

MINUTES
LAMBTON COUNTY COUNCIL
(OPEN SESSION)

April 7, 2004

Lambton County Council was in session in the Council Chambers, Wyoming, Ontario, at 9:15 a.m. on the above date. Warden in the Chair; Roll called; All members present. Mr. Bradley joined Council at 10:10 a.m.

Disclosures of Pecuniary Interest: None.

In-Camera

#1: McGugan/Perry: 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.

Carried.

Open Session

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

Delegations

#2: Burns/Foubister: That the following delegations be invited within the Bar, to speak to County Council for up to five (5) minutes each regarding the 100% Smoke-Free By-Law:

- a) Dustyn Wales/Aaron Core, Lambton County Student Wellness;
- b) Mike Hurry, Sarnia Bingo Country;
- c) Judy Daley, Development Coordinator, The Lung Association;
- d) Heather Roberts;
- e) Andrew Falby;
- f) Hermann Martens;
- g) Patrick Forget;
- h) Michael Perley, Director, Ontario Campaign for Action on Tobacco. Carried.

Correspondence

- a) 4-1-04 A letter from The Royal Canadian Legion, Zone A-4, dated January 27, 2004, advising that the Legion supports the Smoking By-Law with exemptions. The Legion advises that it is difficult to fill Executive positions if Legion members are denied smoking privileges in their Club Rooms and therefore may run the risk that some Branches may lose their Charter.
- b) 4-2-04 A letter from the Lambton Group Police Services Board, dated March 18, 2004, advising that the Board is concerned with Section 5 – Offences and Enforcement, of the Smoking By-Law. The Board is concerned that since policing is a lower tier responsibility and the cost of the current contract is paid by the nine (9) member lower tier Municipalities, it would be inappropriate for the O.P.P. as part of its contract to enforce an upper tier Municipal By-Law.

#3: Burns/Jamieson: That correspondence items 4-1-04 and 4-2-04 be received and filed. Carried.

Report

Memorandum dated March 31, 2004 Regarding the 100% Smoke-Free Lambton By-Law

(A) #4: Jamieson/MacDougall: That County Council give third and final reading to By-Law No. 10 of 2004 being, “A By-Law to Regulate Smoking in Public Places and Workplaces in the County of Lambton”, as amended March 25, 2004, and that the passed By-Law be sent to the lower tier Municipalities for final consideration and response by April 30, 2004.

#5: Kirkland/McGugan: That By-Law No. 10 of 2004 being, “A By-Law to Regulate Smoking in Public Places and Workplaces in the County of Lambton”, be amended to allow gaming facilities and bars catering to those over nineteen (19) to be exempted from the By-Law.

A recorded vote, starting with Councillor Patricia Davidson, was requested by Councillor Jim Foubister on motion #5 of this day’s minutes.

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

Yeas - 2; Nays - 32.

Motion defeated.

#6: Burns/ : That By-Law No. 10 of 2004 being, “A By-Law to Regulate Smoking in Public Places and Workplaces in the County of Lambton” be amended to permit an exemption to the By-Law for gaming facilities. Motion lost.
No seconder.

A recorded vote, starting with Councillor Dick Kirkland, was requested by Councillor Dick Kirkland on motion #4 of this day’s minutes.

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

Yeas - 31; Nays - 6.

Motion carried.

By-Laws

#7: Burns/Davidson: That By-Law #17 of 2004, as circulated, be taken as read a first and second time. Carried.

#8: Dedecker/Foubister: That By-Laws #10, as amended and #17 of 2004, as circulated, be taken as read a third time and finally passed. Carried.

Adjournment

The Warden declared the meeting adjourned.

Time: 10:20 a.m.

Todd Case
Warden

Linda Ross
Solicitor/Clerk, General Manager,
Corporate Services