

MINUTES
LAMBTON COUNTY COUNCIL

February 7, 2024

Lambton County Council was in session in Council Chambers, Wyoming, Ontario, at 9:00 a.m. on the above date. Warden in the Chair; Roll called. All members present, with Councillor I. Veen attending virtually. Also present was N. McEwen, Alternate Member to Councillor G. Atkinson, Town of Plympton-Wyoming.

Land Acknowledgement

We acknowledge that this land on which we are gathered today is part of the ancestral land of the Chippewa, Odawa, and Potawatomi peoples, referred to collectively as the Anishinaabeg. It is through the connection of the Anishinaabeg with the spirit of the land, water and air that we recognize their unique cultures, traditions, and values. Together as treaty people, we have a shared responsibility to act with respect for the environment that sustains all life, protecting the future for those generations to come.

Disclosures of Pecuniary Interest: None

In-Camera

#1: Loosley/Broad: That the Warden declare that County Council go in-camera:

- a) to review the Lambton County Council (Closed Session) minutes dated November 29, 2023, and the Committee of the Whole (In-Camera) minutes dated January 17, 2024 pursuant to ss. 239 (2)(a), (d), and (k) of the *Municipal Act, 2001*.
- b) to receive a report regarding labour relations specifically regarding collective bargaining with UNIFOR 444, pursuant to s. 239(2)(d) of the *Municipal Act, 2001*.
- c) to receive a report concerning property information that is subject to a proposed acquisition of land in the City of Sarnia and a proposed disposition of land in the City of Sarnia, pursuant to ss. 239 (2)(c) of the *Municipal Act, 2001*.

Carried.

Time: 9:03 a.m.

Councillor Veen joined the meeting at 9:10 a.m.
Councillor Bradley joined the meeting at 9:15 a.m.

Open Session

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

Rise and Report Motions of the In-Camera Session

The Clerk noted that County Council met in camera to:

- a) adopt the Lambton County Council (Closed Session) Minutes dated November 29, 2023 and the Committee of the Whole (In-Camera) Minutes dated January 17, 2024;
- b) receive a report regarding labour relations specifically regarding collective bargaining with UNIFOR 444; and
- c) receive a report concerning property information that is subject to a proposed acquisition of land in the City of Sarnia and a proposed disposition of land in the City of Sarnia.

Delegations

#2: Dennis/Boushy: That we invite the delegations within the Bar to speak to County Council.

Carried.

Housing Programs and Support in Lambton County

Bev MacDougall, former City/County Councillor and Warden of Lambton County, spoke to County Council regarding the funding of Social Services programs including housing. As well, the delegate spoke of the positive impact of Social Service programs like Community Outreach workers, Emergency Medical Services and Public Health workers that support the unhoused in the 'inner city' of Sarnia, where we live, and the housing programs for low income people throughout Lambton County.

Presentations

Child Care and Early Years 5 Year Service Plan

Wraychel Gilmore, Lead Consultant, Wraychel Gilmore Consulting presented a summary of the renewed Child Care and Early Years 5 Year Service Plan (2024-2028), including highlights summarizing the progress from the 2020-2023 plan, as well as newly identified community priorities and key performance indicators moving forward to County Council.

Supportive and Affordable Housing Development in Lambton County

Graham Cubitt, President, Flourish spoke to County Council regarding an action plan that seeks to end homelessness and address the housing crisis through supportive and affordable housing development in Lambton County.

Tourism Sarnia-Lambton (TSL) – Update on Activities and Plans

Mark Perrin, Executive Director, Tourism Sarnia-Lambton (TSL) presented to County Council an update on TSL's plans and activities.

Sarnia-Lambton Economic Partnership Update (SLEP) – Update on Activities and Plans

Matthew Slotwinski, Interim CEO and Adrienne Lee, Acting Chair, Sarnia-Lambton Economic Partnership (SLEP) presented to County Council an updated on SLEP's plans and activities.

Minutes of Council (Open Session)

The Lambton County Council (Open Session) minutes dated November 29, 2023, were presented.

#3: Broad/Miller: That the Lambton County Council (Open Session) minutes dated November 29, 2023, be accepted as presented.

Carried.

The Warden called for a five minute recess.

