

MINUTES
LAMBTON COUNTY COUNCIL
(OPEN SESSION)

March 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 S. Arnold, J. Burns and C. Ivey.

Disclosures of Pecuniary Interest: None.

In-Camera

#1: Dedecker/Foubister: That the Warden declare that County Council go in-camera to discuss a matter concerning labour relations and employee negotiations 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 March 3, 2004

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

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

Human Resources Services

Memorandum dated March 3, 2004 Regarding the Tentative Agreement – Communications, Energy and Paperworkers’ Union Local 65 (CEP)

#2: Foubister/McGugan: That County Council ratify the tentative agreement reached on February 10, 2004 with the Communications, Energy and Paperworkers’ Union Local 65 and that this motion be released in Council this day, March 3, 2004. Carried.

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

Delegation

#4: Dedecker/Foubister: That Lieutenant/Colonel Chris Thompson, First Hussars Armoured Regiment, be invited within the Bar, to speak to County Council regarding the Regiment and its association with Lambton County, its involvement in the 60th Anniversary of D-Day this June 6th, 2004 and the economic impact to the County from the Regiment’s ‘C’ Squadron. Carried.

Minutes

The Lambton County Council (OPEN SESSION) and (CLOSED SESSION) minutes dated February 4, 2004 were presented.

Memorandum dated February 7, 2004 Regarding the Council Minutes of February 4, 2004

#5: Jamieson/MacDougall: That the minutes of the meeting of February 4, 2004 be amended to reflect the proper vote count of the recorded votes, and further, that the motions to “refer the Councillors remuneration to Budget” and to “accept the recommendation in the report” and their subsequent recorded votes be deleted. Defeated.

(A) #6: Bradley/Dedecker: That the minutes of the Lambton County Council (OPEN SESSION) minutes dated February 4, 2004 be amended to reflect that an error had occurred in the recording of the votes. Carried.

(A) #7: Bilton/Jamieson: That this day’s minutes be adopted as amended. Carried.

Correspondence

3-9-04 A letter to County Council from Mr. Leland A. Bullock, dated January 31, 2004, concerning the upcoming budget process.

3-11-04 A letter from The Corporation of the Town of North Perth, dated February 2, 2004, requesting endorsement of its resolution to request the Government of Canada to invest in a plan to help fund universal metering programs for small Municipalities, that the Province of Ontario invest in a similar plan and that the funding to follow be the traditional one third being paid by each level of government.

3-12-04 A letter from the Township of Ramara, dated February 5, 2004, requesting endorsement of its resolution to ask the Liberal Provincial Government to retain all Power Generation in public ownership, so that the residents of Ontario can have power at cost and a reliable system.

3-13-04 A copy of a letter from the Honourable John Gerretsen, Minister of Municipal Affairs to Ms. Ann Mulvale, President, Association of Municipalities of Ontario, dated February 10, 2004, reaffirming the Provincial position on the G.S.T. rebate for Municipalities announced in the Federal throne speech.

#8: Bradley/Boushy: That the above correspondence items be received and filed. Carried.

A sign up sheet was circulated to County Councillors for those wishing to attend the Association of Municipalities of Ontario (A.M.O.) Conference in August 2004.

Reports to Council

a) Human Resources Services Report – March 3, 2004

Part A, Item 1 – Revised Building Closure Policy

- (P) #9: Jamieson/Perry: That the revised Building Closure Policy be accepted as presented. Carried.

Part B, Item 5 – Corporate Manager’s Report

- (A) #10: Dedecker/MacDougall: That the Corporate Manager’s Report as set out in Part A and Part
(F) B be accepted as presented. Carried.

b) Finance Department Report – February 4, 2004

Part B, Item 5 – Corporate Manager’s Report

- (A) #11: MacDougall/Foubister: That the Corporate Manager’s Report as set out in Part A and Part
(F) B be accepted as presented. Carried.

Memorandum dated February 25, 2004 Regarding the 2004 Budget Overviews for General
Government and Corporate Services Division (excluding I.T.)

- (F) #12: Dedecker/Kirkland: That Council approve, in principle, the individual departmental
(B) budgets as presented, pending its final review and consideration on March 25, 2004 (see attached
minutes dated 03/03/2004, numbered 1 – 7). Carried.

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

Part B, Item 7 – Corporate Manager’s Report

- (A) #13: Boushy/Perry: That the Corporate Manager’s Report as set out in Part A and Part B be
(F) accepted as presented. Carried.

Minutes

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

- #14: Bilton/Dedecker: That this day’s minutes be adopted as presented (motions #1 to #12).
Carried.

Mr. J. Foubister presented the Joint Meeting of the Community Services/Information Technology and the Infrastructure and Development/Social and Health Services Committee minutes dated February 18, 2004.

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

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

Re: Return of the Swans Festival from March 15th to April 4th, 2004 and the Paint the Huron Shores Art Exhibition from March 12th to April 4th

Ms. Carolyn Jamieson reminded Councillors of the upcoming Return of the Swans Festival and the Paint the Huron Shores Art Exhibition and encouraged everyone to attend.

