *Municipal Act, 2001*.
- c) information pertaining to, and instructions regarding, labour relations and employee negotiation issues within the Cultural Services Division and other personal matters about identifiable individuals, pursuant to sections 239(1)(2)(b) and 239(1)(2)(d) 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 April 4, 2018

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

Carried.

The County Clerk noted that County Council had reviewed and discussed two sets of minutes during the In-Camera session, that being the Lambton County Council (Closed Session) minutes dated February 7, 2018 and Committee A.M. In-Camera minutes dated February 21, 2018.

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

Carried.

Delegations

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

Carried.

Ms. Shirley de Silva, President and CEO, Sarnia-Lambton Chamber of Commerce provided an update on the activities of the Chamber as well as spoke to the Vacancy Rebate Program.

Mr. Steven Park, President, Sarnia-Lambton Real Estate Board spoke on behalf of Mr. Jim Pumple, Broker, Magic Realty Inc. regarding the Vacancy Rebate Program.

Mr. Alex Jongsma spoke to County Council about the Vacancy Rebate Program.

Ms. Mary Ann Buntrock, Chair, Lambton Children's Safety Village spoke to County Council regarding monetary assistance with building the Safety Village at the Lorne C. Henderson Conservation Area.

#5: Arnold/Gillis: That Lambton County Council partner with the Lambton Children's Safety Village and provide \$250,000 over a five year period to be funded from the Opportunities and Contingencies Reserve.

Motion Defeated.

#6: Bradley/Cook: That the Lambton Children's Safety Village's request for funding in the amount of \$250,000 to assist with building the Safety Village at the Lorne C. Henderson Conservation Area be referred to the 2019 Budget.

Carried.

Lambton Federation of Agriculture representatives Ms. Sarah Jackson, Mr. Gary Martin and Mr. Ben Lefort (OFA) talked about current issues affecting local agriculture as well as upcoming initiatives.

The Warden called for a 15 minute recess.

Council reconvened at 10:55 a.m.

Mr. Geoff Hogan, CEO, SouthWestern Integrated Fibre Technology (SWIFT) spoke to County Council regarding the following items:

- a) SWIFT Project Background and Overview
- b) SWIFT Project Update and Procurement Status
- c) Discussion on Bell's FTTH Project in Sarnia and how that relates to SWIFT
- d) Next Steps for SWIFT and Lambton County

Minutes

The Lambton County Council (Open Session) minutes dated February 7, 2018 and March 22, 2018 - Budget minutes were presented.

#7: Gillis/McCharles: That the Lambton County Council (Open Session) minutes dated February 7, 2018 and March 22, 2018 - Budget minutes be accepted as presented.

Carried.

Correspondence to Receive and File

CC 04-11-18 A letter from J. Houston and M. Higgins, Co-Chairs, Rail Advocacy in Lambton (RAIL) dated February 12, 2018 regarding high speed rail environmental assessment - Southwestern Ontario Counties.

RAIL has advocated towards the resumption of a regular passenger rail service between Sarnia and London and intermediate points. Recent media reports indicate a High Speed Rail (HSR) Environmental Assessment is in the process of being initiated in several Southwestern Ontario counties and municipalities. Sarnia-Lambton doesn't appear to be a direct recipient and/or participant in the current projected massive transportation projects, presently being proposed. Yet there is a need of connectivity at major transportation hubs along with other small Southwestern Ontario Communities. Therefore, RAIL proposes:

- a) The County of Lambton support an alternative mode of transportation to high speed rail, in the form of an integrated high frequency rail-high performance rail plan to resolve the transportation needs of Sarnia-Lambton and Southwestern Ontario, without the long term, multiple consequences related to the institution of high speed rail.

- b) Now would be a prime time for the County of Lambton to remind the Ontario Minister of Transportation to include in the Environmental Assessment, a serious consideration toward replacement of the trackage removed in the late 1990's as a means of enhancing the economic and transportation needs of Sarnia-Lambton and Southwestern Ontario.

CC 04-12-18 An email from Jennifer Turk, Clerk, Township of Adelaide Metcalfe dated February 23, 2018 regarding installation of digital overhead communication signs. The Council of the Township of Adelaide Metcalfe is calling on the Ontario Ministry of Transportation to install digital overhead communication signs at every exit along Highway 402 east of the City of Sarnia in the County of Lambton to the merge of Highway 402 at Highway 401 in the City of London to communicate with the travelling public by informing motorists of weather/road conditions, road closures, and reception centres during weather events and also to communicate everyday awareness objectives.

