

MINUTES
LAMBTON COUNTY COUNCIL
(OPEN SESSION)

November 3, 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 except D. Kirkland.

Disclosures of Pecuniary Interest: Mr. Jim Foubister, Councillor of the City of Sarnia, declared a pecuniary interest on in-camera motion #15 of the Infrastructure and Development/Social and Health Services Committee Minutes dated October 20, 2004.

In-Camera

#1: Dedecker/McManaman: That the Warden declare that County Council go in-camera to discuss a matter concerning the proposed or pending acquisition/disposition of land by the municipality as well as a matter concerning labour relations and employee negotiations. Carried.

Open Session

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

Report of the Closed Session Meeting of Council dated November 3, 2004

#2: Davidson/Dedecker: That Council rise and report. Carried.

Ms. L. Ross noted that the following resolution was passed during the Closed Session meeting of November 3rd, 2004:

**Memorandum dated November 3, 2004 Regarding the Tentative Agreement –
Canadian Union of Public Employees Local 2557**

#4: McGugan/Perry: That County Council ratify the tentative agreement reached on October 22, 2004 with the Canadian Union of Public Employees Local 2557; and further

That this motion be released in open session this day November 3rd, 2004.

Carried.

#3: Davidson/Dedecker: That Council adopt the report from the Closed Session meeting. Carried.

PRESENTATIONS

Recognition Plaques

#4: Dedecker/McGugan: That we invite the recognition recipients, within the Bar, to accept the recognition plaques. Carried.

- a) A recognition plaque was presented by Warden Todd Case and Mr. Ken Dick, General Manager, Social and Health Services to GlaxoSmithKline, in appreciation for their generous donation of Varicella (chicken pox) vaccine to the Community Health Services Department as a one-time initiative.
- b) A recognition plaque was presented by Warden Todd Case and Ms. Cindy Thayer, General Manager, Community Services to the Forest Community Foundation, in appreciation for their generous donation for the Healing Gardens at North Lambton Rest Home. Mr. Cam Ivey, Mayor of the Municipality of Lambton Shores, accepted the plaque on behalf of the Forest Community Foundation.
- c) A recognition plaque was presented by Warden Todd Case and Ms. Cindy Thayer, General Manager, Community Services to NOVA Chemicals (Canada) Ltd., in appreciation for their generous sponsorship for the completion of the artistic sculptures at the new Lambton County Garden in front of the Lambton Heritage Museum. Mr. Kevin Watson was present to accept the plaque.
- d) A recognition plaque was presented by Warden Todd Case and Ms. Cindy Thayer, General Manager, Community Services to Kernohan Motors, in appreciation for their generous donation for five consecutive years, of a minivan for the Lambton Heritage Museum's innovative in-school Christmas program. Ms. Carolyn Jamieson, Deputy Mayor of the Municipality of Lambton Shores, accepted the plaque on behalf of Kernohan Motors.
- e) A recognition plaque was presented by Warden Todd Case and Ms. Cindy Thayer, General Manager, Community Services to Union Gas, in appreciation for their hard work and dedication on the historical Canadian Drill Rig restoration for the mounting of an exhibit of gas drilling bits for the Oil Museum of Canada. Mr. Robert Newport was present to accept the plaque.

Delegation

#5: Dedecker/McManaman: That we invite Mr. Len Kozachuk, Senior Project Manager, URS Canada Inc., and Mr. Michael Swim, Senior Project Engineer, Southwestern Region, Ministry of Transportation, within the Bar, to speak to County Council regarding the Planning Preliminary Design and Class Environmental Assessment Study for Highway 402 from the Bluewater Bridge Plaza easterly for 16 km. to Mandaumin Road (County Road #26). Carried.

Minutes

The Lambton County Council (OPEN SESSION) and (CLOSED SESSION) minutes dated October 6, 2004 were presented.

#6: Foubister/Perry: That this day's minutes be adopted as presented. Carried.