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

OTHER BUSINESS

Ms. Linda Ross brought County Council up to date regarding the implementation of paperless Council meetings.

Notice of Motion

- (A) Mr. David Boushy, Councillor of the City of Sarnia, gave Notice of Motion, to be discussed at the March 25th, 2004 County Council meeting, as follows:

“That the Rules of Procedure be amended to have a formal prayer at the beginning of the Council meetings.”

Mr. Jim Foubister, Councillor of the City of Sarnia, thanked Cindy Thayer and Jackie Miller for allowing the Sarnia Police Services Containment Team to hold their training exercises at the former Marshall Gowland Manor site.

Mr. Joseph Dedecker, Mayor of the Township of St. Clair, inquired as to the responses regarding the Smoking By-Law. Mr. Dedecker stated that his Municipality has passed the By-Law with no changes.

By-Laws

#17: MacDougall/McGugan: That By-Law #12 of 2004, as circulated, be taken as read a first and second time. Carried.

#18: McManaman/Murray: That By-Law #12 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

CORPORATE SERVICES DIVISION
CORPORATE MANAGER'S REPORT

March 03, 2004

HUMAN RESOURCES SERVICES

PART A **Follow-up from Previous Month**

1. Attached please find revisions to the policy concerning Building Closures. Section four (4) has been revised to address the confusion regarding the heading as well as the issue of taking "lieu" time in the event of a building closure.

Recommendation

That the revised policy regarding Building Closures be accepted as presented.

PART B **Monthly Activities**

1. Labour Relations

In February we completed negotiations with the Communications, Energy and Paperworkers' Union, Local 65 (CEP). Negotiations continue with CUPE Unions representing workers at our Long Term Care facilities and employees in our Social Services, Health Services, Administration and Housing Departments.

See In Camera report on settlement details for the CEP, Local 65.

2. Legislative Updates

Nothing to report.

3. Training and Development

Workshops for supervisory staff were delivered on:

- Developing Great Teams,
- Coaching Your Employees and
- Situational Leadership (2 sessions).

The Calendar for the spring sessions has been distributed to all municipalities. Our colleagues in other levels of government have been particularly interested in accessing computer training and Competent Supervisor Training (under the Occupational Health and Safety Act).

PART B **Monthly Activities (continued)**

At present they have registered for 21 seats in training sessions. Also training partnerships are being developed with CKLAG (Chatham Kent Lambton Administrators Group) partners who are accessing our training and allowing County staff to access their training.

4. Health and Safety

We will be conducting training sessions covering the new Workplace Accommodation Guidelines recently sent to Council. We are hoping with this training that the guidelines will be better understood and applied consistently across all County workplaces.

In addition to the Workplace Accommodation Guidelines, we are assembling a “how to” guide for all supervisors with regard to the proper procedures and requirements pertaining to the filing of workplace accidents.

Health and Safety staff recently attended sessions on Bill C-45 which is a bill to amend the Criminal Code of Canada to address Health and Safety violations in the workplace. We will be preparing an information package concerning Bill C-45 which will be distributed to all Lambton County Managers and Supervisors.

NEER Update

The first NEER report showing the County’s standing for the years 2003, 2002 and 2001 will be received sometime late April. Once received and analyzed we will be forwarding to Council as an update.

5. Corporate Manager’s Report

Recommendation

That the Corporate Manager Human Resources report for March 03, 2004 as set out in Part A and Part B be accepted as presented.

PART C **Other Matters Requiring a Motion**

Nothing to report.

cc: R. Van Horne
 Linda Ross

FINANCE DEPARTMENT
CORPORATE MANAGER, FINANCIAL SERVICES/
TREASURER'S REPORT

March 3, 2004

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

1. CKLAG members participating in the joint “requests for proposals to provide audit services” met February 17th to finalize documentation, requirements and set timelines. The competition is scheduled to close April 30, 2004, therefore it is anticipated that results and recommendations will be presented at your June 2, 2004 meeting.
2. Friday, February 20, 2004, Mr. Innes met with area municipal treasurers to begin the process of determining tax policy recommendations for 2004 and review the Market Change Profile and Assessment Roll Audit reports supplied by MTE. Carla Nell was present to answer questions and help facilitate discussion. The next meeting has been scheduled for March 15th, with additional dates to be set at that time. Attached is a copy of the “executive summary” from the MCP Report.

PART B **Monthly Activities**

1. Monthly Accounts processed by Corporate Services are presented in the amount of \$1,794,448.29 (see attached). With regards to their content, please be advised that:
 - a) Are there any items significantly over Budget? No.
 - b) Are there any items that were not in the Budget? No.
 - c) Were all items purchased in accordance with County Policy? Yes.
 - d) Are there any items significantly under Budget? No.
2. Revenues processed during the month by Corporate Services amounted to \$435,992.00. With regards to these receipts:
 - a) Were any receipts NOT included in the current year’s budget? No.
 - b) Were any receipts significantly LESS than Budgeted? No.
 - c) Were any receipts significantly MORE than Budgeted? No.
3. **Correspondence**
 - a) 3-14-04 A letter from the Chatham – Kent Health Alliance Foundation, dated January 2004 and expressing thanks for Council’s past support and discussing the implications of the Personal Information Protection and Electronic Documents Act (PIPEDA) on its operations.