Annual General Meeting of The County of Lambton Community Development Corporation

February 7, 2024

The Annual General Meeting of The County of Lambton Community Development Corporation (CLCDC) was held in the Council Chambers and was called to order at 10:55 a.m. on the above date.

#4: Bradley/Case: That Warden Marriott be appointed as Chair of the meeting.
Carried.

Introduction of Board Members

The Chair of the Board commenced by introducing its members to the Board and the Staff Advisory Committee who were present for the Annual General Meeting as follows: Board members Kevin Marriott, Mike Bradley, and Brian White; and staff members, Larry Palarchio, Stéphane Thiffeault, and Dr. Katherine Albion, Executive Director. Other members who were not present were also introduced as follows: Rob Kardas, Vice-Chair of the Board, and Directors Alison Ewart, David Muir, Tom Strifler, and Miriam Capretz as well as Kelly Provost and Matthew Slotwinski.

Approval of the Agenda

#5: White/Sage: That the agenda for the Annual General Meeting of The County of Lambton Community Development Corporation be approved as presented.
Carried.

Declarations of Pecuniary Interest

None.

Presentation of Financial Statements

Larry Palarchio, General Manager, Finance, Facilities and Court Services provided an update on the Financial Statements for the Year Ended April 30, 2023.

#6: White/Miller: That The County of Lambton Community Development Corporation Financial Statements for the Year Ended April 30, 2023 be approved.
Carried.

Update from the Executive Director

#7: White/Boushy: That we invite Katherine Albion within the Bar to speak to County Council.
Carried.

Dr. Katherine Albion, Executive Director, provided an update to members regarding activities at the Western Sarnia-Lambton Research Park.

Confirmation of Officers and Directors

#8: Broad/Sage: That the following positions be confirmed for the Board:

- a. Mike Bradley (Chair)
- b. Rob Kardas (Vice Chair)
- c. Kevin Marriott (Director)
- d. Brian White (Director)
- e. David Muir (Director)
- f. Tom Striffler (Director)
- g. Miriam Capretz (Director)
- h. Alison Ewart (Director)
- i. Stéphane Thiffeault (Secretary)
- j. Larry Palarchio (Treasurer)

Carried.

Appointment of Auditors for 2024

#9: Cook/Case: That BDO Canada LLP - Sarnia be appointed as auditors to The County of Lambton Community Development Corporation for 2024.

Carried.

Adjournment

#10: Hand/Dennis: That the Chair declare the Annual General Meeting of The County of Lambton Community Development Corporation be adjourned.

Carried.

Time : 11:45 a.m.

Regular Session

The Warden declared that County Council go back into Regular Session at 11:45 a.m.

Correspondence to Receive and File

CC 02-02-24 An email from Mark Cole dated December 11, 2023 with regards to the presentation by the Petrolia Child Care Advocacy group. It is requested that Council review two documents - the Child Care and Early Years, Service System Plan 2024 and the Child Care and Early Years Update Report dated February 15, 2023 prior to considering the report that was requested by County Council at the November 29, 2023 Council meeting. CC 11-10-23 An email from Sarah Carter, Acting Clerk/Legislative Services Supervisor, Municipality of North Perth dated October 26, 2023 advising that the Council of the Municipality of North Perth passed the following resolution at their regular meeting held on October 16th, 2023 regarding "Catch and Release" Justice in Ontario.

CC 02-03-24 An email dated December 12, 2023 from Brigette Sobush, Manager of Clerk's Services/Deputy City Clerk, The City of Greater Sudbury advising that Council passed the following motion”:

WHEREAS in 2015 the City of Greater Sudbury (the "City") entered into a contract with a contractor experienced in road construction projects to complete a project on Elgin Street in the City's downtown core;

AND WHEREAS the contract provided that the contractor would be the constructor for the project as that term is defined in the Occupational Health and Safety Act (the "Act");

AND WHEREAS an employee of the constructor operating a grader on the project struck and killed a pedestrian;

AND WHEREAS the City was charged with offences under the Act as the constructor and the employer;

AND WHEREAS after being acquitted at trial and on appeal, the Ontario Court of Appeal, in a decision issued on April 23, 2021, found the City to be liable for contraventions of the Construction Regulations as an employer as it employed quality control inspectors to monitor the quality of work on the project from time-to-time;

