

MINUTES
LAMBTON COUNTY COUNCIL
(OPEN SESSION)

October 1, 2003

Lambton County Council was in session at 2:20 p.m. on the above date. Warden in the Chair; Roll called; All members present except R. O'Hara.

Disclosures of Pecuniary Interest: None.

In-Camera

#1: Dedecker/Jamieson: That the Warden declare that County Council go in-camera to discuss a matter concerning a proposed disposition of land and a matter concerning labour relations and employee negotiations. Carried.

Open Session

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

Delegation

#2: Jamieson/Kowalyshyn: That Mr. Gerald Mills of Kime, Mills, Dunlop, be invited within the Bar, to present to County Council the County of Lambton's 2002 Financial Statements and Management Letter, dated September 15, 2003. Carried.

Minutes

The Lambton County Council (OPEN SESSION) and (CLOSED SESSION) minutes dated September 3, 2003 were presented.

#3: Bilton/Hart: That this day's minutes be adopted as presented. Carried.

Correspondence

10-20-03 A copy of a letter from the Township of Wilmot to the Association of Municipalities of Ontario (A.M.O.), dated August 13, 2003, advising of its resolution concerning insurance premiums and gas prices. The Township of Wilmot is requesting endorsement of the resolution that the governments at both senior levels, who are responsible for the regulation of these costs, be requested to investigate and make improvements to resolve the financial hardships for businesses.

10-23-03 A letter from Kime, Mills, Dunlop, dated September 11, 2003, regarding the recent audit examination of the County's Financial Statements for the year ended December 31, 2002 and their comments and recommendations.

- (A) #4: Bradley/Jamieson: That correspondence 10-20-03 be received and filed; and further,
That the County accept the recommendations as outlined in correspondence 10-23-03. Carried.

Reports to Council

a) Human Resources Services Report

Part B, Item 2 – Corporate Manager’s Report

- (A) #5: Foubister/Ivey: That the Corporate Manager’s Report as set out in Part A and Part B be accepted
(F) as presented. Carried.

b) Finance Department Report

Part B, Item 4 – Corporate Manager’s Report

- (A) #6: Pole/Syer: That the Corporate Manager’s Report as set out in Part A and Part B be accepted
(F) as presented. Carried.

Part C, Item 1 – Canadian Imperial Bank of Commerce (C.I.B.C.) Annual Review of the County’s Finances

- (A) #7: Dedecker/Kirkland: That Council approve the By-Law as presented (By-Law #40 of 2003
(F) being “A By-Law to Authorize Bank Borrowing to fund the ongoing activities of the County of Lambton to a maximum of \$20,000,000.”) and that we authorize the Warden and Treasurer to sign such notes and documents as may be required by the C.I.B.C., and in conformance with said By-Law. Carried.

Part C, Item 2 – Signing Authorization Listings – Corporate Services Division and C.A.O./Administration

- (A) #8: Dedecker/Davidson: That the Signing Authorization Listings for the Corporate Services Division and the C.A.O./Administration be approved as presented. Carried.

Part C, Item 3 – Ministry of Health and Long-Term Care 2002/2003 Annual Reconciliation Report Section V Provincial Subsidy Calculation and Section VI Certification by Agency

- (F) #9: Ivey/Foubister: That Council authorize the Warden to sign the Section VI declaration as presented. Carried.

c) Provincial Offences Administration (P.O.A.) Department Report

Part B, Item 8 – Corporate Manager’s Report

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

d) Legal Services/Clerk Report

Memorandum dated September 22, 2003 Regarding Access Copyright Photocopying Licence

- (A) #11: Jamieson/Pole: That County Council approve the Agreement and By-Law (By-Law #39 of 2003 being “A By-Law to Authorize an Agreement for a Photocopying Licence for the County of Lambton”). Carried.

Memorandum dated September 22, 2003 Regarding the Agreement with the Sarnia-Lambton Economic Partnership for the Business Enterprise Centre of Sarnia-Lambton

- (A) #12: Foubister/Davidson: That County Council approve the Agreement and By-Law (By-Law #41 of 2003 being “A By-Law to Authorize an Agreement with the Ministry of Enterprise, Opportunity and Innovation”). Carried.

Minutes

Mr. R. Brown presented the Committee of the Whole minutes dated September 3, 2003.

- #13: Brown/Foubister: That this day’s minutes be adopted as presented (motions #1 to #16). Carried.

Mr. J. Foubister presented the Infrastructure and Development/Social and Health Services Committee minutes dated September 17, 2003.

Re: Motion #16 – Part C, Item 1 – Correspondence 10-16-03, Siren Coverage for New Development Proposals

- (A) #14: Bradley/Dedecker: That motion #16 of the Infrastructure and Development/Social and Health Services Committee minutes dated September 17, 2003, be referred back to staff to allow time to meet with City Planning Department staff, industry representatives and any other interested parties to discuss the issues raised. Carried.

