

MINUTES
LAMBTON COUNTY COUNCIL
(OPEN SESSION)

March 27, 2003

Lambton County Council was in session at 9:30 a.m. on the above date. Warden in the Chair; Roll called; All members present.

Disclosures of Pecuniary Interest: None.

Delegation

Mr. Robert Holland, Ash Rescue Coalition, spoke to County Council to discuss actions which can be taken to prevent the spread of the Emerald Ash Borer infestation across the St. Clair River into Lambton County and the rest of Ontario.

#1: Dedecker/Davidson: That Mr. Holland be invited within the Bar to speak to Council. Carried.

- (A) #2: McGugan/Kowalyshyn: That the County support the Ash Rescue Coalition's initiative to stop the Emerald Ash Borer infestation and that a staff person be appointed on behalf of the County to participate on the various committees and report back to County Council. Carried.

Resolution Regarding Potential Infestation of Ash Trees in the County of Lambton by the Emerald Ash Borer

- (A) #3: Khan/Ivey: **WHEREAS** an invasive, non-indigenous insect known as the Emerald Ash Borer (EAB) has infested Ash trees in Essex County, Ontario and in southeastern Michigan, resulting in a quarantine, devastation to trees and costs in the millions of dollars; and,

WHEREAS if an effective quarantine is not established before spring, the EAB is likely to spread across the Province of Ontario, putting all Ash trees in the Province at risk of destruction; and,

WHEREAS the Ash tree is a very popular tree on public boulevards and on private property, and Municipalities throughout the Province will be faced with exorbitant costs if forced to replace diseased trees; and,

WHEREAS the County of Lambton has hundreds of Ash trees on public property, and the replacement costs of these alone would be in the thousands of dollars;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Government of Canada and the Canadian Food Inspection Agency be urgently requested to take immediate steps to establish the outer limits of the EAB infestation in southwestern Ontario, bearing in mind that forest entomologists who have studied the EAB, report that there may be little or no external evidence of tree damage in the first year of infestation. Therefore, a safe margin of error should be provided for in establishing the outer limit of EAB infestation.

2. The Canadian Food Inspection Agency be requested to act without delay, to extend the present quarantine on ash wood to the outer limit of EAB infestation, allowing for a safe margin of error to prevent the spread of EAB to other areas of the Province.
3. The Government of Canada be requested to allocate sufficient funds to ensure that a buffer zone or “firebreak” is created, monitored and enforced in time to prevent the further advance of EAB infestation in the Spring of 2003.
4. The Government of Canada be put on notice that, if appropriate measures are not taken to effectively quarantine the EAB infestation, the County of Lambton reserves its right to seek redress in the Courts for damages caused by inadequate containment.
5. The Province of Ontario be requested to provide assistance and support to the Government of Canada and Municipalities with respect to the measures in this resolution.
6. The Government of Canada, the Province of Ontario, and the Canadian Food Inspection Agency be requested to monitor and provide funding resources for dealing with outbreaks if and when they occur.
7. The County of Lambton urgently request CFIA and the Federal Government to disclose the measures CFIA plans taken to prevent the Emerald Ash Borer infestation from jumping the St. Clair River into Lambton County, together with the timing of those measures and the funding which will be made available to ensure effective implementation of those measures. Since there are no funded plans on the U.S. side of the St. Clair River to prevent the EAB infestation from spreading across St. Clair County, Michigan, from EAB infested Macomb County, Michigan, the County of Lambton declares that it is not acceptable for CFIA to leave the fate of Ash trees in Lambton County and the balance of Ontario hanging on the possibility that our American friends will take effective action, soon enough, to stop the EAB infestation from reaching the St. Clair River.
8. A copy of this resolution be sent to the Association of Municipalities of Ontario and the Federation of Canadian Municipalities, urging them to adopt a similar position and to advocate on behalf of Municipalities potentially affected.
9. A copy of this resolution be sent to the Minister responsible for the Canadian Food Inspection Agency and the Minister of the Environment.

Carried.

In-Camera

#4: Pole/Jamieson: That the Warden declare that County Council go in-camera to discuss a matter concerning labour relations and employee negotiations, as well as a matter subject to solicitor-client privilege. Carried.

