

**MINUTES**  
**LAMBTON COUNTY COUNCIL**  
**(OPEN SESSION)**

**September 1, 2004**

Lambton County Council was in session in the Council Chambers, Wyoming, Ontario, at 12:30 p.m. on the above date. Warden in the Chair; Roll called; All members present.

Disclosures of Pecuniary Interest: None.

#1: Kirkland/MacDougall: That the Warden declare that County Council go in-camera to discuss a personal matter about an identifiable individual and a matter concerning the proposed or pending acquisition/disposition of land by the municipality. Carried.

Open Session

The Warden declared that County Council go back into open session.

Report of the Closed Session Meeting of Council dated September 1, 2004

#2: McManaman/Bilton: That Council rise and report. Carried.

Ms. L. Ross noted that the following resolution was passed during the Closed Session meeting of September 1<sup>st</sup>, 2004:

**Memorandum dated September 1, 2004 Regarding the Tentative Agreement  
– Ontario Nurses’ Association – Marshall Gowland Manor**

**#2: Jamieson/McGugan: That County Council ratify the tentative agreement reached on July 22, 2004 with the Ontario Nurses’ Association Local 116; and further,**

**That this motion be released in Council this day, September 1, 2004. Carried.**

#3: McManaman/Bilton: That Council adopt the report of the Closed Session meeting. Carried.

Minutes

The Lambton County Council (OPEN SESSION) and (CLOSED SESSION) minutes dated July 7, 2004 were presented.

#4: Perry/Burns: That this day’s minutes be adopted as presented. Carried.

Correspondence

9-1-04 A letter from the Premier of Ontario, Dalton McGuinty, dated June 25, 2004, regarding Council's motion on funding for Lambton College and Ontario's community colleges. The Premier has forwarded the letter to The Honourable Mary Anne Chambers, Minister of Training, Colleges and Universities.

9-2-04 A letter from the City of Cornwall, dated July 14, 2004, regarding the Ontarians with Disabilities Act. The City is requesting endorsement of its resolution to lobby the Province of Ontario (Ministry of Citizenship and Immigration) and the Association of Municipalities of Ontario, to provide for Special Funding that will help Municipalities to employ the staff needed to coordinate the Committee's requirements under the legislation and to set, as soon as possible, reasonable standards and guidelines for the advancement of the Ontarians with Disabilities Act and that these standards and guidelines be consistent throughout the Province.

9-11-04 A letter from The Regional Municipality of Durham, dated July 21, 2004, advising that Mr. Roger Anderson, Regional Chair, will be running for President of A.M.O. this year.

#5: Jamieson/Kirkland: That correspondence 9-1-04, 9-2-04 and 9-11-04 be received and filed.  
Carried.

9-30-04 A copy of a letter from the Municipality of Chatham-Kent to the Honourable Steve Peters, Minister of Agriculture and Food, dated August 5, 2004, advising of its resolution to petition the Government of the Province of Ontario to reinstate the Municipal Outlet Drainage Program. The Drainage Act has been an efficient and effective legislation helping to promote community involvement and public/private partnerships on all Municipal drainage projects. The grant program has played an integral part in helping farmers sustain or enhance productivity and control operational overhead.

9-31-04 A letter from the Township of South-West Oxford, dated August 16, 2004, requesting endorsement of its resolution that the Premier Dalton McGuinty and the Members of Provincial Parliament be called upon to reverse the decision to phase out the grants under the Municipal Outlet Drainage Program and to reinstate the program effective immediately.

9-32-04 A letter from the Municipality of Kincardine, dated August 8, 2004, requesting endorsement of its resolution to urge the Provincial Government to reconsider its position to phase out the Municipal Outlet Drainage Program.

(A) #6: Burns/McGugan: That we support correspondence 9-30-04, 9-31-04 and 9-32-04 regarding petitioning the Government of the Province of Ontario to reinstate the Municipal Outlet Drainage Program.  
Carried.