And furthermore, that the Ontario Ministry of Transportation investigate the installation of digital speed limit signs along all provincial highways which will assist in regulating an appropriate speed limit during weather events that cause poor visibility and for the safety of construction employees during road work.

#8: Bradley/Case: That Council endorse correspondence items CC 04-11-18 and CC 04-12-18. and a letter of support be sent.

Carried.

CC 04-13-18 A thank you card from the Van Horne family for flowers sent on behalf of Council.

CC 04-16-18 An email from Property Tax Policy Unit, Ministry of Finance dated March 23, 2018 regarding the Vacancy Rebate Program Update. Attached is a summary of all municipal requests for changes to the vacancy programs that have been submitted to the Minister of Finance to date. The summary will be updated periodically to include municipalities that submit a request for change to the programs by the August 1, 2018 deadline.

#9: Bradley/Case: That correspondence items CC 04-13-18 and CC 04-16-18 be received and filed.

Carried.

Correspondence from Member Municipalities

CC 04-15-18 A motion from Mike Bradley, Mayor, City of Sarnia dated March 21, 2018 requesting that the County of Lambton call upon the Government of Ontario, and all political parties, to formally grant municipalities and First Nations the authority to approve landfill projects in or adjacent to their communities. That in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities and First Nations and further that the County of Lambton encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action.

#10: Bradley/Broad: That the motion contained in correspondence item CC 04-15-18 be amended to include "First Nations" so it now reads:

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this outdated policy allows private landfill operators to consult with local residents, and municipal Councils, but essentially ignore them;

AND WHEREAS proposed Ontario legislation (Bill 139) will grant municipalities and First Nations additional authority and autonomy to make decisions for their communities;

AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND UNLESS significant efforts are made to increase recycling and diversion rates, a new home for this Toronto garbage will need to be found, as landfill space is filling up quickly;

AND WHEREAS municipalities and First Nations across Ontario are quietly being identified and targeted as potential landfill sites for future Toronto garbage by private landfill operators;

AND WHEREAS other communities should not be forced to take Toronto waste, as landfills can contaminate local watersheds, air quality, dramatically increase heavy truck traffic on community roads, and reduce the quality of life for local residents;

AND WHEREAS municipalities and First Nations should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades worth of in-house expertise in managing waste, recycling, and diversion programmes;

AND WHEREAS municipalities and First Nations should have the exclusive right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the County of Lambton calls upon the Government of Ontario, and all political parties, to formally grant municipalities and First Nations the authority to approve landfill projects in or adjacent to their communities, prior to June 2018;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities and First Nations;

AND FURTHER THAT the County of Lambton encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action.

Carried.

Information Reports

INFRASTRUCTURE & DEVELOPMENT SERVICES DIVISION

Information Report dated April 4, 2018 Regarding Provincial Decision on the Adopted County Official Plan (CC 04-14-18)

#11: Broad/Bradley: That Information Report dated April 4, 2018 regarding Provincial Decision on the Adopted County Official Plan (CC 04-14-18) be received.

Carried.

#12: Bradley/Marriott: That Council direct staff to appeal the changes to the County Official Plan which were made by the province, to the Local Planning Tribunal operating under the Ontario Municipal Board.

Carried.

CORPORATE SERVICES DIVISION

Information Report dated April 4, 2018 Regarding Bill 177 - *Stronger, Fairer Ontario Act* Downloading of Part III POA Offence Prosecutions

#13: Veen/Case: That Information Report dated April 4, 2018 regarding Bill 177 - *Stronger, Fairer Ontario Act* Downloading of Part III POA Offence Prosecutions be received and filed.

Carried.

Items Not Requiring a Motion

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

- a) Creative County Committee minutes dated November 22, 2017.
- b) Sarnia-Lambton Economic Partnership Board minutes dated November 28, 2017.
- c) The County of Lambton Community Development Corporation minutes dated November 24, December 12, 2017 and January 26, 2018.
- d) Tourism Sarnia-Lambton Board minutes dated January 25, 2018.

Reports Requiring a Motion

CORPORATE SERVICES DIVISION

* Report dated April 4, 2018 Regarding Appointment of an Alternate Member and Related Policy

#14: Bradley/Arnold: That the report dated April 4, 2018 from the Corporate Services Division regarding the Appointment of an Alternate Member and Related Policy be deferred to the new Council and be dealt with in 2019.

