

**MINUTES**  
**LAMBTON COUNTY COUNCIL**

**February 1, 2023**

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. The following members attended virtually: T. Case. Also present was J. Field, Alternate Member to Councillor B. Loosley, Town of Petrolia.

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: Broad/Boushy: That the Warden declare that County Council go in-camera to discuss the following:

- a) to review the Committee A.M. (Closed Session) minutes dated January 18, 2023, pursuant to s. 239 (2)(b) and (d) of the *Municipal Act, 2001*.
- b) to review the Committee P.M. (Closed Session) minutes dated January 18, 2023, pursuant to s. 239(c), (i), and (k) of the *Municipal Act, 2001*.

Carried.

Time: 9.03 a.m.

Councillor Bradley and Councillor McRoberts joined the meeting at 9:25 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 Committee A.M. (Closed Session) Minutes dated January 18, 2023; and (b) adopt the Committee P.M. (Closed Session) Minutes dated January 18, 2023.

### Delegations

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

Carried.

### Bluewater Health Helipad Project

Laurie Zimmer, Vice-President of Clinical Services, Bluewater Health, Kathy Alexander, Executive Director, Bluewater Health Foundation, and Jack Vanderveen, Director, Facilities & Support Services, Bluewater Health presented to County Council to provide an update on the Bluewater Health Helipad Project.

### Sustainable Building of Affordable Housing and Small Homes

John Loerchner, CEO, Wildscape Co./Cabinspace presented to County Council to provide an overview of Sustainable Building of Affordable Housing and Small Homes.

### Enbridge Battery Energy Storage in St. Clair Township

Denise Heckbert, Sr. Advisor, Strategy & Market Policy, Power, Enbridge Inc, and Sumesh Gupta, Technical Manager, Self-Power & Energy Storage, Power, Enbridge Inc presented to County Council to seek a letter of support for the Enbridge Battery Energy Storage in St. Clair Township.

#3: Dennis/Broad: That County Council provide a letter of support for the Enbridge Battery Energy Storage in St. Clair Township and adopt the resolution provided in their report as set out below, and that staff be authorized to issue letters to the IESO and Enbridge confirming such support.

### WHEREAS

1. Lambton County is interested in participating actively in the broader transition to low-carbon energy and capturing the economic benefits of new clean energy technology investments.
2. The Proponent is proposing to construct and operate three Long-Term Reliability Projects, as defined and with the characteristics outlined in the three tables below, under the Expedited Long-Term Request for Proposals (“E-LT1 RFP”) issued by the Independent Electricity System Operator (“IESO”).

Name of the Long-Term Reliability Project	Tecumseh Farm Battery Energy Storage
Proponent	Enbridge Inc. (or its subsidiaries and special purpose vehicles)
Technology of the Long-Term Reliability Project	Battery Energy Storage
Maximum Contract Capacity of the Long-Term Reliability Project	200 MW
Legal description of the portion of the Project Site that is located on lands subject to the authority of one or more Municipalities	<p>(the "Municipal Lands")</p> <p>PIN 43303-0094                      Legal: N 1/2 LT 18 CON 5 MOORE S/T MO29077; S/T MO28611; ST. CLAIR</p> <p>And:</p> <p>PIN 43303-0095</p> <p>Legal: S ½ LT 18 CON 5 MOORE EXCEPT PP941 &amp; L207689; S/T L277075, L442581, L839825; ST. CLAIR</p>

Name of the Long-Term Reliability Project	Petrolia Battery Energy Storage
Proponent	Enbridge Inc. (or its subsidiaries and special purpose vehicles)
Technology of the Long-Term Reliability Project	Battery Energy Storage
Maximum Contract Capacity of the Long-	200 MW

Term Reliability Project	
Legal description of the portion of the Project Site that is located on lands subject to the authority of one or more Municipalities	(the "Municipal Lands")  PIN 43295-0090 Legal: PT LT 19 CON 10 MOORE AS IN L857285; S/T L141127, L188986, L201642; ST. CLAIR

Name of the Long-Term Reliability Project	Dow Moore Battery Energy Storage
Proponent	Enbridge Inc. (or its subsidiaries and special purpose vehicles)
Technology of the Long-Term Reliability Project	Battery Energy Storage
Maximum Contract Capacity of the Long-Term Reliability Project	200 MW
Legal description of the portion of the Project Site that is located on lands subject to the authority of one or more Municipalities	(the "Municipal Lands")  PIN 43289-0076 Legal: PT LT 21 CON 12 MOORE BEING PARTS 1 TO 48 INCLUSIVE AND 52 TO 55 INCLUSIVE, PLAN 25R9722; S/T EASEMENT IN GROSS OVER PART 2 OF PLAN 25R9722 AS IN MO31311, S/T EASEMENT IN GROSS OVER PART 2 OF PLAN 25R9722 AS IN L93517, S/T EASEMENT IN GROSS OVER PART 2 OF PLAN 25R9722 AS IN L93518, S/T EASEMENT IN GROSS OVER PART 2 OF PLAN 25R9722 AS IN L93519, S/T EASEMENT IN GROSS OVER PART 2 OF PLAN 25R9722 AS IN L93520, S/T EASEMENT IN GROSS OVER PARTS 10, 19, 21, 26, 29, 36 AND 43 OF PLAN 25R9722 AS IN L458042, S/T EASEMENT IN GROSS OVER PARTS 47, 53 AND 54 OF PLAN 25R9722 AS IN L463302, S/T EASEMENT IN GROSS