Reports to Council

a) Human Resources Services Report – September 1, 2004

Part B, Item 2 – Corporate Manager’s Report

- (A) #7: Dedecker/Foubister: That the Corporate Manager's Report as set out in Part A and Part B be  
(F) accepted as presented. Carried.

b) Finance Department Report dated September 1, 2004

Part B, Item 3 – Corporate Manager’s Report

- (A) #8: Foubister/MacDougall: That the Corporate Manager's Report as set out in Part A and Part B  
(F) be accepted as presented. Carried.

Part C, Item 1 a) to c) – Correspondence 9-33-04, 9-34-04 and 9-35-04

- #9: MacDougall/Perry: That correspondence 9-33-04, 9-34-04 and 9-35-04 be received and  
filed. Carried.

Part C, Item 2 – Tax Capping By-Law (see By-Law No. 45 of 2004)

- (A) #10: Bilton/Arnold: That Council approve By-Law No. 45 of 2004 (being “A By-Law to Establish  
(F) Decreased Limits for Certain Property Classes”), confirming methodology and retention percentages  
to be used for the final tax billings of the multi-residential, broad commercial and broad industrial  
property classes by the County’s constituent Municipalities. Carried.

Part C, Item 3 – Second Quarter Variance Report – Memorandum dated August 24, 2004  
Regarding the Summary 2004 Budget Variance Report to June 30<sup>th</sup>, 2004

- (A) #11: Ivey/MacDougall: That Council accept the report dated August 24, 2004 regarding the  
(F) Summary 2004 Budget Variance Report to June 30<sup>th</sup>, 2004 and its recommendations as  
presented. Carried.

c) Provincial Offences Administration (P.O.A.) Report – September 1, 2004

Part B, Item 4 – Corporate Manager’s Report

- (A) #12: Davidson/McManaman: That the Corporate Manager's Report as set out in Part A and Part  
(F) B be accepted as presented. Carried.

d) Legal Services/Clerk's Report

The following item was presented to Council for its information:

i) Memorandum dated August 23, 2004 Regarding the Reconsideration of a Vote.

e) C.A.O. Report

The following item was presented to Council for its information:

i) General Managers' Updates dated June 22, June 29, August 10 and August 17, 2004.

Minutes

Ms. C. Jamieson presented the Striking Committee minutes dated July 7, 2004.

- (A) #13: Jamieson/Kirkland: That this day's minutes be adopted as presented (motions #1 and #2).  
Carried.

Mr. Wm. Bilton presented the Infrastructure and Development/Social and Health Services Committee minutes dated August 18, 2004.

- (A) #14: Bilton/Foubister: That this day's minutes be adopted as presented (motions #1 to #18).  
(3) Carried.

Mr. D. Boushy presented the Community Services/Information Technology Committee minutes dated August 18, 2004.

#15: Boushy/McManaman: That this day's minutes be adopted as presented (motions #1 to #26).  
Carried.

**OTHER BUSINESS**

Notice of Motions

Mr. Mike Bradley, Mayor of the City of Sarnia, gave Notice of Motions, to be discussed at the October 6<sup>th</sup>, 2004 County Council meeting, as follows:

- a) **That the positions of Warden and Deputy Warden be elected at large;**
- b) **That there be full Council participation on the performance appraisal for the position of Chief Administrative Officer; and,**
- c) **That all in-camera matters be addressed in writing.**

Mr. Jim Burns, Mayor of the Township of Enniskillen, invited County Councillors to the Petrolia Discovery, Thursday, September 9, 2004 at 7:00 p.m. to present to Bill and Dorothy Abraham a plaque in recognition of their many years of community work.

Mr. William Bilton, Mayor of the Township of Dawn-Euphemia, invited Councillors to attend the Lambton County Plowing Match, to be held on Saturday, September 4<sup>th</sup>, 2004, at Mr. Allan Murphy's farm, 3076 Waubuno Road at Courtright Line.

Mr. Don McGugan, Mayor of the Township of Brooke-Alvinston, invited interested parties to attend an Agricultural Bus Trip to Michigan, set for Friday, September 10, 2004 and hosted by Southwest Agri Development. To reserve seats Councillors may contact Sue McLarty at 519-674-1581.