AND WHEREAS the Supreme Court of Canada, in a decision issued on November 10, 2023, was evenly divided 4-4 on the issue resulting in dismissal of the City's appeal;

AND WHEREAS the consequence of this decision is that municipalities in Ontario, as well as all other owners of property in the province, who wish to undertake construction, are subject to being charged and convicted as an employer for offences in relation to project sites for which they have no control and have, in accordance with the Act, contracted with an entity to assume plenary oversight and authority over the work on such site as the constructor;

AND WHEREAS the potential of an owner being charged as an employer as that term is defined in the Act in circumstances where it has engaged a constructor disregards and renders meaningless the owner-constructor provisions contained in the Act and presents an unacceptable level of increased risk and confusion for owners and contractors throughout the province;

AND WHEREAS the City believes that the safety of workers is paramount however the safety of workers on construction projects in Ontario is not increased by placing liability on parties that do not have control of and are not responsible for the conduct of the work on such sites;

NOW THEREFORE BE IT RESOLVED THAT the Council for the City of Greater Sudbury requests that the province amend the Occupational Health and Safety Act to clarify the definition of “employer” to exclude owners that have contracted with a constructor for a project;

CC 02-11-24 An email from Fred Simpson, Clerk, Town of Mono dated January 15, 2024 advising that on January 9, 2024, Council for the Town of Mono passed the following motion declaring a Road Safety Emergency, calling on the province to take action to address traffic safety through measures including public education, increased Highway Traffic Act fine and expanded use of Automated Speed Enforcement:

WHEREAS road safety is of continuing and increasing concern to Ontarians;

AND WHEREAS, the number of traffic collisions, injuries and fatalities are at unacceptable levels;

AND WHEREAS, recent statistics and media reports show increasing fatalities and police roadway activities;

AND WHEREAS, speeding is a leading contributing factor in many accidents including fatalities;

AND WHEREAS, fines for basic speeding have not increased for three decades or more thus losing at least 50% of their deterrent value through inflation;

AND WHEREAS, over 60% of all other Highway Traffic Act (HTA) Set Fines remain at \$85, an amount also suggesting no increase in decades;

AND WHEREAS, municipalities are frustrated in their attempt to roll out Automated Speed Enforcement (ASE) with current rules that restrict it to less than 80 km/h speed zones and make it contingent upon declaring Community Safety Zones where not warrant except to use ASE;

AND WHEREAS, Administrative Monetary Penalties (AMPs) are the logical and efficient means of dealing with offences including parking violations, red light camera infractions and ASE charges, the Regulations involving its use are mired in red tape leading to unnecessary complexity and cost.

BE IT RESOLVED that we call on other municipalities and the Province of Ontario to recognize a Road Safety Emergency and take the following actions;

1. Launch a province wide road safety educational program to be funded from a portion of monies currently spent by the Ontario Lottery and Gaming Corporation (OLG) to advertise games of chance and lotteries in Ontario.

2. Review and increase all HTA fines and penalties to reflect a deterrent amount and consequence that sends a message that driving is a privilege subject to conditions.
3. Permit municipalities to deploy ASE in 80 km/h zones or less without having to declare Community Safety Zones and without onerous conditions.
4. Establish a Working Group with municipalities to identify and recommend elimination of regulatory red tape associated with the use of ASE and AMPs.
5. Develop mechanisms that ensure POA fines and penalties do not lose their deterrent effect over time.
6. Work with municipalities to create better means of collecting outstanding POA fines and Victim Surcharge monies estimated to exceed \$1 billion as far back as 2011.

CC 02-20-24 A letter from Melissa Cadieux, Clerk, The United Counties of Prescott and Russell dated January 24, 2024 advising that their Council passed the following motion:

Whereas current provincial-municipal fiscal arrangements are undermining Ontario's economic prosperity and quality of life;

And whereas nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility, and expenditures are outpacing provincial contributions by nearly \$4 billion a year;

And whereas municipal revenues, such as property taxes, do not grow with the economy or inflation;

And whereas unprecedented population and housing growth will require significant investments in municipal infrastructure;

And whereas municipalities are being asked to take on complex health and social challenges, like homelessness, supporting asylum seekers, and addressing the mental health and addictions crises;

And whereas inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity;

And whereas property taxpayers, including people on fixed incomes and small businesses, cannot afford to subsidize income re-distribution programs for those most in need;

And whereas the province can, and should, invest more in the prosperity of communities;

And whereas municipalities and the provincial government have a strong history of collaboration.

