

MINUTES
LAMBTON COUNTY COUNCIL

July 2, 2008

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.

Disclosures of Pecuniary Interest: None.

Monthly Staff Presentations re: Activities and Issues

Mr. Glen Millar, Manager of Public Works, presented an overview of the Public Works Department's activities.

Presentation on Succession Planning

Mrs. Linda Creaghe, County Clerk, made a presentation to County Council concerning Succession Planning.

In-Camera

#1: Foubister/Perry: 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 concerning litigation or pending litigation (updating Council on one (1) litigation matter).

Carried.

Open Session

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

Rise and Report Motions of the In-Camera Session dated July 2, 2008

#2: Napper/Boushy: That Council rise and report.

Carried.

The County Clerk noted that there were no resolutions to report from the Closed Session meeting.

#3: Napper/Boushy: That Council adopt the report of the Closed Session meeting.

Carried.

Minutes

The Lambton County Council (Open Session) and (Closed Session) minutes dated June 4, 2008 were presented.

#4: Gillis/McCharles: That the Lambton County Council (Open Session) and (Closed Session) minutes dated June 4, 2008 be accepted as presented.

Carried.

Correspondence to Receive and File

7-1-08 A memorandum from the Ministry of Health and Long-Term Care, received May 28, 2008, advising that effective July 1, 2008 the Long-Term Care basic daily maximum co-payment rate will increase from the current rate of \$50.76 to \$51.88, an increase of \$1.12, consistent with the rate of inflation. The Comfort Allowance will increase effective November 1, 2008, from the current rate of \$122/month to \$125/month.

7-2-08 A letter from the Charlotte Eleanor Englehart Hospital Foundation, dated May 30, 2008, thanking the County of Lambton for its generous donation of \$50,000.00, over a five (5) year period, towards the equipment for the Pat Mailloux Cataract Clinic at the Charlotte Eleanor Englehart Hospital of Bluewater Health.

7-3-08 A letter from the Honourable Stockwell Day, Minister of Public Safety, dated June 9, 2008, regarding unimpeded access to the United States for ambulances involved in medical emergency transports. The Minister advises that following the incident concerning a border clearance delay during the medical transfer of a cardiac patient from Windsor Regional Hospital to Henry Ford Hospital in Michigan on November 12, 2007, Canada Border Services Agency officials met with U.S. counterparts to clarify and confirm procedures for facilitating the entry of emergency responders to the U.S. in urgent situations.

7-4-08 A resolution from the Township of O'Connor, dated June 9, 2008, requesting support to ask that the Federal Government commit to meeting the demands for the Canada Summer Jobs Program by guaranteeing a set number of positions and increase the funding accordingly.

7-5-08 A letter from the Honourable Peter Julian, M.P., Burnaby-New Westminster, dated June 9, 2008, requesting support of his resolution that the government recognize that fire retardants containing polybrominated diphenyl ethers (PBDEs) are proven to be the most dangerous form of flame retardant harmful to people, animals and the environment, and that legislation completely phasing out the production and import of products containing additive PBDEs should be brought forth within a year. Minister Julian has also enclosed a letter of support from the International Association of Fire Fighters as well as a list of municipal and local governments who formally support the resolution.

7-8-08 A resolution from the City of Kingston, dated May 21, 2008, requesting support to strongly encourage the Ontario Government to amend the Ontario Building Code to significantly increase the minimum requirement for energy and water efficiency within new buildings, and do so as soon as possible and before the increased requirements that come into effect in 2011. The City is also requesting that the Ontario Government amend relevant legislation to indicate that the Code is the minimum standard for energy and water efficiency to which builders must adhere, but that municipalities may pass By-Laws that require efficiency standards that exceed the Code so that community GHG emissions may be reduced.

7-9-08 A letter from Mr. Amrik Ahluwalia, General Manager, Manufacturing Expansion, Shell Canada Products, dated June 13, 2008, advising that during the course of their extensive consultation processes, the company has heard many suggestions from the public, First Nations and other members of the government review team on possible ways to improve the proposed refinery expansion project. Shell Canada has made a number of decisions about the Project which will result in significant environmental benefits including committing to using an effluent recovery unit (ERU) as the primary means of water treatment and the use of new technologies that would allow the Project to have an overall reduction of sulphur dioxide emissions of approximately 70%.

7-10-08 A resolution from the City of Waterloo, dated May 12, 2008, requesting support to call upon the Provincial Government to clarify and confirm that the 2008 Municipal Road and Bridge Infrastructure Investment is in fact a one-time infusion of funds versus an annual contribution and that if this is the case, that the Provincial Government provide long-term and sustainable infrastructure funding to assist the City of Waterloo and all upper, lower and single tier municipalities in addressing their infrastructure roles and responsibilities.

