

MINUTES
LAMBTON COUNTY COUNCIL
(OPEN SESSION)

June 2, 2004

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

Disclosures of Pecuniary Interest: None.

Deputy Warden Jim Foubister, on behalf of County Council and staff, expressed his deepest sympathy to Warden Todd Case and his family. Warden Case's father, Charles William Case, passed away on May 31st, 2004.

In-Camera

#1: Dedecker/Burns: That the Deputy 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 Deputy Warden declared that County Council go back into open session.

Report of the Closed Session Meeting of Council dated June 2, 2004

#2: Burns/Ivey: That Council rise and report. Carried.

Ms. L. Ross noted that the following resolution was passed during the Closed Session meeting of June 2nd, 2004:

Human Resources Services Report dated June 2, 2004

**Tentative Agreements – The Canadian Union of Public Employees Local 2926
and The Canadian Union of Public Employees Local 1291**

#3: Burns/Arnold: That County Council ratify the tentative agreement reached on May 7, 2004 with the Canadian Union of Public Employees Local 2926;

That County Council ratify the tentative agreement reached on May 3, 2004 with the Canadian Union of Public Employees Local 1291; and further,

That this motion be released in Council this day, June 2, 2004. Carried.

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

Delegations

#4: Arnold/Bilton: That we invite Mr. Pat Monroe, Distribution Lines Coordinator, West Zone, Hydro One Networks Inc., within the Bar, to speak to County Council and provide an overview of their services and work program in Lambton County. Carried.

#5: Kirkland/McGugan: That we invite Mr. Alex Jongsma, Campaign Co-Chair, State of the Heart Campaign, Bluewater Health Foundation, within the Bar, to update County Council on the new building project and their fundraising campaign. Carried.

(A) * #6: Dedecker/Arnold: **THAT** since the Ontario Government Health Services Restructuring Commission, with input from the people of our County, deemed the level of patient care would be enhanced and more efficient with the co-joining of the Sarnia sites; and,

THAT since the Bluewater Health team, with input from physicians, staff, patients and the community along with the Ministry of Health, designed a building project to meet these current and future needs; and,

THAT since the Ontario Ministry of Health has conditionally approved \$80 million (70% of total project) to build a new hospital on the Norman Site in Sarnia; and,

THAT since the people of Lambton County have raised \$15 million to date through community donations; and,

THAT since the Council of the County of Lambton, through a six (6) year property tax levy, committed \$5 million beginning in the year 2000; and,

THAT since it is a requirement by the Ministry of Health that Bluewater Health Foundation provide proof of the community's \$35 million (30%) share of the total building project cost of \$115 million; and,

THAT since an additional \$15 million must be raised to eliminate the Province's condition on funding;

NOW THEREFORE BE IT MOVED that the Council of the County of Lambton extend its existing levy to include an additional \$15 million over a ten (10) year period beginning in * 2005 *. Carried.

#7: Ivey/Jamieson: That motion #6 of this day's minutes be tabled for a minimum of fourteen (14) days, to allow all Municipalities to be present to consider the issue.

A recorded vote, starting with Councillor Jim Burns, was requested by Councillor Cam Ivey, on motion #7 of this day's minutes.

* Correct motion #6 to change the starting year from 2005 to 2006 – see Council July 7, 2004, mot. #8.

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

Yeas – 14; Nays – 20.

Motion defeated.

#8: Ivey/Jamieson: That motion #6 of this day's minutes be amended to read that it be paid for based on usage rather than levy.

A recorded vote, starting with Councillor William Bilton, was requested by Councillor Joseph Dedecker, on motion #8 of this day's minutes.

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

Yeas – 16 Nays – 18 .

Motion defeated.

A recorded vote, starting with Councillor Jim Foubister, was requested by Councillor Joseph Dedecker, on motion #6 of this day's minutes.

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

Yeas – 26; Nays – 8.

Motion carried.

Minutes

The Lambton County Council (OPEN SESSION) and (CLOSED SESSION) minutes dated May 5, 2004 were presented.

#9: Burns/MacDougall: That this day's minutes be adopted as presented. Carried.

Reports to Council

a) Human Resources Services Report – June 2, 2004

Part B, Item 2 – Corporate Manager's Report

(A) #10: MacDougall/Jamieson: 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 – June 2, 2004

Part B, Item 4 – Corporate Manager's Report

(A) #11: Arnold/McManaman: 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 a) to c) – Correspondence 6-10-04, 6-26-04 and 6-27-04

(A) #12: Burns/Jamieson: That correspondence 6-10-04 from the City of Vaughn be endorsed, and that
correspondence 6-26-04 and 6-27-04 be received and filed. Carried.

c) Provincial Offences Administration (P.O.A.) Report – June 2, 2004

Part B, Item 4 – Corporate Manager's Report

(A) #13: Ivey/MacDougall: That the Corporate Manager's Report as set out in Part A and Part B be
(F) accepted as presented. Carried.

d) Legal Services/Clerk's Report

Memorandum dated May 18, 2004 Regarding Records Retention (see By-Law No. 32 of 2004)

(A) #14: Dedecker/McManaman: That the County of Lambton pass a new Record Retention By-Law
with the Ontario Municipal Records Management System File Classification and Records Retention
Schedule as attached, as the Schedule for this By-Law. Carried.