Be it resolved that the Province of Ontario commit to undertaking with the Association of Municipalities of Ontario a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario.

Be it further resolved that a copy of this Resolution be circulated to all the municipalities in Ontario.

#11: Cook/SageMan: That correspondence CC 02-02-24, CC 02-03-24, CC 02-11-24 and CC 02-20-24 be received and filed.

Carried.

CC 02-10-24 A letter dated January 8, 2024 from John Maheu, Executive Director, Association of Ontario Road Supervisors asking that County Council consider passing the following motion:

#12: Broad/Case: That County Council endorse the resolution in correspondence CC 02-10-24 as follows:

WHEREAS, municipal public works departments from across the Province of Ontario provide invaluable services to our communities ensuring the health and safety of all residents;

AND WHEREAS, if it was not for our municipal public works employees from across the Province of Ontario maintaining our public roads systems, our communities would not be able to function as emergency personnel could not respond to calls, school buses could not get our children to school, residents would not be able to get to work, school or appointments and many more basic functions would not be able to happen;

AND WHEREAS, municipal public works departments are already feeling the impacts of a labour shortage, which will only be exasperated over the next three to five years, which will cause levels of service municipalities are able to provide to ensure the health and safety of our residents to decrease;

AND WHEREAS, there is currently no provincial-wide course that properly trains potential municipal public works employees, specifically relating to municipal heavy equipment.

THEREFORE IT BE RESOLVED, that the Corporation of the County of Lambton supports the work of the Association of Ontario Road Supervisors to develop a Municipal Equipment Operator Course to address this issue;

AND THAT, the Corporation of County of Lambton calls on the Province of Ontario's Ministry of Labour, Training, Immigration and Skilled Trades to fully fund the Municipal Equipment Operator Course in 2024 through the Skills Development Fund;

AND THAT, a copy of this resolution be sent to the Minister of Labour, Training, Immigration and Skilled Trades David Piccini, the Corporation of the County of Lambton's Member of Provincial Parliament, Bob Bailey and the Association of Ontario Road Supervisors.

Carried.

BOARD OF HEALTH (LAMBTON PUBLIC HEALTH)

Correspondence to Receive and File

CC 02-12-24 A letter from Councillor Kathryn Wilson, Chair, Board of Health, Peterborough Public Health dated December 4, 2023, endorsing correspondence from the Simcoe Muskoka District Health Unit regarding the implementation of Bill 103, *Smoke-Free Ontario Amendment Act (Vaping is not for Kids)*, 2023.

CC 02-13-24 A letter from Councillor Kathryn Wilson, Chair, Board of Health, Peterborough Public Health dated December 4, 2023, regarding the need to continue to monitor food affordability and food access in local public health agency jurisdictions and requests that this is maintained in the updated Ontario Public Health Standards (OPHS).

CC 02-14-24 A letter from Councillor Kathryn Wilson, Chair, Board of Health, Peterborough Public Health dated December 4, 2023, supporting Algoma Public Health's recommendations for income-based policy interventions to address household food insecurity.

CC 02-15-24 A letter from Rick Champagne, Chairperson, Board of Health, North Bay Parry Sound District Health Unit dated December 13, 2023, urging the provincial government to invest in surveillance and data-informed strategies at a provincial and local level that will help to monitor trends, prevent and reduce intimate partner violence; reduce adverse childhood experiences; and, increase resilience and protective factors to decrease the likelihood of future risk, such as becoming a victim, or perpetrator of violence.

CC 02-16-24 A letter from Councillor Kathryn Wilson, Chair, Board of Health, Peterborough Public Health dated January 5, 2024, regarding public health strengthening and advising that their Board is urging the provincial government to ensure local public health units are supported to invest in coordinated action to promote health and reduce the burden of chronic diseases, substance use and injuries and increase health equity.