#5: Bradley/Jamieson: That the above correspondence items be received and filed.

Carried.

Information Reports

CORPORATE SERVICES DIVISION

#6: Arnold/Foubister: That the following information reports be received and filed:

- a) Information Report dated July 2, 2008 Regarding Library PC Reservation System Update;
- b) Information Report dated July 2, 2008 Regarding the Health and Safety Report; and,
- c) Information Report dated July 2, 2008 Regarding the Training Report.

Carried.

Re: Library Return Policy

#7: Napper/Bradley: That staff review the policy concerning the seven (7) day book return policy and that a report be brought back to Council regarding the same.

Carried.

INFRASTRUCTURE AND DEVELOPMENT SERVICES DIVISION

#8: Foubister/Gillis: That the following information reports be received and filed:

- a) Information Report dated July 2, 2008 Regarding an Update - Planning Appeal - Warwick Landfill Expansion;
- b) Information Report dated July 2, 2008 Regarding the Going Green Committee Activities; and,
- c) Information Report dated July 2, 2008 Regarding the Emergency Management Coordinator's Monthly Activity.

Carried.

SOCIAL AND HEALTH SERVICES DIVISION

#9: Jamieson/Bradley: That the following information reports be received and filed:

- a) Information Report dated July 2, 2008 Regarding the Ontario Drug Benefit Program - Rebate; and,
- b) Information Report dated July 2, 2008 Regarding the Mortality and Chronic Disease - Community Health Status Report.

Carried.

COMMUNITY SERVICES DIVISION

#10: Bilton/MacDougall: That the following information reports be received and filed:

- a) Information Report dated July 2, 2008 Regarding the Gallery Lambton Exhibitions and Programs; and,
- b) Information Report dated July 2, 2008 Regarding the Use of Public Access Computer and Internet Policy.

Carried.

Items Not Requiring a Motion

The following items were presented to County Council for its information:

- a) Land Division Committee Minutes dated June 10, 2008;
- b) General Managers' Updates - Minutes dated May 13, 2008; and,
- c) Tourism Sarnia-Lambton - Board of Directors Minutes dated April 10, May 8 and May 26, 2008 and the Manager's Report dated May 2008.

Reports Requiring a Motion

CORPORATE SERVICES DIVISION

Report dated July 2, 2008 Regarding Housekeeping Appointment By-Laws

#11: Jamieson/Gillis: That By-Law #37 of 2008 being "A By-Law to Appoint a Chief Administrative Officer for The Corporation of the County of Lambton and to Define his Duties" and By-Law #38 of 2008 being "A By-Law to Appoint a Clerk" be approved as presented.

Carried.

Report dated July 2, 2008 Regarding Funding of Court Security Costs

#12: Foubister/Perry: That Council agree, in principle, to fund the cost of the Sarnia Police Force providing court security to the courts operating in the County of Lambton on the following basis:

- That all parties establish agreed definitions as to what constitutes "court security costs" for purposes of the Sarnia Police Force receiving funding for those costs from the County of Lambton;
- That the County fund actual court security costs incurred by the Force, but on the basis of a one (1) year deferment; and,
- That the actual court security costs funded shall be open to verification by the County;

That this agreement, in principle, be circulated to the Sarnia Police Services Board and City of Sarnia Council with a request that they also agree in principle to this proposed funding model; and,

That should the Sarnia Police Services Board and City of Sarnia Council also agree in principle to this proposed funding model, County Council authorize staff to meet with staff from the Force and the City to develop a full, formal Memorandum of Understanding which will then be presented to all parties for ratification.

A recorded vote, starting with Councillor Bev MacDougall, was requested by Councillor Steve Arnold on motion #12 of this day's minutes.

S. Arnold No (3)
Wm. Bilton Yes (1)
D. Boushy Yes (3)
M. Bradley Yes (3)
J. Burns Yes (1)
T. Case Yes (2)
J. Foubister Yes (3)
P. Gilliland No (2)
A. Gillis Yes (3)
C. Jamieson Yes (2)
D. Kirkland Yes (1)
B. MacDougall Yes (3)
J. McCharles Yes (2)
D. McGugan Yes (1)
G. Minielly No (3)
L. Napper Yes (3)
G. Perry Yes (1)

Yeas - 29; Nays - 8.

Motion carried.

#13: Kirkland/Case: That a Committee of Council meet with the Minister of the Attorney General to discuss the issue of Court Security costs.

Carried.