Correspondence

11-12-04 A letter from the Government of Canada – Freshwater Institute, dated October 15, 2004, inviting individuals and organizations to provide their views as to whether the Round Pigtoe (a freshwater mussel) should receive protection under the federal *Species at Risk Act* (SARA). The Round Pigtoe is found only in Ontario, mainly in the Grand, Thames and Sydenham rivers and near the shores of Lake St. Clair. Comments received by November 15th will be reviewed and evaluated.

#7: Jamieson/Boushy: That correspondence 11-12-04 be received and filed. Carried.

11-13-04 A letter from the Sarnia Lambton Chamber of Commerce, dated October 19, 2004, regarding the Chamber's 100th Anniversary Year – 2005 and advising that the Chamber is planning four (4) special new 100th Anniversary events. The Chamber is asking if the County of Lambton would be able to support the cost of the community evening at the conference, on April 29th, 2005 with a grant of \$1,000.00.

(B) #8: Dedecker/McGugan: That we refer correspondence 11-13-04 to the 2005 Budget. Carried.

11-14-04 A letter from the Township of St. Clair, dated October 19, 2004, regarding the management of the Great Lakes Water Resources. The Township is requesting endorsement of its resolution to support the conservation of the water resources within the Great Lakes Basin, to support the concept of no increased diversion of water from the Great Lakes Basin, to not support the sale of large volumes of water and no water permit will be treated as a commodity, to support a common criteria for the drawing of water from the Great Lakes Basin that will be used by all States and Provinces, to support the environmental departments of the States and Provinces taking full responsibilities for the inflows of water to the basin, to support the concept of not allowing untreated waste water (i.e. industrial or municipal) to go into the Great Lakes Basin without full quality standards as set by the Joint Criteria and to support the concept of having a permanent seat for Municipalities and local Governments on the Council of the Great Lakes Governors and Premiers.

(T) #9: Davidson/Dedecker: That correspondence 11-14-04 be tabled until clarification is received, due to concerns of the impacts for the Lambton Area Water Supply System (LAWSS), as well as the water systems in Petrolia and London. Carried.

Reports to Council

a) Human Resources Services Report – November 3, 2004

Part B, Item 2 – Corporate Manager’s Report

- (A) #10: Ivey/Arnold: 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 November 3, 2004

Part A, Item 1 – Memorandum dated October 25, 2004 Regarding “Permanent” Long Term Financing

- (A) #11: Foubister/Bilton: That staff be directed to proceed with the original proposal for the
(F) funding not required for the Homes Rebuild Project;

That staff be directed to suspend further action on financing the Homes Rebuild requirements until such time as the success of the County’s OSIFA application is known; and further,

That Council approve By-Law No. 53 of 2004 authorizing the Corporation meet its borrowing requirements for its operating and capital financing requirements by utilizing financing from the Canadian Imperial Bank of Commerce. Carried.

Part B, Item 4 – Corporate Manager’s Report

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

Part C, Item 1 – Correspondence 11-1-04

#13: Jamieson/McManaman: That we endorse correspondence 11-1-04 from the Municipality of Trent Hills, endorsing recommendations from the Canadian Advocates for Tax Awareness.

A recorded vote, starting with Councillor Steve Arnold, was requested by Councillor Steve Arnold on motion #13 of this day's minutes.

S. Arnold	No (2)	B. Bilton	No (1)
D. Boushy	No (3)	M. Bradley	No (3)
J. Burns	No (1)	T. Case	No (2)
P. Davidson	No (3)	J. Dedecker	No (3)
J. Foubister	No (3)	C. Ivey	Yes (3)
C. Jamieson	Yes (2)	D. Kirkland	Absent
B. MacDougall	No (3)	D. McGugan	Yes (1)
B. McManaman	Yes (2)	J. Murray	Yes (3)
G. Perry	Yes (1)		

Yeas - 12; Nays - 24.