Carried.

Committee Minutes

Mr. S. Arnold presented the Committee A.M. minutes dated February 21, 2018.

#15: Arnold/Cook: That the Committee A.M. minutes dated February 21, 2018 be accepted as presented.

Carried.

* Lifted from the table motion #14 of the LCC (Open Session) minutes dated April 4, 2018 regarding Appointment of an Alternate Member and Related Policy. See LCC (Open Session) February 6, 2019, motion #19:

- a) That County Council adopt the attached policy entitled "Alternate Members" ("Policy") effective immediately.
- b) That County Council instruct the County Clerk to communicate the Policy to all Clerks of the local member municipalities of Lambton County.

Carried.

Warden Weber presented the Joint Meeting of the Standing Committees minutes dated February 21, 2018.

#16: Arnold/Marriott: That the Joint Meeting of the Standing Committees minutes dated February 21, 2018 be received and filed.

Carried.

Mr. P. Gilliland presented the Committee P.M. minutes dated February 21, 2018.

#17: Gilliland/Case: That the Committee P.M. minutes dated February 21, 2018 be accepted as presented.

Carried.

Items Tabled from a Previous Meeting

From the Lambton County Council (Open Session) minutes dated March 7, 2018, motion #5 - tabling items g) and h) of the report dated March 7, 2018 concerning Tax Policy Being Proposed for 2018 (attached). The items were tabled until the April 4, 2018 meeting to allow for public input as follows:

- g) That effective January 1, 2018, the County of Lambton and its Area Municipalities shall no longer offer Vacancy Rebates to owners of property in the Commercial and Industrial Broad Tax Classes.
- h) That staff be directed to inform the Minister of Finance of Council's decision to no longer offer Vacancy Rebates to owners of property in the Commercial and Industrial Broad Tax Classes, and to request the Minister to approve a regulation confirming this.

#18: Arnold/Bradley: That motion #5 of the Lambton County Council (Open Session) minutes dated March 7, 2018 concerning Tax Policy Being Proposed for 2018 be lifted from the table.

Carried.

#19: Bradley/Broad: That Lambton County continue to offer the rebate program unchanged for two more years at which time the new council can decide its continuation.

Carried.

#20: MacDougall/Gillis: That the County of Lambton cross engage with the Sarnia-Lambton Chamber of Commerce to help move the initiative "Invest in Lambton" forward and be promoted by Sarnia-Lambton Economic Partnership and its new strategic plan.

Motion Defeated.

Notice of Motion

Councillor Bradley has provided a Notice of Motion for discussion at the County Council meeting of April 4, 2018 proposing that in light of all municipalities in Ontario required to have an Integrity Commissioner and Code of Conduct in place by mid-2019, that Lambton County Council ask for a staff report presented prior to September 2018 on the possibility of the lower tier municipalities in Lambton County being able to access the Lambton County Integrity Commissioner to save money and duplication of services.

#21: Bradley/Broad: That staff provide a report to County Council by September, 2018 including feedback from local municipalities regarding lower tier municipalities in Lambton County having the ability to access the Lambton County Integrity Commissioner.

Carried.

OTHER BUSINESS

Brooke Central School Recognition

Councillor McGugan was pleased to advise Council that Brooke Central Public School was recognized as an Apple Distinguished School for 2017-2019 for its integration of engaging and varied Apple technology in flexible learning spaces throughout the school.

Olympic Medalist

Warden Weber congratulated Forest native Tyler McGregor for winning a silver medal at the 2018 Paralympic Games in Pyeongchang.

#22: Bradley/Broad: That Brooke Central School and Tyler McGregor be recognized by County Council for their achievements.

Carried.

By-Laws

#23: Boushy/Bradley: That By-Laws #12 to #17 of 2018, as circulated, be taken as read a first and second time.

Carried.

#24: Bradley/Boushy: That By-Laws #12 to #17 of 2018, as circulated, be taken as read a third time and finally passed.

Carried.

Adjournment

#25: McGugan/Veen: That the Warden declare the meeting adjourned with the next regular meeting of County Council to be held on Wednesday May 2, 2018 with the In-Camera session to commence at 9:00 a.m.

Carried.

Time: 12:00 noon.

Bill Weber
Warden

Stéphane Thiffeault
County Clerk