#14: Case/Foubister: That the Province of Ontario cover the total cost of court security and that there be no cost to the host Municipalities in any way.

Carried.

Report dated July 2, 2008 Regarding Payments to MPAC

#15: Bradley/Gillis: That staff be authorized to resume processing regular quarterly payments to the Municipal Property Assessment Corporation.

Carried.

Adjournment

County Council adjourned for recess at 2:25 p.m.

Reconvene

County Council reconvened at 2:35 p.m.

INFRASTRUCTURE AND DEVELOPMENT SERVICES DIVISION

Report dated July 2, 2008 Regarding Backyard Composters

#16: Bradley/McGugan: That the purchase, storage and distribution of backyard composters (similar to other waste reduction initiatives currently in place) remain the responsibility of local municipalities.

Carried.

Report dated July 2, 2008 Regarding the Road Designation Study

#17: Arnold/Bradley: That County Council endorse the criteria and weightings for the Road Designation Study as presented;

That County Council endorse the action plan as presented; and further,

That the existing sub-committee for the Truck Study comprised of the Warden, Councillor Gillis, Councillor Minielly, and Councillor Napper be maintained to provide advice as the Road Designation Study moves forward.

Carried.

Information Report dated July 2, 2008 Regarding the County Truck Study

#18: Foubister/MacDougall: That the information report dated July 2, 2008 regarding the County Truck Study be received and filed.

Carried.

Report dated July 2, 2008 Regarding the Ontario Heritage Act By-Law

* **#19:** McGugan/Perry: That County Council pass the By-Law to accept the delegation
** from the two local Municipalities of the authority to designate a Heritage Conservation District under the provisions of the Ontario Heritage Act.

Tabled.

* Lift from the table motion #19 of the Lambton County Council (Open Session) minutes dated July 2, 2008 - see Council August 20, 2008, motion #23.

** That County Council pass the By-Law to accept the delegation from the two local Municipalities of the authority to designate a Heritage Conservation District under the provisions of the Ontario Heritage Act - see Council August 20, 2008, mot. #24.

#20: Arnold/Gilliland: That we table the report dated July 2, 2008 regarding the Ontario Heritage Act By-Law (By-Law #40 of 2008), pending further information and discussion with the Town of Petrolia.

Carried.

SOCIAL AND HEALTH SERVICES DIVISION

Report dated July 2, 2008 Regarding the Consolidated Homelessness Prevention Program Funding

#21: Bradley/Minielly: That the additional \$2,740.00 received from the Province for the Consolidated Homelessness Prevention Program be allocated to the SEED line of the Homelessness budget.

Carried.

Report dated July 2, 2008 Regarding the Provincial Rent Bank Funding - Correspondence 7-6-08

#22: Foubister/McGugan: That the additional \$27,358.00 received from the Province for the Rent Bank program be added to the 2008 Homelessness budget; and further,

That staff be authorized to disperse the funds accordingly.

Carried.

Report dated July 2, 2008 Regarding the Lambton Community Health Study - Correspondence 7-7-08

#23: Jamieson/Arnold: That the County of Lambton approve an in-kind contribution of \$38,560.00 to the Lambton Community Health Study Board to undertake its 2008 work, which will include a broad based community consultation.

Carried.

COMMUNITY SERVICES DIVISION

Report dated July 2, 2008 Regarding the Museums Collection Management Report

#24: MacDougall/Jamieson: That the Curator's Collection Management Report be accepted as presented and that thank you letters be sent in accordance with the County's Recognition Policy.

Carried.

Report dated July 2, 2008 Regarding the Forest Community Connections Accommodations

#25: MacDougall/Minielly: That the Forest Community Connections Program, operated by Lambton County Developmental Services (LCDS), be provided space in the day program area at North Lambton Lodge on a temporary basis, when needed, until they can move into their new space.

Carried.

Report dated July 2, 2008 Regarding the Installation of Elevating Devices

#26: Foubister/Gilliland: That the contract for the installation of an elevator lift at 3548 St. Clair Parkway, Sombra be awarded to the low valid bidder in the amount of \$111,101.00 utilizing additional funding from a grant or surplus funding due to the cancellation of another project.

Carried.

Report dated July 2, 2008 Regarding Library Donations

#27: Case/McGugan: That the donations be gratefully accepted and that thank you letters be sent in accordance with the County's Recognition Policy.

Carried.