- (A) #15: Foubister/Kowalyshyn: That this day's minutes be adopted as amended (motions #1 to #16).
Carried.

Mr. D. McGugan presented the Community Services/Information Technology Committee minutes dated September 17, 2003.

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

Notice of Motion

- (T) * #17: Bradley/Foubister: That the County request a change to the legislation for the St. Clair Parks Commission so that the County, as the major funding party, be able to appoint a majority of the members of the Board and that the Chair and Vice-Chair be appointed by the St. Clair Parks Commission.
Tabled.

#18: Kowalyshyn/Brown: That motion #17 of this day's minutes be tabled. Carried.

OTHER BUSINESS

Mr. Jim Foubister, Councillor of the City of Sarnia, advised Council that the County has received a grant from the Province for Community Health Services to track infectious diseases in the County.

Mr. Don McGugan, Mayor of the Township of Brooke-Alvinston, advised County Council that on November 8th, 2003, the Alzheimers Outreach Program is having its semi-annual auction. All are invited.

Mr. McGugan enquired as to the status of the position of the Revenue Development Officer. This person will begin work with the County on October 6, 2003.

Mr. McGugan presented to the Clerk a new flag for the Township of Brooke-Alvinston.

Correspondence

10-24-03 A letter from the Lambton Hospitals Group, dated September 26, 2003, regarding the County of Lambton's decision to reduce Emergency Medical Services as they relate to the transfer of non-emergency transfers. The Lambton Hospitals Group is requesting a delay in the implementation date from November 1st, 2003 to February 1st, 2004.

- * Lift from the table motion #17 of the Lambton County Council (Open Session) minutes dated October 1, 2003 concerning the appointments to the St. Clair Parks Commission, that motion #17 be adopted and that it be referred to the Provincial Government for its consideration – see Council November 5, 2003, mot. #15.

- (A) #19: Bilton/Khan: That the County defer the implementation date to February 1st, 2004. Carried.

Mr. Jim Foubister, Councillor of the City of Sarnia, inquired as to the opening date for the new Ambulance Station at the Sam McRae Fire Hall. No date has yet been set.

Mrs. Carolyn Jamieson, Deputy Mayor of the Municipality of Lambton Shores, spoke to County Council regarding the upcoming A.C.R.O. Conference, hosted by the County of Lambton. All are invited to attend.

Mr. Mike Bradley, Mayor of the City of Sarnia, spoke to Council regarding the status of the Smoking By-Law. He inquired as to when the report will be before Council. The report will be available for the November 26th, 2003 meeting of County Council.

- (A) #20: Dedecker/Kirkland: That the report be referred to County Council on November 26, 2003 for its approval, in principle, and then referred to the local Municipalities for their acceptance or rejection by January 31, 2004. Carried.

Memorandum dated September 30, 2003 Regarding the County Councillors Remuneration Survey

- (T) #21: Bradley/Kowalyshyn: That the memorandum dated September 30, 2003 regarding the County Councillors Remuneration Survey, be tabled to the next regular meeting of Council, November 5, 2003. Carried.

An article concerning Lane Duck Provisions was distributed to County Councillors for their information.

By-Laws

#22: Bilton/Bradley: That By-Laws #39 to #42 of 2003, as circulated, be taken as read a first and second time. Carried.

#23: Kowalyshyn/Kirkland: That By-Laws #39 to #42 of 2003, as circulated, be taken as read a third time and finally passed. Carried.

Adjournment

The Warden declared the meeting adjourned.

Time: 3:30 p.m.

Todd Case
Warden

Linda Ross
Solicitor/Clerk, General Manager,
Corporate Services

CORPORATE SERVICES DIVISION
CORPORATE MANAGER'S REPORT

October 1, 2003

HUMAN RESOURCES SERVICES

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

1. None.

PART B **Monthly Activities**

1. Items of Interest

- a) Labour Relations

ONA - Lambton Meadowview Villa and North Lambton Rest Home

We have exchanged proposals and met twice during September. Further days are scheduled in November.

SEIU 220

Conciliation was conducted on September 23, 2003. Another Conciliation day has been scheduled for October 3, 2002.

Non-Union Association

We met on September 2 with the N/U group and have scheduled other days in September and October.

2. Corporate Manager's Report

Recommendation

That the Corporate Manager, Human Resources Services report for October 1, 2003 as set out in Part A and Part B be accepted as presented.

PART C **Other Matters Requiring a Motion**

Nothing to report.

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

October 1, 2003

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

1. The Corporation's new Budgeting software supplied by RAC Software has been installed. Staff are now working on the final setup and configuration of the operating component while RAC determines how to link the capital module to the VADIM Maintenance Management module. Training has been scheduled and staff will use this software for all aspects of the County's 2004 Budget setting process, including Variance Reporting.
2. Delivery of systems ordered under the County's Computer Purchase Plan has now begun and should be complete by month's end.
3. Attached is the Budget Variance Report as at June 30, 2003.
4. Attached is letter from Tourism Sarnia-Lambton which was received along with its cheque in the amount of \$8,325.00 representing the requested repayment of 1/3 of the \$25,000 grant originally advanced by Council.