	OVER PART 49 OF PLAN 25R9722 AS IN L637191, S/T EASEMENT IN GROSS OVER PARTS 38 AND 39 OF PLAN 25R9722 AS IN L745914, S/T EASEMENT IN GROSS OVER PARTS 5, 16 TO 22 INCLUSIVE, 27, 28 AND 37 OF PLAN 25R9722 AS IN L870741, ST. CLAIR
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3. Pursuant to the E-LT1 RFP, Proposals that receive formal support of the local jurisdictional authorities of all the project communities in which the Long-Term Reliability Project is located in the form of a support resolution will be awarded Rated Criteria points for the purpose of ranking the Proposal in relation to all other Proposals for a contract under the E-LT1 RFP; and
4. The council of Lambton County supports the development, construction, and operation of the above Long-Term Reliability Projects on the Municipal Lands.
5. This resolution's sole purpose is to enable the Proponent to receive Rated Criteria points under E-LT1 RFP or to satisfy its obligations under any awarded E-LT1 Contract and may not be used for the purpose of any other form of approval in relation to the Proposal or Long-Term Reliability Project or for any other purpose. Rated Criteria points will be used to rank the Proponent's Proposal in relation to other Proposals received by the IESO under the ELT-1 RFP.

Carried.

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

Paula Reaume-Zimmer, Chair, Sarnia-Lambton Economic Partnership (SLEP), introduced Dan Taylor, Chief Executive Officer, SLEP, who spoke to County Council and provided an update regarding SLEP's activities and plans. Matthew Slotwinski, Senior Economic Development Officer, SLEP, was also in attendance on behalf of SLEP providing support in answering any questions.

#### Minutes of Council (Open Session)

The Lambton County Council (Open Session) Special Meeting minutes January 18, 2023 were presented.

**#4:** Cook/Agar: That the Lambton County Council (Open Session) Special Meeting minutes dated January 18, 2023 be accepted as presented.

Carried.

**Annual General Meeting of The County of Lambton Community Development Corporation**

**February 1, 2023**

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 10:31 a.m. on the above date.

#5: Bradley/Broad: 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, and 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.

Approval of the Agenda

#6: Boushy/Atkinson: 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, 2022.

#7: Atkinson/White: That The County of Lambton Community Development Corporation Financial Statements for the Year Ended April 30, 2022 be approved.  
Carried.

Update from Executive Director

#8: Hand/Miller: 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

#9: Broad/Ferguson: 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 Strifler (Director)
- g. Miriam Capretz (Director)
- h. Alison Ewart (Director)
- i. Stéphane Thiffeault (Secretary)
- j. Larry Palarchio (Treasurer)

Carried.

Appointment of Auditors for 2023

#10: Cook/Agar: That BDO Canada LLP - Sarnia be appointed as auditors to The County of Lambton Community Development Corporation for 2023.

Carried.

Adjournment

#11: Sageman/Veen: That the Chair declare the Annual General Meeting of The County of Lambton Community Development Corporation be adjourned.

Carried.

Time : 10:46 a.m.

Regular Session

The Warden declared that County Council go back into Regular Session at 10:46 a.m.

Correspondence to Receive and File

CC 02-03-23 An email from Jodi Akins, Council Clerk Secretary, City of Stratford, on behalf of Tatiana Dafoe, Clerk, City of Stratford, dated November 28, 2022 regarding a resolution that was passed by the City of Stratford at its November 14, 2022 Council meeting to request the federal government for funding and support for VIA Rail services. The City of Stratford is seeking endorsement on the resolution.

CC 02-04-23 A letter from Steven Jelich, Director, Southwest Region Operations, Enbridge Gas Inc. dated December 13, 2022 regarding Enbridge's congratulations to Warden Marriott and Lambton County Council on its recent election. Mr. Jelich is looking forward to continue working with County Council.

CC 02-10-23 A letter from Denise Heckbert, Strategy & Market Policy, Power, Enbridge Inc. dated January 16, 2023 regarding a Public Meeting for a proposal to build three battery power storage projects in St. Clair Township.