This includes both maintaining the current breadth and scope of health promotion work outlined by Ontario Public Health Standards and a continued investment of a skilled and diversified public health workforce.

CC 02-17-24 A letter from Dr. Charles Gardner, President, Association of Local Public Health Agencies (alPHa) dated January 10, 2024, providing its input on the financial requirements for a stable, locally based public health system as part of this year's 2024 pre-budget consultation.

CC 02-18-24 A letter from Cynthia St. John, President, Association of Ontario Public Health Business Administrators (AOPHBA) dated January 15, 2024, supporting ASPHIO's recent letter regarding the importance of one-time funding opportunities to support Public Health Inspector practicum positions.

CC 02-19-24 A letter from Penny Sutcliffe, Medical Officer of Health and Chief Executive Officer, Sudbury & District Public Health dated January 24, 2024, advising that its Board of Health passed the following motion:

WHEREAS food security is a chronic and worsening health issue as documented by annual local data on food affordability and as recognized by multiple Association of Local Public Health Agencies (alPHa) resolutions: AO5-18 (Adequate Nutrition for Ontario Works and Ontario Disability Support Program), A18-02 (Minimum Wage that is a Living Wage), A15-04 (Basic Income Guarantee), and A23-05 (Monitoring Food Affordability in Ontario and the Inadequacy of Social Assistance Rates).

THEREFORE BE IT RESOLVED THAT the Board of Health for Public Health Sudbury & Districts call on the provincial government to incorporate local food affordability findings in determining adequacy of social assistance rates to reflect the current costs of living and to index Ontario Works rates to inflation going forward; and

THAT in the context of the Public Health Strengthening roles and responsibilities deliberations, the Board of Health urge all health system partners to remain committed to population health assessment and surveillance as it relates to monitoring food environments and, specifically, to monitoring food affordability; and share this motion broadly with local and provincial stakeholders.

#13: Broad/McEwan: That correspondence CC 02-12-24, CC 02-13-24, CC 02-14-24, CC 02-15-24, CC 02-16-24, CC 02-17-24, CC 02-18-24 and CC 02-19-24 be received and filed.

Carried.

Information Reports

#14: Boushy/Dennis: That the following Information Reports from the Board of Health (Lambton Public Health) be received and filed:

- a) Information Report dated February 7, 2024 Regarding Clinical and Family Services – 2023 Third and Fourth Quarter Activity Report.
- b) Information Report dated February 7, 2024 Regarding Health Protection – 2023 Fourth Quarter Activity Report.
- c) Information Report dated February 7, 2024 Regarding The Value of Local Health Promotion Interventions.

Carried.

Information Reports

INFRASTRUCTURE & DEVELOPMENT SERVICES DIVISION

Information Report dated February 7, 2024 Regarding Rural Transportation Follow Up

#15: Bradley/Loosley: That the Information Report dated February 7, 2024 regarding Rural Transportation Follow Up be received and filed.

Carried.

SOCIAL SERVICES DIVISION

Information Report dated February 7, 2024 Regarding Children's Services System Update

#16: Cook/Loosley: That the Information Report dated February 7, 2024 regarding Children's Services System Update be received and filed.

Carried.

Information Report dated February 7, 2024 Regarding Affordable and Supportive Housing Strategic Development Plan

#17: Bradley/Dennis: That Staff be directed to: (1) pursue the projects listed in the Supportive and Affordable Housing Strategic Development Plan ("Plan"), (2) seek upper-level financial support therefore, and (3) seek further instructions and authorizations from County Council on a project by project basis, with the goal of completing one of the projects outlined in the Plan preferably within 18 months, to the extent reasonably possible.

Carried.

Items Not Requiring a Motion

#18: Bradley/Agar: That the Lambton Seniors' Advisory Committee minutes dated December 19, 2023 be received and filed.

Carried.

Reports Requiring a Motion

CORPORATE SERVICES DIVISION

Report dated February 7, 2024 Regarding Procedural By-Law Amendment – Committee of the Whole

#19: Hand/Loosley: That County Council adopt the proposed Amendment to By-Law 33 of 2014, as contained in By-Law 4 of 2024.

Carried.