Ms. Carolyn Jamieson, Deputy Mayor of the Municipality of Lambton Shores, distributed a report on the Association of Municipalities of Ontario (A.M.O.) Board Meetings of Saturday, August 22<sup>nd</sup> and Sunday, August 23<sup>rd</sup>, 2004.

County Councillors were invited to attend the annual Council Steak Fry hosted by Lambton College. The barbecue will be held this evening at 5:30 p.m. at Lambton College in Sarnia.

#### By-Laws

#16: McManaman/Murray: That By-Laws #44 to #46 of 2004, as circulated, be taken as read a first and second time. Carried.

#17: MacDougall/McGugan: That By-Laws #44 to #46 of 2004, as circulated, be taken as read a third time and finally passed. Carried.

#### Adjournment

The Warden declared the meeting adjourned.

Time: 1:45 p.m.

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Todd Case  
Warden

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Linda Ross  
Solicitor/Clerk, General Manager,  
Corporate Services

**HUMAN RESOURCES SERVICES DEPARTMENT**  
**CORPORATE MANAGER, HUMAN RESOURCES**  
**SERVICES REPORT**

**September 1, 2004**

**PART A**      **Follow-up from Previous Month(s)**

1. No matters to report at this time.

**PART B**      **Monthly Activities**

1. Items of Interest

- a) Labour Relations

- i) Ontario Nurses Association Agreement.

There is a tentative agreement with the Ontario Nurses Association representing nurses at Marshall Gowland Manor. (see In Camera Report)

- ii) The County has one remaining collective agreement outstanding. CUPE 2557 representing all workers at North Lambton Rest Home and Lambton Meadowview Villa (not including registered nurses) are proceeding to conciliation in September.

- b) Health and Safety

- i) This fall Rob Easton, the County's Health and Safety Coordinator, will be focusing on accident prevention fostering a more proactive approach to Health and Safety, particularly in light of the NEER surcharges expected from WSIB. A training program in WSIB reporting requirements will be designed and implemented. More time will be spent at each facility to investigate accidents/incidents and to put preventative measures in place to reduce the high number of accidents in the workplace.

- ii) NEER Update

To date the County has received only 2 of our 6 NEER statements for past awards to June 30, 2004. September is customarily the month in which we receive our statements. These statements indicate our accident status which determines whether we will pay a surcharge to the Board or receive a refund.

**PART B**      **Monthly Activities (continued)**

b)    Health and Safety (continued)

ii)    NEER Update (continued)

Looking at the past statements and our accidents over this time period we estimate that the County of Lambton will be in a surcharge situation. As soon as I have received the final NEER statements I will provide Council with the bottom line numbers.

c)    Training and Development

Over the summer training and development has focused on developing a range of training programs for the fall, while providing ongoing support for supervisors and departments.

Since June 16th, 12 training sessions have been offered.

Staff training was offered on:

- New Employee Orientation (3 sessions)
- Respect in the Workplace ( 4 sessions, 2 sessions in LTC homes)
- Resident Abuse workshops (for LTC homes 3 workshops)
- Construction safety

Organizational development services were provided for Senior Services, Libraries, and the Wellness Committee.

Fall / spring training highlights will include:

- Training for senior staff in working with media; Training for supervisors on: project management, communication, conflict resolution, managing in a unionized environment, giving effective feedback, and non-violent crisis intervention for supervisors.
- Training for staff will include communication and conflict resolution, mental health in the workplace, completion of respect in the workplace training, including mandatory workplace training for EMS and LTC homes, as well as beginner and advanced Word, Excel and PowerPoint training and leadership training for registered staff within the LTC homes.

**PART B**      **Monthly Activities (continued)**

c)      Training and Development (continued)

In September, we will be issuing the Fall training and development schedule for employees and for supervisors/managers. If any Councillor wishes for any of their employees to participate in these training sessions please contact Human Resources at the Wyoming Offices.

2.      Corporate Manager's Report

Recommendation

That the Corporate Manager Human Resources report as set out in Part A and Part B be accepted as presented.