Motion defeated.

#14: Dedecker/Bradley: That correspondence 11-1-04 be received and filed. Carried.

Part C, Item 2 – 2005 Borrowing By-Law

- (A) #15: Jamieson/Burns: That Council approve By-Law No. 53 of 2004 authorizing borrowing
(F) from the Canadian Imperial Bank of Commerce (C.I.B.C.) sufficient to satisfy the permanent long-term capital financing needs of the Corporation. Carried.

Part C, Item 3 – Memorandum dated October 25, 2004 Regarding the Summary 2004 Budget Variance Report to September 30th, 2004

- (A) #16: MacDougall/Perry: That the memorandum dated October 25, 2004 regarding the
(F) Summary 2004 Budget Variance Report to September 30th, 2004 be accepted as presented. Carried.

c) Provincial Offences Administration (P.O.A.) Report – November 3, 2004

Part B, Item 4 – Corporate Manager's Report

- (A) #17: Arnold/MacDougall: That the Corporate Manager's Report as set out in Part A and Part B
(F) be accepted as presented. Carried.

d) Legal Services/Clerk's Report

The following item was presented to Council for its information:

- i) Memorandum dated October 22, 2004 Regarding the Records Management Update.

e) C.A.O. Report

Memorandum dated October 22, 2004 Regarding Motion #1 of the Infrastructure and Development/Social and Health Services Committee Minutes dated March 17, 2004 – Preparation of the Budget

- (F) #18: Ivey/Bradley: That items (1) to (10) of the memorandum dated October 22, 2004, be approved by County Council for implementation by staff. Carried.

The following item was presented to Council for its information:

- i) General Managers' Update –September 28, 2004.

Minutes

Mr. Wm. Bilton presented the Infrastructure and Development/Social and Health Services Committee minutes dated October 20, 2004.

Re: Motion #17 – Correspondence 11-2-04 regarding truck noise resulting from engine brake usage on London Line (County Road #22).

- (A) #19: MacDougall/Arnold: That we amend motion #17 of the Infrastructure and Development/Social and Health Services Committee minutes dated October 20, 2004 by inserting after the phrase **“That staff review and”** the words **“have the authority to approve”**, so that the motion reads as follows:

“That engine brake signs be installed on London Line (County Road #22) in the area of Reece’s Corners; and further,

That staff review and have the authority to approve future requests for installation of engine brake signs on the County Road System.”

Carried.

Re: Motion #19 – Memorandum dated September 29, 2004 Regarding the Depot Allocation Study.

- (T) #20: Ivey/Bradley: That we table motion #19 of the Infrastructure and Development/Social and Health Services Committee minutes dated October 20, 2004, until the next regular meeting of County Council. Carried.

- (A) #21: Bilton/Burns: That this day's minutes be adopted as amended (motions #1 to #12 and #16
(3) to #21). Carried.
(2)

2004/11/24

Mr. D. Boushy presented the Community Services/Information Technology Committee minutes dated October 20, 2004.

Re: Motion #14 – Local Health Integration Networks (LHINs).

- (A) #22: Bradley/Dedecker: That we amend motion #14 of the Community Services/Information Technology Committee minutes dated October 20, 2004, by adding at the end of the second paragraph the phrase **“and that they also be asked to speak regarding the current proposal to close hospital beds in the region, as well as to speak of hospital funding in general”**, so that the motion now reads as follows:

“That staff work with the Ministry of Health and Long-Term Care and other health care providers in Lambton County to ensure that the creation of the LHINs does not negatively impact on the health and well being of the residents of Lambton County; and further,

That the two (2) local M.P.P.s and representatives from the Ministry of Health and Long-Term Care be invited to attend County Council, to speak regarding the proposed Local Health Integration Networks (LHINs), and that they also be asked to speak regarding the current proposal to close hospital beds in the region, as well as to speak of hospital funding in general.”

Carried.