Memorandum dated May 24, 2004 Regarding Toll Free Telephone Service to the County Building, Wyoming

- (A) #15: Dedecker/Jamieson: That an inbound toll free telephone line into the County Building in
(F) Wyoming, be installed; and further,

That the associated number be communicated to partners and rate payers alike, in order to equalize community access to County services. Carried.

e) C.A.O. Report

Memorandum dated May 12, 2004 Regarding an A.M.O. Alert Regarding the Issue of Immigration

- (A) #16: Jamieson/MacDougall: That the County support the initiative regarding the proposed Immigration Agreement as set out in the A.M.O. report. Carried.

Minutes

Mr. Wm. Bilton presented the Infrastructure and Development/Social and Health Services Committee minutes dated May 19, 2004.

- (A) #17: Bilton/Burns: That this day's minutes be adopted as presented (motions #1 to #23). Carried.
(3)

Mr. D. Boushy presented the Community Services/Information Technology Committee minutes dated May 19, 2004.

- (A) #18: Boushy/McManaman: That this day's minutes be adopted as presented (motions #1 to #17).
(3) Carried.

OTHER BUSINESS

Mr. Joseph Dedecker, Mayor of the Township of St. Clair, asked for a report regarding mileage for County Councillors and staff, in light of the increase in crude oil prices.

- (A) #19: Dedecker/Burns: That County Council request staff to prepare the report regarding mileage for
(F) County Councillors and staff for the next regular meeting of County Council, July 7th, 2004. Carried.

The Municipality of Lambton Shores will be hosting the annual Council Steak Fry Barbecue in September.

Mr. Joseph Dedecker also enquired whether buses had been arranged for the A.M.O. Conference.

Mrs. Bev MacDougall, Councillor of the City of Sarnia, spoke to County Council regarding the Lambton County Signature Quilt being prepared by volunteers, and supported by the Community Services/Information Technology Committee as an activity in conjunction with this year's Warden's Picnic. Councillors and staff are asked to sign the quilt located at the entrance of the Council Chambers.

Mr. Don McGugan, Mayor of the Township of Brooke-Alvinston, inquired as to the status of the North Lambton Rest Home rebuild.

Mr. Dick Kirkland, Mayor of the Village of Point Edward, inquired as to the outside smoking area at the County Building, under the new Smoking By-Law.

By-Laws

#20: Bilton/Davidson: That By-Laws #29 to #39 of 2004, as circulated, be taken as read a first and second time. Carried.

#21: Boushy/Burns: That By-Laws #29 to #39 of 2004, as circulated, be taken as read a third time and finally passed. Carried.

Adjournment

The Deputy Warden declared the meeting adjourned.

Time: 2:45 p.m.

Jim Foubister
Deputy Warden

Linda Ross
Solicitor/Clerk, General Manager,
Corporate Services

HUMAN RESOURCES SERVICES DEPARTMENT
CORPORATE MANAGER, HUMAN RESOURCES
SERVICES REPORT

June 2, 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

See In-camera report.

CEP Roads conciliation date has been set for June 3, 2004. Outstanding items include wages and winter scheduling.

ONA 19 Community Health Services Department negotiating date has been set for June 8, 2004. Only item outstanding is wages.

CUPE 2557 employees at Lambton Meadowview and North Lambton (excluding nurses) further negotiating date of June 15, 2004 has been set.

Further details on the above items to be reported on in July.

- b) Legislative Updates

No matters to report at this time.

- c) Training and Development

The annual Management and Supervisory Spring Workshop was held on Thursday May 13, 2004. In attendance were over sixty (60) managers, supervisor and senior management staff. The topic of the "Power of Play" was presented.

PART B **Monthly Activities** (continued)

The training day focused on core elements of:

Leadership/Communication/Teamwork

Staff training was offered on:

Customer Service sessions
Fostering Team Spirit
Dealing with Difficult People
Working Alone (delivered by OPP)
New Employee Orientation
Respect in the Workplace
Dealing with Stress

We are currently working on the Fall training calendar and information about these sessions will be available in July.

d) **Health and Safety**

On Thursday, May 13 managers and supervisors were updated on Bill C-45: An Act to Amend the Criminal Code and how this impacts upon the criminal liability on organizations. The session was well received and further updates will be required.