Open Session

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

Report of the Closed Session Meeting of County Council dated March 27, 2003

#5: Dedecker/Hart: That Council rise and report. Carried.

The Corporate Manager, Legal Services/Clerk, noted that the following resolutions were passed during the Closed Session meeting of March 27th, 2003:

- (A) (A) **From the Lambton County Council (CLOSED SESSION) minutes of**
(W) **February 5, 2003:**

**Committee of the Whole dated February 5, 2003, Human Resources Services
– Tentative Agreement, CAW Local 302**

#2: Dedecker/Pole: That the Committee recommend to County Council that it ratify the collective agreement recently negotiated between the County of Lambton representatives and representatives of CAW Local 302; and further,

That this motion be released in open session March 27, 2003. Carried.

- (A) (B) **From the Lambton County Council (CLOSED SESSION) minutes of March**
(F) **27, 2003:**

**Memorandum dated February 25, 2003 Regarding the Lease of Part Lot 5,
Front concession, Township of St. Clair (formerly Township of Moore),
County of Lambton, Part 1 (water lot), 25R 3005**

#3: Pole/Brown: That staff be authorized to enter into a Lease Agreement with Pollard Highway Products Ltd., for a ten (10) year term with annual rent of \$6,000.00 plus G.S.T., with the option to renew for a further ten (10) year term; and further,

That this motion be released in open session March 27, 2003. Carried.

- (A) (C) **From the Lambton County Council (CLOSED SESSION) minutes of March**
(F) **27, 2003:**

Memorandum dated February 25, 2003 Regarding the Lambtonian Apartments – Lambton Meadowview Villa Property Line

#4: Brown/Davidson: That the .1 acre of land lying between the Lambtonian Apartments and Lambton Meadowview Villa be declared surplus and be conveyed to Lambton Senior Citizens Home Corporation, subject to all existing easements or other encumbrances, for the sum of \$1.00 plus the cost of preparation of the deed, any other legal costs associated with the transfer; and further,

That this motion be released in open session March 27, 2003. Carried.

- (A) **#6: Dedecker/Hart: That Council adopt the report of the Closed Session meeting of Council.**
Carried.

Minutes

The Lambton County Council (Open Session) and (Closed Session) minutes dated February 5, 2003 were presented.

#7: Jamieson/Kirkland: That this day's minutes be adopted as presented. Carried.

Correspondence

3-14-03 A copy of a letter from Mayor Mike Bradley to Mr. Jean Pelletier, Chair of the Board of Directors, VIA Rail Canada Inc., dated February 19, 2003, concerning the possible cancellation of the International Amtrak service that runs daily from Chicago through Sarnia/Port Huron to Toronto. Mr. Bradley is requesting that VIA Rail have an emergency plan in place to replicate this service from Sarnia to Toronto so that Canadian taxpayers do not suffer any decline in service.

- (A) **#8: Davidson/Bradley: That we support the request from Mr. Mike Bradley in correspondence item 3-14-03, as presented.** Carried.

Minutes

Mr. R. Brown presented the Committee of the Whole minutes dated February 5, 2003.

#9: Brown/Khan: That this day's minutes be adopted as presented (motions #1 to #10). Carried.

Mr. Wm. Bilton presented the Land Division Committee minutes dated February 11, 2003.

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

Mr. Wm. Bilton presented the Woodlot Committee minutes dated February 11, 2003.

#11: Bilton/Foubister: That this day's minutes be adopted as presented (motions #1 to #2).
Carried.

Mr. J. Foubister presented the Infrastructure and Development/Social and Health Services Committee minutes dated February 19, 2003.

#12: Foubister/Kowalyshyn: That this day's minutes be adopted as presented (motions #1 to #13).
Carried.

Mr. R. Brown presented the Joint Meeting of the Community Services/Information Technology and Infrastructure and Development/Social and Health Services Committee minutes dated February 19, 2003.

#13: Brown/Kirkland: That this day's minutes be adopted as presented. Carried.