SOCIAL SERVICES DIVISION

Report dated February 7, 2024 Regarding Child Care Expansion

#20: Loosley/Boushy:

- a) That Staff be authorized to procure architectural services to conduct feasibility studies related to building a child care facility located at Lambton Meadowview Villa, in Enniskillen Township;
- b) That Staff report back to Council with the findings from the feasibility studies contemplated in paragraph (1) above, together with Staff's recommended next steps for Council consideration and approval.

Carried.

Report dated February 7, 2024 Regarding Child Care and Early Years Service System Plan 2024-2028

#21: Sageman/Loosley: That Council approve The County of Lambton Child Care and Early Years' Service System Plan 2024-2028.

Carried.

Committee of the Whole Minutes

#22: Broad/Case: That the Committee of the Whole minutes dated January 17, 2024 be accepted as presented.

Carried.

Items Tabled from a Previous Meeting

Rural Transportation Follow-Up

#23: Broad/Boushy:

- a) That Motion #4 of the Committee A.M. minutes dated August 16, 2023, regarding Rural/Inter-Community Transit be lifted from the table.
- b) That Motion #15 of the Lambton County Council (Open Session) minutes dated November 29, 2023, regarding Rural Transportation Follow-Up be lifted from the table.
Carried.

Information Report dated August 16, 2023 Regarding Rural/Inter-Community Transit

#24: Bradley/Loosley:

- a) That provided the funding stipulated in paragraph b) below is secured, that the County of Lambton engage a third-party consultant to carry out a Demand and Feasibility Study on the need for, and options for, a rural/inter-community transit system.
- b) That the County be authorized to expend up to \$150,000 (including H.S.T.) to engage the third-party consultant for the purposes stated in paragraph (a) above, provided that the County first secure no less than \$50,000 in funding through external, third-party funding sources.
- c) That Staff return to Council in September 2024 with an update on items (a) and (b) above.

Carried.

Information Report dated November 29, 2023 Regarding Rural Transportation Follow-Up

#25: Broad/Cook: That Lambton County Council receive and file the information report titled Rural/Inter-Community Transit Follow-Up dated November 29, 2023.

Carried.

Notice of Motion

#26: Ferguson/Bradley:

WHEREAS the Province of Ontario has agreed to assume responsibility for the Gardiner Expressway and the Don Valley Parkway from the City of Toronto, which will be uploaded to the Province of Ontario;

WHEREAS like the City of Toronto, The Corporation of the County of Lambton and all municipalities in the Province of Ontario are experiencing significant financial and budgetary pressures including those related to infrastructure development, maintenance and repairs, and are seeking reasonable solutions to address the same while balancing their financial books;

WHEREAS the uploading of municipal highway infrastructure to the Province of Ontario or, alternatively, appropriately increasing the Ontario Community Infrastructure Fund to Ontario municipalities will assist municipalities in addressing such financial challenges;

THEREFORE, BE IT RESOLVED:

- a) That the Province of Ontario: (i) upload from local municipalities the responsibility of and costs associated with the continued construction, operation, and maintenance of major municipally-owned highways throughout the Province of Ontario to the Ontario Ministry of Transportation; or (ii) alternatively, if uploading is not the preferred option of the Province and/or local municipality, to appropriately increase the Ontario Community Infrastructure Fund to municipalities so as to fairly and equitably allocate resources to Ontario municipalities.
- b) That a copy of this resolution be circulated to all municipalities in Ontario; the Association of Municipalities of Ontario; Sarnia-Lambton MPP, Bob Bailey; the Ontario Minister of Transportation, the Hon. Prabmeet Singh Sarkaria; and the Premier of Ontario, the Hon. Doug Ford.

Carried.

By-Laws

#27: Ferguson/Hand: That By-Laws #1 - #6 of 2024, as circulated, be taken as read a first and second time.

Carried.

#28: Hand/Ferguson: That By-Laws #1 - #6 of 2024, as circulated, be taken as read a third time and finally passed.

Carried.

Adjournment

#29: Case/Loosley: That the Warden declare the meeting adjourned and that the next regular meeting and Budget Deliberations of County Council be held on Wednesday, March 6, 2024.

Carried.

Time: 12:10 p.m.

Kevin Marriott
Warden

Olivia Leger
Clerk