Re: Motion #18 – Geographic Information System Orthophotography Renewal.

- (A) #23: Ivey/Dedecker: That we delete in motion #18 of the Community Services/Information
(F) Technology Committee minutes dated October 20, 2004, the phrase **“and that funding be provided as described in the summary”**, so that Municipal costs of any such flyover be paid for off the County levy system. Carried.
- (A) #24: Boushy/McManaman: That this day's minutes be adopted as amended (motions #1 to #8
(3) and #10 to #18). Carried.

OTHER BUSINESS

Ms. Bev MacDougall, Councillor of the City of Sarnia, spoke to County Council regarding Ciel Clarke's efforts to complete the Signature Quilt, which was on display in the Council Chambers. Ms. Clarke, a non-elected member of the Community Services/Information Technology Committee, was publicly thanked for her efforts.

It was noted that staff are currently in the process of arranging a special meeting regarding the request to meet with the M.P.P.s.

By-Laws

#25: Burns/Davidson: That By-Laws #53 and #56 to #57 of 2004, as circulated, be taken as read a first and second time. Carried.

#26: Foubister/Dedecker: That By-Laws #53 and #56 to #57 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.

Todd Case
Warden

Linda Ross
Solicitor/Clerk, General Manager,
Corporate Services

HUMAN RESOURCES SERVICES DEPARTMENT
CORPORATE MANAGER, HUMAN RESOURCES
SERVICES REPORT

November 3, 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) The County recently reached a tentative agreement with CUPE 2557 representing all employees (except registered nurses) at Lambton Meadowview Villa and North Lambton Rest Home.

See In-Camera report on settlement details for CUPE 2557.

- b) Human Resources Information System (HRIS)

- i) Over the last several months Human Resources staff have been implementing a new HRIS system (Info:HR). The antiquated HRIS system (ADP) was not meeting the needs placed upon the system and the County required a HRIS system to be more conversant with our Vadim payroll system as well as the scheduling software package (Advance Tracker). The Info:HR system will place the Human Resources Department in a better position to respond to the demands placed upon us in the future.

This new system will permit the benefits carrier software and other automation initiatives planned for the future.

- c) Legislative Update

- i) In accordance with Sections 7(1) and 7(2) of the Pay Equity Act, the County is required to achieve and maintain its Pay Equity Plans for all unionized and non-unionized staff. Due to the changed circumstances by the County since the initial plan was established, such as the addition of Emergency Medical Services, Social Housing, and Provincial Offences staff to the Corporation, a review should be conducted to ensure we are in

PART B **Monthly Activities (continued)**

c) Legislative Update (continued)

compliance with the Act. This process has not been undertaken by the County since 1999 -2000.

Pay Equity is maintained through good compensation management, with salary administration that is consistent, fair and applied in a gender-neutral way.

Human Resources will be undertaking a review of current plans and the results will be communicated to Council mid 2005.

d) Health and Safety

- i) The Health and Safety Coordinator along with representatives of WSIB will be conducting sessions over the next several weeks for managers and supervisors on their roles & responsibilities, obligations, compliance, Form 7's completion, return to work and functional abilities forms and procedures. Our goal is to enhance the awareness of our obligations under the Occupational Health and Safety Act.

The Occupational Health and Safety Coordinator continues to learn the structure of the County. One of the initiatives which he is currently working on is preemptive training to avoid workplace injuries from occurring. We are currently developing reports to identify injury/incident trends and procedures for early/safe return to work.

The OH&S Coordinator has spent time liaising with WSIB personnel as well as participation in the CKLAG Health and Safety Committee.

ii) NEER Report

The updated NEER statements have not been received since the last report to Council. We have contacted the WSIB office several times since early October for the final results and the potential surcharge to the County. We have been promised that the final numbers will be reported by the middle of November, 2004.