Mr. D. McGugan presented the Community Services/Information Technology Committee minutes dated February 19, 2003.

#14: McGugan/Brown: That this day's minutes be adopted as presented (motions #1 to #17).
Carried.

Mr. Wm. Bilton presented the Land Division Committee minutes dated March 11, 2003.

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

Mr. J. Foubister presented the Infrastructure and Development/Social and Health Services Committee minutes dated March 19, 2003.

#16: Foubister/Dedecker: That this day's minutes be adopted as presented (motion #1). Carried.

Mr. C. Ivey presented the Community Services/Information Technology Committee minutes dated March 19, 2003.

#17: Ivey/Pole: That this day's minutes be adopted as presented (motions #1 to #3). Carried.

OTHER BUSINESS

Memorandum dated March 10, 2003 Regarding the Tourism Funding Agreement

- (A) #18: Ivey/Davidson: That the Tourism Funding Agreement be renewed for a three (3) year
(F) period at the current level of funding for 2002. Carried.

Re: Grants Officer

- (A) #19: McGugan/Ivey: That the position of Grants Officer be approved for a trial period of two
(F) (2) years and that a report be brought back to Council. Carried.
(W)

Mrs. Patricia Davidson, Mayor of the Town of Plympton-Wyoming, noted that an invitation to a breakfast meeting to be held on Friday, April 11, 2003, regarding the Mackenzie Safety & Heritage Village, was placed on the Councillors' desks.

Mrs. Carolyn Jamieson, Deputy Mayor of the Municipality of Lambton Shores, advised County Council that at the last Municipal Property Assessment Corporation (M.P.A.C.) Board meeting on February 26, 2003, the Board approved a list of appointments to the M.P.A.C. Board of Directors. Mr. Van Horne was one of those nominated to sit on the Board.

Mr. Don McGugan, Mayor of the Township of Brooke-Alvinston, spoke to County Council regarding a number of concerns from residents related to the West Nile Virus. Residents were wondering what kind of plans the County is working on to deal with this virus.

Mr. McGugan also spoke concerning today's delegation on the Emerald Ash Borer infestation. Mr. McGugan was enquiring if a notice to ban firewood could be posted in the County.

Presentation of Awards

Warden Todd Case presented a plaque to Patricia Davidson from the Sarnia-Lambton Council for Economic Renewal in recognition of her role on the Board of Directors and her contribution to the establishment of the Sarnia-Lambton Economic Partnership.

Warden Case also advised Council that a plaque was given to the County of Lambton from the Sarnia-Lambton Economic Partnership in recognition of the County's financial support to local economic development.

Mr. Rod Brown, Councillor of the City of Sarnia, spoke concerning the Severe Acute Respiratory Syndrome (SARS) epidemic and was enquiring as to whether the County had any plans in place to deal with this issue. Mr. Bradley noted that Emergency Measures Ontario has put Heads of Council on alert.

Mrs. Anne Khan, Councillor of the City of Sarnia, spoke concerning the discussion on the notice to ban firewood. Mrs. Khan asked if staff could look into putting up signs at different points of entry into the County (i.e. Sombra ferry route), to make the public aware. She also asked who would be responsible for this and what the cost would be.

- (A) #20: Khan/McGugan: That staff correspond with the senior levels of government concerning the position of signage at points of entry into the County. Carried.

2003 Budget

Lambton County Council went into the 2003 Budget Session, reviewed all special Committee minutes and made resolutions on an exception basis as recorded on the attached minutes dated 03/27/03, numbered 1 – 6, and also a Recorded Vote.

- (B) #21: Kirkland/Dedecker: That the 2003 County Budget be approved. Carried.

By-Laws

#22: Bradley/Bilton: That By-Laws #15 to #19 of 2003, as circulated, be taken as read a first and second time. Carried.

#23: Kowalyszyn/McGugan: That By-Laws #15 to #19 of 2003, as circulated, be taken as read a third time and finally passed. Carried.

Adjournment

The Warden declared the meeting adjourned.

Time: 1:30 p.m.

Todd Case
Warden

Linda Ross
Corporate Manager, Legal
Services/Clerk