#12: Bradley/Agar:

- a) That correspondence CC 02-03-23, CC 02-04-23, and CC-02-10-23 be received and filed.
- b) That County Council endorse the resolution in correspondence CC 02-03-23 with an addition thereto that the "South Western Ontario" region be also specifically identified as an area where the Government of Canada is asked to adequately fund and fully support VIA Rail Canada in increasing the frequency, reliability and speed of VIA rail service in 2022 and successive years.

Carried.

Correspondence from Member Municipalities

CC 02-01-23 An email from Amanda Gubbels, CAO/Clerk, Township of Warwick, dated November 16, 2022 seeking County Council's support on a resolution passed by the Township of Warwick at its October 17, 2022 Council meeting regarding CN Railway Contribution Requirements under the *Drainage Act* and Impacts on Municipal Drain Infrastructure in Ontario.

#13: Broad/White: That County Council endorse the resolution in correspondence CC 02-01-23 as follows:

NOW THEREFORE the Council of the Township of Warwick hereby declares as follows:

THAT Ontario's Drainage Act is an important piece of legislation used to meet the drainage needs of a variety of stakeholders, including agricultural businesses and



ultimately food production, thereby supporting families, neighbours, and thriving communities;

AND THAT CN Rail be called upon to act as a partner to municipalities and agriculture in Ontario and reconsider its position that the Drainage Act does not apply to it as a public entity;

AND THAT CN Rail contribute to all municipal drains in Ontario, as per section 26 of the Drainage Act, and work to expedite its response timelines to the fifty-five projects currently on hold in Ontario so that the projects impacting the agriculture sector can proceed and be dealt with in a timely manner after years of delay caused directly by CN Rail;

AND THAT a copy of this resolution be circulated to Minister of Agriculture Food and Rural Affairs Lisa Thompson, local MPP Monte McNaughton, Minister of Agriculture and Agri-Food Marie-Claude Bibeau, CN Manager Public Affairs, Ontario & Atlantic Canada Daniel Salvatore, the President and CEO of CN Rail Tracy Robinson, Director of Government Relations Railway Association of Canada Gregory Kolz and to all municipalities in Ontario for their support.

Carried.

CC 02-02-23 An email from Roberta Brandon, Administrative Assistant to the Clerk, The Municipality of Lambton Shores, on behalf of Stephen McAuley, Chief Administrative Officer, The Municipality of Lambton Shores, dated November 22, 2022 regarding Proposed Legislation Bill 23 - *More Homes Built Faster Act, 2022*.

#14: Cook/Dennis: That County Council endorse the resolution in correspondence CC 02-02-23 as follows:

THAT staff draft a letter to the province outlining Lambton Shores' concerns with Bill 23 and circulate to AMO and all Ontario municipalities.

Carried.

CC 02-11-23 A letter from Mandi Pearson, Clerk/Operations Clerk, Town of Petrolia, dated January 25, 2023 regarding a resolution that was passed by the Council of the Town of Petrolia at its December 12, 2022 Council meeting to request that school boards become responsible for conducting their own trustee elections or at minimum municipalities be compensated by the school boards for overseeing such trustee elections.

#15: White/Field: That County Council endorse the resolution in correspondence CC 02-11-23 as follows:

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Petrolia request that staff forward this motion to the Hon. Steven Leece, Minister of Education, MPP Bob Bailey, Ontario Municipal Councils and the County of Lambton

requesting that school boards become responsible for conducting their own trustee elections or at minimum municipalities be compensated by the school boards for overseeing such trustee elections.

Carried.

#### Information Report

### **FINANCE, FACILITIES AND COURT SERVICES DIVISION**

#### Information Report dated February 1, 2023 Regarding Court Services 3rd Quarter 2022 Statistics and Activities

#16: Miller/White: That Information Report dated February 1, 2023 Regarding Court Services 3rd Quarter 2022 Statistics and Activities be received and filed.

Carried.

#### Items Not Requiring a Motion

#17: Hand/Atkinson: That the following items for Council's information be received and filed:

- a) Lambton Creative County Committee Minutes dated September 29, 2022.
- b) Sarnia-Lambton Economic Partnership Board minutes dated September 27, 2022.

Carried.

#### Committee Minutes

Mr. S. Veen presented the Committee A.M. minutes (including Board of Health) dated January 18, 2023.

#18: Veen/Broad: That the Committee A.M. minutes (including Board of Health) dated January 18, 2023 be accepted as presented.

Carried.

Mr. D. Ferguson presented the Committee P.M. minutes dated January 18, 2023.

#19: Ferguson/Sageman: That the Committee P.M. minutes dated January 18, 2023 be accepted as presented.

Carried.

### Items Tabled from Previous Meetings

#### Structure of the Lambton County Board of Health

#20: Bradley/White: That motion #8 of Lambton County Council (Open Session) Minutes dated September 1, 2021 regarding the structure of Lambton County Board of Health be lifted from the table.