Ongoing meetings continue to be held with employees who are on modified work as we strive to return them as quickly as possible to their pre-accident duties. A number of these modified programs have extended beyond our 8 week duration and we are working diligently with the Board and the worker's treating facilitators in order to bring these programs to a close. This will have a direct impact upon our NEER rating come September of the year.

Please see attached report on this subject.

NEER Report

The first NEER report showing the County's standing for the years 2003, 2002 and 2001 has now been received. A preliminary perusal of the report does not reflect a favourable position. Each report has to be checked for accuracy and to ensure that second injury enhancement fund (SIEF) has been applied to those claims for which we were granted same.

PART B **Monthly Activities (continued)**

Further information will be forthcoming once we have an opportunity to verify the contents of the documents.

e) Updates (other)

Annual Lambton County Staff Picnic is scheduled for Thursday, June 10, 2004 (see attached flyer).

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.

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

June 2, 2004

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

1. 100% GST Rebate

Bill C-30, the enabling legislation for the GST refund and the federal component of the Harmonized Sales Tax (HST), received Royal Assent on May 13, 2004. AMO expects the Canada Revenue Agency will send further information to municipalities.

2. 2004 Tax Ratios

Council's resolution and amended by-law regarding the revised 2004 tax ratios have been forwarded to the Province for approval.

PART B **Monthly Activities**

1. Accounts and Verification

Total for the month of April: \$3,918,011.61
A listing of the accounts will be available at the meeting.

- | | | |
|------|--|-----|
| i) | Are there any items significantly over Budget? | No |
| ii) | Are there any items significantly under Budget? | No |
| iii) | Were all items purchased in accordance with County Policy? | Yes |
| iv) | Are there any items that were not in the Budget? | No |

2. Revenue and Verification

Revenues received during the month of April: \$2,534,924.00

- | | | |
|------|--|----|
| i) | Were any receipts not included in the current year's budget? | No |
| ii) | Were any receipts significantly less than budgeted? | No |
| iii) | Were any receipts significantly more than budgeted? | No |

PART B **Monthly Activities (continued)**

3. Items of Interest

a) Bond Rating

Standard & Poor's has reaffirmed Lambton's credit rating as A+ with a stable outlook. Attached is their press release of May 17, 2004. Also attached is Standard & Poor's Industry Report Card, published in April 2004, which provides a review of the 35 municipalities across Canada that they currently rate.

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) 6-10-04 A Resolution from the City of Vaughan requesting the Province of Ontario to immediately begin a process to review the issues relating to the current value assessment system and property tax legislation.
- b) 6-26-04 A letter from the Sarnia Lambton Chamber of Commerce, dated May 10, 2004 advising the Minister of Finance of their concern regarding the impact and perception of the transition tax ratio adjustments applied for by Lambton County.
- c) 6-27-04 A letter from the Ministry of Finance, dated April 30, 2004 regarding the assessment of residential trailers for the 2003 taxation year.

Recommendation

That correspondence 6-10-04 from the City of Vaughan be endorsed and that correspondence 6-26-04 and 6-27-04 be "received and filed".

PART B **Monthly Activities (continued)**

3. Items of Interest

a) Monthly Statistical Report

Attached is the Statistical Report to the end of April 2004.

The annual spring seat belt campaign from April 17-25th increased the totals slightly from previous months. The numbers were down from previous years but the campaign was also reduced from 16 days to only 9 days.

b) Occupational Health and Safety Fine

A four day trial scheduled for April 13-16th was averted by a guilty plea on agreed statement of facts on April 13th before His Worship Frank Squires from London. The company, Lambton Metal Works Ltd. of Sarnia was fined \$156,250.00 (\$125,000 plus a \$31,250 surcharge) for an offence under the Occupational Health and Safety Act. The company was charged by the Ministry of Labour for failing as an employer to ensure that the measures and procedures were carried out at a workplace on January 23, 2002. Unfortunately a young Sarnia man was killed in this accident.

c) POA Additional Court Time

The Regional Senior Justice of the Peace has assigned an additional court date to begin on June 2nd. Each Wednesday of the month after the Provincial Court in the morning, provincial offences matters will be scheduled from 2:00 – 4:00. This additional court will also allow guilty pleas from the municipal prosecutor as Wednesday is resolution day for people to speak with the prosecutor before court. This will free up court time and allow for more trial matters to be set.

d) Change in Appeal Date

POA Supervisor and the Municipal Prosecutor met with Justice Debra Austin to discuss changing the present appeal process. The prosecutor felt that scheduling only a few appeals once a month was very time consuming and not using court time effectively. A suggestion was made to schedule a full day of appeals and every three months. Justice Austin was very agreeable to this change in the Court Master Plan. Staff will notify the trial Coordinator if additional time is needed for any appeals and a special appeal date will be arranged.

PART B **Monthly Activities (continued)**

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.