PART B **Monthly Activities**

- b) 3-15-04 A letter from MPAC regarding the implementation of new Guidelines or the release of Assessment Data (GRAD).
- c) 3-16-04 A Resolution from the City of Sarnia requesting the Minister of Finance to compensate municipalities for revenues lost as a result of Bill 210.
- d) 3-17-04 A Resolution from the City of Sarnia supporting the initiative to see all municipalities share in the revenues from the Federal Gas Tax and proposing that a similar initiative vis-à-vis PST be initiated.
- e) 3-18-04 A letter from Bruce Galway, dated January 31, 2004 concerning the Current Value Assessment, requesting consideration of a motion to petition the Premier to implement a methodology for real property assessment in Ontario which would alleviate the current instability created by the present CVA method, to both municipalities and property owners.

Recommendation

That items (a), (b) and (e) be “received and filed” and that the resolutions from the City of Sarnia be endorsed.

- 4. Attached is the County’s annual disclosure Report under the Public Sector Salary Disclosure Act, 1996.
- 5. **Corporate Manager’s Report**

Recommendation

That the Corporate Manager, Financial Services/Treasurer’s Report as set out in Part A and Part B be accepted as presented.

PART C **Other Matters Requiring a Motion**

Nothing to report.

PROVINCIAL OFFENCES ADMINISTRATION (P.O.A.) DEPARTMENT
CORPORATE MANAGER, FINANCIAL SERVICES/
TREASURER'S REPORT

March 3, 2004

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

1. The Sarnia Golf and Curling Club appeal to be heard on January 13th was adjourned until February 9th and was scheduled for half a day. The cost to order the typing of the transcript for appeal was \$1,221.20. This is additional revenue for the POA office. On February 9th the appeal was again adjourned until March 30th at 10:00 AM.

PART B **Monthly Activities**

1. Monthly Accounts

Monthly Accounts are presented in the amount of \$12,266.28 (see attached).
With regards to their content, please be advised that:

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| a) Are there any items significantly over Budget? | No. |
| b) Are there any items that were not in the Budget? | No. |
| c) Were all items purchased in accordance with County Policy? | Yes. |
| d) Are there any items significantly under Budget? | No. |

2. Revenues received during the month for P.O.A. amounted to \$228.00.
With regards to these receipts:

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| a) Were any receipts NOT included in the current year's budget? | No. |
| b) Were any receipts significantly LESS than Budgeted? | No. |
| d) Were any receipts significantly MORE than Budgeted? | No. |

3. Attached is the Statistical Report to the end of January 2004. The number of charges continue to be lower than average, mainly due to weather conditions. Staff have also noticed that to date there have not been any charges filed for a new offence effective January 1, 2004: failure to yield to bus re-entering lane from bus bay, section 142.1(1) of the Highway Traffic Act. The set fine is \$90.00 plus a \$20.00 victim surcharge to total \$110.00. The office is, however, noticing an increase to failing to stop for school bus charges.

PART B **Monthly Activities (continued)**

4. A guilty plea on January 29th, 2004 averted a scheduled four-day trial on environmental charges from September 2000 and November 10, 2000. Inter-Recycling Systems Inc. and Jeffrey Tucker plead guilty to the offence of “failing to comply with Provincial Officer Orders under the Environmental Protection Act”. The company was fined \$56,250 (\$45,000 plus a \$11,250 surcharge) and Mr. Tucker was fined \$6,250 (\$5,000 plus a \$1,250 surcharge). Both were given 30 days time to pay by Her Worship Rogers. The fine has been paid in full.

5. On February 11th, based on an agreed statement of facts, His Worship Squires fined Praxair Canada Inc. on two counts of “failing to comply with Reporting Section 7(1) under the Terms and Conditions of Amended Certificate of Approval for Industrial Sewage by not submitting monitoring data in accordance with the requirements listed contrary to the Environmental Protection Act”. The company was fined a total of \$75,000 (2 X \$30,000 plus a surcharge of \$7,500 on each of 2 counts). Two other counts were withdrawn. The defendants were given 60 days to pay.

6. Our in-house collection clerk has been busy learning & setting up the collection data base program received at no cost from the Region of Niagara. Ms. Vermeiren attended the Niagara office on February 20th to observe first hand their approach to daily collection operation. It is anticipated that the use of this program, once mastered, will permit Ms. Vermeiren to increase the number of delinquent accounts she handles and thus further reduce dependency on external collection companies.

7. Corporate Manager’s Report

Recommendation

That the Corporate Manager, Financial Services/Treasurer’s Report as set out in Part A and Part B be accepted as presented.

PART C **Other Matters Requiring a Motion**

Nothing to Report.