Carried.

#21: Bradley/Dennis: That County Council move part a) of the motion (reproduced below).

- a) That all Board of Health matters be dealt with by the entire Board of Health rather than through the County's Committee system.

Carried.

#22: Bradley/Broad: That part b) of the motion (reproduced below) be tabled until the Province announces its modernization plan for public health.

- b) That the Board of Health also include members of the public with different professional backgrounds.

Carried.

#### Waste-to-Energy Pre feasibility Study and Waste Management Master Plan

#23: Bradley/Cook: That tabled motion #11 of Lambton County Council (Open Session) minutes dated July 6, 2022 regarding Waste-to-Energy pre feasibility study and tabled motion #4 of Lambton County Council (Open Session) minutes dated October 5, 2022 regarding Waste Management Master Plan be lifted from the table.

Carried.

#24: Bradley/Broad: That the following items lifted from the table pursuant to motion #23 of today's minutes be received and filed:

- a) tabled motion #11 of Lambton County Council (Open Session) minutes dated July 6, 2022 regarding Waste-to-Energy pre feasibility study which reads as follows:

That Lambton County Council request staff to move ahead with the Waste-to-Energy (WtE) pre-feasibility study as soon as possible using a 'single source bid' from the Waste-to-Energy Research and Technology (WtERT) Leaders (as attached), for a very cost-effective price of \$50,000.

- b) tabled motion #4 of Lambton County Council (Open Session) minutes dated October 5, 2022 regarding Waste Management Master Plan which reads as follows:

That Information Report dated September 7, 2022 regarding Waste Management Master Plan Update be received and filed.

Carried.

### 2023 Capital Grant Requests

#25: Bradley/Hand: That tabled motion #4 of the Committee P.M. minutes dated October 19, 2022 regarding the proposed moratorium on the 2023 Capital Grant Requests be lifted from the table.

Carried.

#26: Bradley/Miller: That tabled motion #4 of the Committee P.M. minutes dated October 19, 2022 regarding the proposed moratorium on the 2023 Capital Grant Requests (reproduced below) be received and filed.:

That County Council authorize staff to continue its moratorium on any new capital grants for the 2023 County budget so that new capital grants not be accepted, processed and/or approved for the County's 2023 budget year.

Carried.

### Notice of Motion

#### Local Municipality Official Plan Amendments

#27: Bradley/Dennis:

- a) That if requested by the local municipality seeking an amendment to its official plan, that that municipality's proposed official plan amendment(s) be brought forward to Council for consideration and decision.
- b) That staff bring forward a draft by-law amending By-Law # 38 of 2002 to give effect to the direction set out in paragraph a) above.

A recorded vote starting with Councillor Agar was requested by Councillor Bradley on motion #27 of this day's minutes.

<b>Councillor</b>	<b>Vote</b>
J. Agar	No (3)
G. Atkinson	No (3)
D. Boushy	Yes (3)

<b>Councillor</b>	<b>Vote</b>
M. Bradley	Yes (3)
A. Broad	Yes (1)
T. Case	Yes (2)
D. Cook	No (3)
B. Dennis	Yes (3)
D. Ferguson	Yes (1)
B. Hand	Yes (1)
J. Field (Alternate)	No (2)
K. Marriott	No (1)
C. McRoberts	Yes (3)
S. Miller	No (2)
D. Sageman	No (2)
I. Veen	No (1)
B. White	Yes (3)

Yeas - 20; Nays - 17.

Motion Carried.

Traffic Light at The Intersection on County Road 4 (Petrolia Line) and County Road 31 (Kimball Road)

#28: Agar/Field: That staff be instructed to engineer and install traffic light signals, controlling traffic in all directions, at the intersection of Petrolia Line and Kimball Road, and that such work be completed in 2023.

Tabled.

#29: Agar/Bradley: That motion #28 of this day's minutes be tabled to the March 1, 2023 Budget meeting to be dealt with in conjunction with tabled motion #5 of Lambton County Council (Open Session) Budget minutes dated March 3, 2021 regarding a request for roundabout work at County Road 4 (Petrolia Line) and County Road 31 (Kimball Road).

Carried.

By-Laws

#30: Sageman/Atkinson: That By-Law #4 to #8 of 2023, as circulated, be taken as read a first and second time.

Carried.

#31: Atkinson/Sageman: That By-Law #4 to #8 of 2022, as circulated, be taken as read a third time and finally passed.

Carried.

Adjournment

#32: Broad/Sagean: That the Warden declare the meeting adjourned and that the next regular meeting and Budget Deliberations of County Council be held on Wednesday, March 1, 2023.

Carried.

Time: 11:37 a.m.

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Kevin Marriott  
Warden

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Stéphane Thiffault  
County Clerk