PART B **Monthly Activities**

1. Monthly Accounts

Monthly Accounts for Corporate Services are presented in the amount of \$1,094,477.55 (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. The supply of actuarial services. Ads will be placed in Chatham-Kent newspapers, the Sarnia Observer as well as the London Free Press and Windsor's major daily. The competition will close October 14th, at which time an evaluation Committee will review the submissions received.
 3. Attached for your information is a copy of select information gathered by the County of Renfrew in a recent survey.

PART B **Monthly Activities (continued)**

4. Attached a copy of information received from a Mr. John Hogg of the company Cole Layer Trumble Canada Inc. Mr. Hogg's company is a proponent for the opening of the administration of property assessment to competition.
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**

1. The Corporation's banker has completed its annual review of the County's finances and renewed its commitment to supply the Corporation with its financing requirements (see attached letter for details). In addition to all existing facilities, the C.I.B.C.'s accommodation has been extended to allow for the interim/bridge financing necessary to complete the homes rebuild project until such time as the future of the old MGM site can be determined.

In order to access this renewed/expanded credit facility, the C.I.B.C. requires Council to adopt a new Borrowing By-law. Accordingly By-law No. 40 of 2003 is being presented.

Recommendation

That the Committee recommends to Council approval of the By-law as presented and authorizes the Warden and Treasurer to sign such notes and documents as may be required by the C.I.B.C. and in conformance with said By-law.

2. Attached are copies of the completed Signing Authorization Listings relating to the departments which comprise the Corporate Services Divisions.

Recommendation:

That Council accept and approve the Signing Authorization Listings as presented.

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

3. The Ministry of Health and Long Term Care requires that annual reconciliations for programs it funds be received and approved by Warden. Attached are copies of Section V and VI of this report summarizing its conclusions. The full report to be filed will be available for review at your meeting.

Recommendation

That Council authorize the Warden to sign the Section VI declaration as presented.

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

October 1, 2003

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

1. It has been determined that clearer instructions are required before the new quarterly statistic report requested from West Region Court Managers at the May 2003 "CQC" meeting by His Worship Squires can be completed properly. A discussion at the West Region Caucus meeting in August 2003 (hosted by Mrs. Blum at the Widder Station Golf Course, Thedford) found that no two Managers were collecting the information from the same source and were therefore interpreting the data reported in different ways. The Managers have therefore requested further discussions with His Worship before resuming implementation.

PART B **Monthly Activities**

1. **Monthly Accounts**

Monthly Accounts are presented in the amount of \$5,382.60 (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. Attached is the Statistical Report to the end of August 2003. It is significant to note that the increase in total charges seem to be primarily the result of additional parking fines being levied. This is brought to Council's attention as the earnings associated with parking fines and convictions are all distributed to the municipalities in which the conviction occurs and do not form part of the County's net P.O.A. revenues.
3. The Court Services Supervisor has changed the courier's Tuesday pick-up time at the Provincial court house. This has been done in an attempt to prevent any reoccurrence of the events that led to the "loss" of 35 tickets which could not be processed as they were filed too late. Previously, the courier picked up tickets at 10:00 AM. Investigation revealed that this was often before tickets arrived from the various police services that morning. By changing the courier's pick-up time to Tuesday at 11:00 AM and Thursday afternoon at 3:00, it is anticipated that this problem will be eliminated or at least minimized. POA staff will continue regular pick-ups on Mondays as well as when needed other times.

PART B **Monthly Activities (continued)**

4. While the normal summer increase in fine volume caused no major problems within the office, there currently exists a backlog in the setting of trials with 123 waiting to be set. These will be scheduled over the next few weeks.
5. Four lengthy trials have been scheduled beginning in October and are expected to last into 2004. One is booked for 5 days, another for 4 days and the other two for 2 days each. All have been “pre-tried” with no resolution. The County’s regular Thursday court will also be sitting during this period, meaning that POA staff must locate an additional/alternate “court” room. While POA staff have normally been able to reserve court rooms at the Criminal Court for such trials, it is not currently possible to book rooms into 2004.
6. On September 3rd Municipal Prosecutor Jodi Burness, Court Services Supervisor Cheryl Blum and members of the O.P.P met to discuss prosecution issues. Unfortunately, City Police were unable to attend. Accordingly, another meeting will be arranged with them as soon as possible.

Discussion focused on areas which the parties felt needed improvement as well as those things that were allowing Ms. Burness to successfully prosecute various matters. Samples of a “proper” Notice of Motion were also handed out. The impact from lack of proper disclosure for trials and the need for more complete officer’s case notes was again discussed. Finally, in an effort to promote effective communication among all parties, regular Quarterly meetings have been scheduled.

7. Attached is a copy of the Lambton Court Master Plan for 2004 indicating that Friday court sitting have been re-instated.
8. 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.