**PART C**      **Other Matters Requiring a Motion**

1.      None.



**PART B**      **Monthly Activities (continued)**

3.      Corporate Manager's Report

Recommendation

That the Corporate Manager's Report as set out in Part A and Part B be accepted as presented.

**PART C**      **Other Matters Requiring a Motion**

1.      Correspondence

- a)      9-33-04 Letter from Carl Isenburg, President and Chief Administrative Officer for MPAC responding to various concerns and suggestions regarding the Corporation's services.
- b)      9-34-04 Fax from MTE updating Mr. Innes as to status of the appeal by OPG regarding the assessment of its fossil fuel plants.
- c)      9-35-04 Copy of a letter from Leo Stathakis, Chairman, Board of Directors for the Sarnia Lambton Chamber of Commerce to the Ontario Minister of Finance with regard to the Province of Ontario budget and concerns regarding property assessment.

Recommendation

That the correspondence be received and filed.

2.      Tax Capping By-law

Recommendation

That Council approve By-law No. 45 of 2004 confirming methodology and retention percentages to be used for the final tax billings of the multi-residential, broad commercial and broad industrial property classes by the County's constituent municipalities.

3.      Second Quarter Variance Report

Recommendation

That Council accept the report and its recommendations as presented.



**PART B**      **Monthly Activities (continued)**3.      Items of Interest (continued)b)      Sarnia Credit Bureau

Staff have initiated a trial with this local collection agency to help them evaluate the performance of the County's existing agency, which has been collecting less & less with each passing month. While the commission rate is higher than that of the existing external collection agency, the advantage of the lower commission rate has been effectively negated by the lack of success it is demonstrating.

2,500 overdue files (approximately 50% of the total outstanding) have been assigned to Sarnia Credit Bureau effective August 1, 2004. The agency has been given the exclusive right to attempt collection on these accounts until December 2004, at which time its performance relative the existing contractor will be reviewed.

Both agencies have been given a similar mix of accounts for collection (e.g. mixed as to age, location and offence type) in order to facilitate effective comparison.

c)      Pay Tickets Fine Payment System

Effective August 22, 2004, the County will be able to receive payments against outstanding fines via "**Paytickets**". PayTickets is an internet based e-commerce payment system and will be accessible through either the County's website or directly through [www.paytickets.ca](http://www.paytickets.ca).

The County will pay \$3.00 per transaction processed, while defendants will be charged \$2.00 for utilizing the service. There is no minimum charge to the County and its fees/charges are capped at an annual maximum of \$12,000.00. In addition, the one time set up and configuration fee of \$5,650.00 was waived by the vendor.

8 Ontario P.O.A. court offices are already on-line with this service and 3 additional sites will be going live the same day as the County. This payment option should also assist with the collection of payments from American defendants.

**PART B**      **Monthly Activities (continued)**

d)    Clerk/Monitor Training

Debra Gowdy the newly hired clerk/monitor will attend a training session in Chatham the week of August 30<sup>th</sup>. Staff from 6 municipalities within the West Region will attend and share the cost of the training.

e)    West Region Provincial Offences Court Managers Meeting

Lambton will host the Court Managers' caucus meeting at the Lambton Shared Service Centre on September 15<sup>th</sup>. The Managers usually meet in different court locations throughout the Region twice yearly. With Mr. Innes' recent election as Director for the West Region of the Municipal Court Manager's Association, it is anticipated that Lambton may host the meetings more regularly.

f)    Ministry Of Labour Fine

On July 6, 2004 a guilty plea on the pre-trial day resulted in Bluewater Environmental (Point Edward) being fined \$18,750.00 (\$15,000.00 plus a \$3,750.00 surcharge). The company was fined for an offence under the Occupational Health and Safety Act, for failing as a constructor to ensure measures and procedures were carried out.

4.    Corporate Manager's Report

Recommendation

That the Corporate Manager's Report as set out in Part A and Part B be accepted as presented.

**PART C**      **Other Matters Requiring a Motion**

No matters to report at this time.