Report dated July 2, 2008 Regarding the Lambton County Developmental Services Affordable Housing Request

#28: Arnold/Perry: That the County of Lambton recommend to the Ministry of Municipal Affairs and Housing (M.M.A.H.), that the Lambton County Developmental Services project in the amount of \$100,000.00 for two affordable rental units in Petrolia be approved; and further,

That the County of Lambton request the Ministry of Municipal Affairs and Housing to redirect the previously approved \$75,000.00 and approve an additional \$25,000.00 for this project.

Carried.

Report dated July 2, 2008 Regarding 700 Cathcart Boulevard, Sarnia

#29: Boushy/MacDougall: That staff be directed to work with the respondents from the second Affordable Housing Request for Proposals, who indicated their interest in building in the City of Sarnia;

That an Evaluation Committee be struck with staff membership from the County of Lambton, the City of Sarnia and a representative from Canadian Mental Health Association; and further,

That should no project be identified as suitable for recommendation to County Council, staff be authorized to issue a third Request for Proposals.

Carried.

CAO

Report dated July 2, 2008 Regarding the SWEA Conference - Request for Sponsorship

- * #30: Bilton/Jamieson: That the County agree to sponsor the presentation by Mr. Friel
** at a cost not to exceed \$5,000.00; and further,

That the cost of the same be funded internally from a reallocation of existing accounts.

Tabled.

#31: Bradley/Foubister: That we table motion #30 of this day's minutes until further information concerning the request is available.

Carried.

Notice of Motion

A Notice of Motion was presented by Councillor McGugan concerning the recent power outage, for Council's consideration.

#32: McGugan/Case: That we suspend the Rules of Procedure to deal with the Notice of Motion presented by Councillor McGugan today.

Carried.

#33: McGugan/Perry: **WHEREAS** on June 8, 2008, the area of Lambton suffered yet another power outage;

AND WHEREAS the cause of such outages appears to be the lack of preventative maintenance in those areas where power lines necessitate regularly scheduled tree trimming services;

AND WHEREAS customers in Lambton have experienced multiple outages and brownouts on this date and previous occasions due to the lack of such maintenance;

- * Lift from the table motion #30 of the Lambton County Council (Open Session) minutes dated July 2, 2008 - see Council August 20, 2008, mot. #25.

- ** Motion #30 was defeated - see Council August 20, 2008, mot. #26.

NOW THEREFORE BE IT RESOLVED THAT County Council express its dissatisfaction with the quality of the electrical service in Lambton and invite a representative from Hydro One to address County Council concerning the lack of preventative maintenance and plans to address the same.

Carried.

OTHER BUSINESS

#34: Arnold/Bradley: That a report be prepared outlining all staff time and costs as well as outside counsel costs to date on the Hoist Project.

Carried.

Councillor Carolyn Jamieson circulated the updated Locally Lambton maps to County Councillors for distribution at their municipal offices.

Councillor Jamieson also advised Council that the new *Human Rights Code Amendment Act, 2006*, received proclamation on June 30, 2008. It will introduce a new system for managing human rights complaints in Ontario.

Re: Approval of Additional Expenses Incurred for Meetings

#35: Jamieson/Kirkland: That Council approval additional expenses of up to \$2,000.00 to cover the costs of Carolyn Jamieson's attendance at Eastern and Western Wardens' meetings as Chair of the County Caucus of A.M.O.

Carried.

Councillor Bev MacDougall inquired if the City/County Agreement could be revised.

Councillor Mike Bradley inquired if the County Official Plan is in compliance regarding auto sales on private lands.

Re: Court Security Costs

#36: Boushy/Arnold: That County Council ask Carolyn Jamieson, Chair of the County Caucus of A.M.O., to recommend to A.M.O. that it take a stand that the costs associated with Court Security be fully borne by the Province.

Carried.

Councillor Don McGugan reminded Councillors that the Lambton County Pork Producers Annual Charity Barbecue will be held on Wednesday, July 9, 2008 at the Alvinston Arena Complex, commencing at 5:00 p.m. The Lambton Cattlemen's Annual Beef Barbecue will be held on Wednesday, August 6, 2008 at the Alvinston Arena Complex, commencing at 5:30 p.m. All are invited to attend.

The County Clerk read a thank you note from Mrs. Tara Burns, thanking County Councillors for the Warden's spouse's gift.

By-Laws

#37: Kirkland/Jamieson: That By-Laws #37 to #39 and #41 of 2008, as circulated, be taken as read a first and second time.

Carried.

#38: MacDougall/McCharles: That By-Laws #37 to #39 and #41 of 2008, as circulated, be taken as read a third time and finally passed.

Carried.

Adjournment

The Warden declared the meeting adjourned.

Time: 3:10 p.m.

Jim Burns
Warden

Linda Creaghe
County Clerk
General Manager, Corporate Services