PART B **Monthly Activities (continued)**

e) Training and Development

- i) Fall training initiatives are well underway with a busy schedule of Fall workshops. Workshops have been held for supervisors in October on:

Effective Performance Appraisals
Project Management
Media Relations

Training for Senior Services continues with implementation of their mandatory training which includes “Respect in the Workplace”, “Resident Abuse”, “Emergency Procedures” and “Back Care”. Workshops have also been given to volunteers in the Homes.

Of particular note, training is being accessed by local municipalities within Lambton County including volunteers, where space is available.

2. 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. Nothing to report at this time.

PART B **Monthly Activities (continued)**

3. Items of Interest

a) Annual Donation Report

Attached is the Corporation's Annual Donation Report for the period September 1, 2003 to August 31, 2004.

b) 2005 Property Tax Policy

Attached is a memorandum prepared by MTE detailing changes to the rules and regulations affecting Property Tax Policy for 2005.

c) 2005 Preliminary Budget Impacts

Attached is a report detailing the currently known impacts that are expected to affect the County's 2005 combined Operating and Capital Budget.

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**

1. Correspondence

a) 11-01-04 Copy of a motion approved by the Municipality of Trent Hills endorsing recommendations from the Canadian Advocates for Tax Awareness (report attached).

Recommendation

That the Motion be endorsed.

2. 2005 Borrowing By-law

Further to the follow-up Report presented in Part "A":

PART C **Other Matters Requiring a Motion (continued)**

2. 2005 Borrowing By-law (continued)

Recommendation

That Council approve By-law No. 53 of 2004 authorizing borrowing from the C.I.B.C. sufficient to satisfy the permanent long-term capital financing needs of the Corporation

3. Budget to Actual Report as of September 30th

Attached is the report detailing the results of the 3rd Quarter Variance analysis.

Recommendation

That the Report be accepted as presented.

PART B **Monthly Activities (continued)**

3. Items of Interest (continued)

b) Clerk/Monitor Posting

The clerk/monitor hired this Spring, Debra Gowdy has taken a position within the Lambton Shared Services Centre with another Ministry. A new posting for the position has been released and Ms. Gowdy will stay on until the new person is hired. The office is very sorry to lose Ms. Gowdy as in a very short time she became a very valuable addition to the POA office.

c) Lengthy Trials

A trial date has been set for Imperial Oil Limited for April 11, 2005. The trial will be scheduled for 3 weeks. Before its plea October 22, we were also trying to set a date for Suncor Energy Products Inc. as well. These trials may require additional court time in the New Year. If this is the case, a court room at the Provincial Court will be needed for this trial as it would interfere with the regular sittings in the POA court. Counsel for the Ministry of the Environment has requested that a Provincial Court Judge preside over the proceedings of the Imperial Oil trial.

d) Part 1 Trial Backlog

The office is experiencing a backlog in setting Part 1 trial requests. This is very unusual as normally staff can keep up with the demands. Staff are finding by the time they schedule known requests, more arrive in the mail. This seems to be a function of defendants pleading not guilty to avoid higher insurance rates and also to contest the reduced speed zone on Highway 402. The Regional Senior Justice has opened sessions for January and February 2005, meaning that lack of court time is not an issue.

e) In-House Collection Training

POA In-house collection clerk, Cindy Vermeiren arranged for the person who developed the collections monitoring & control system from Niagara Region to visit the office and give Mrs. Vermeiren additional training in its use and features. This hands on experience was very beneficial. In addition, the developer spent time with County I.T. staff and thus was able to resolve some technical issues. Mrs. Vermeiren believes that this new knowledge will help her to utilize better the system and enhance her abilities to collect.

PART B **Monthly Activities (continued)**

e) In-House Collection Training (continued)

Mrs. Vermeiren will attend the MFOA-POA Collection Committee meeting in Toronto on October 25th. These meetings are an excellent form of sharing practices and procedures which change regularly and to keep up to date with rules and regulations. The meetings are also an excellent opportunity for networking with the group to compare progress and implement changes.

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.