



# MINUTES

## Council Meeting

4:00 PM - Thursday, March 24, 2022  
Municipal Office-Hybrid

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The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, March 24, 2022, at 4:00 PM, in the Municipal Office-Hybrid, with the following members present:

**Council Present:** Mayor David Ferguson, Deputy Mayor Frank Nemcek, Councillor Jeannette Douglas, Councillor Jamie Armstrong, and Councillor Wayne Deans

**Staff Present:** Clerk Administrator Janet Denkers, Treasurer Stephen Ikert, Public Works Manager Randy Hills, Fire Chief Steve Knight, and Parks and Recreation Supervisor Kevin Miller

**Regrets:**

### 1 CALL TO ORDER

The Mayor called the meeting to order at 4 p.m..

### 2 DISCLOSURE OF PECUNIARY INTEREST

The Mayor requested that any pecuniary interests be disclosed at the appropriate time.

### 3 MINUTES

a) Regular Council Meeting Minutes of March 10, 2022

#### **RESOLUTION-2022-088**

Councillor Jeannette Douglas made a motion that the regular session minutes of March 10, 2022 be approved as circulated without errors or omissions. Councillor Wayne Deans seconded the motion.

**Carried**

b) Special Council Meeting Minutes of March 17, 2022

Councillor Armstrong noted a spelling mistake and that Jim Mihalik and Les Douglas were in attendance at the meeting as Optimist members.

#### **RESOLUTION-2022-089**

Deputy Mayor Frank Nemcek made a motion that the Special Council meeting minutes of March 17, 2022 be approved as amended. Councillor Jamie Armstrong seconded the motion.

**Carried**

### 4 BUSINESS ARISING FROM THE MINUTES

Councillor Armstrong noted the picnic tables under the pavilion are in need of attention and that the Optimist Club would like to dedicate a day to wash, repair and stain the tables under the guidance of the Parks & Recreation Supervisor. Council had no objections to the offer of the Optimist Club.

Deputy Mayor Frank Nemcek stated that he spoke to others about the Manitoba Maple tree at the arena that Councillor Armstrong had concerns with and he is comfortable trimming it but not removing it.

## 5 DELEGATIONS & TIMED EVENTS

### a) Court of Revision-Bourne Drain

Mayor Ferguson declared a conflict of interest as he is assessed on the drain and he did not participate in the hearing. Deputy Mayor Frank Nemcek assumed the Chair position.

Members of the public present for the hearing: Dave Ferguson, Don & Anne McGugan; there were no comments received on the drain

#### **RESOLUTION-2022-090**

Councillor Jeannette Douglas made a motion that the Court of Revision on the Bourne Drain be opened. Councillor Wayne Deans seconded the motion.

**Carried**

There was no discussion on the drain

#### **RESOLUTION-2022-091**

Councillor Jamie Armstrong made a motion that the assessments for the Bourne Drain be confirmed as presented in the Engineer's report dated Dec. 6, 2021 and that the Court be closed. Councillor Wayne Deans seconded the motion.

**Carried**

### b) Court of Revision - Johnson Drain

Members of the public present for the hearing: M. Van Den Ouweland  
Correspondence was received from Patrick Minten

#### **RESOLUTION-2022-092**

Deputy Mayor Frank Nemcek made a motion that the Court of Revision on the Johnson Drain be opened. Councillor Jeannette Douglas seconded the motion.

**Carried**

The Engineer noted that there was an error in the calculation of the assessments. The reduction to P. Minten would result in an increase to all other properties.

#### **RESOLUTION-2022-093**

Councillor Wayne Deans made a motion that the assessments be approved as revised on March 24, 2022 and that the Court be adjourned to reconvene at a later time. Councillor Jamie Armstrong seconded the motion.

**Carried**

### c) Court of Revision - Johnson Symington Drain

There were no assessed owners present for the Court of Revision. There were no comments received on the assessments.

#### **RESOLUTION-2022-094**

Councillor Wayne Deans made a motion that the Court of Revision on the Johnson-Symington Drain be opened. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

The Engineer noted that Ms. Symington had requested the installation of a secondary culvert at the south end of the property under Section 78 of the Drainage Act.. She was advised that all costs associated with the second culvert would be her responsibility.

**RESOLUTION-2022-095**

Councillor Jeannette Douglas made a motion that the assessments for the Johnson-Symington Drain be confirmed as presented in the Engineer's report dated November 30, 2021 and that the Court be closed. Councillor Wayne Deans seconded the motion.

**Carried**

**d) Court of Revision - Steadman No. 1 Drain**

Assessed members present for the Court were Don & Anne McGugan  
There were no comments received on the drain assessments

**RESOLUTION-2022-096**

Deputy Mayor Frank Nemcek made a motion that the Court of Revision for the Steadman Drain be opened. Councillor Jamie Armstrong seconded the motion.

**Carried**

**e) The Engineer informed Council that tenders for the Steadman Drain would be closing the following week.**

**RESOLUTION-2022-097**

Councillor Jamie Armstrong made a motion that the assessments for the Steadman Drain be confirmed as presented in the Engineer's report dated November 15, 2021. Councillor Jeannette Douglas seconded the motion.

**Carried**

**6 CORRESPONDENCE**

**a) Municipal Correspondence**

**RESOLUTION-2022-098**

Deputy Mayor Frank Nemcek made a motion that the municipal correspondence circulated in the March 24, 2022 agenda be received and filed. Councillor Wayne Deans seconded the motion.

**Carried**

**b) Request from the Brooke-Alvinston Skating Club**

**RESOLUTION-2022-099**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston contribute \$50 to the printing of the carnival program. Councillor Jeannette Douglas seconded the motion.

**Carried**

**c) Request from Autism Ontario**

**RESOLUTION-2022-100**

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston support World Autism Day on April 2, 2022. Councillor Jeannette Douglas seconded the motion.

**Carried**

**d) Request from the Township of Woolwich**

### **RESOLUTION-2022-101**

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston support the Township of Woolwich to petition the federal government to provide stable, reliable and predictable funding for mental health organizations in their 2022 budget. Councillor Wayne Deans seconded the motion.

**Carried**

- e) Request from NOMA

### **RESOLUTION-2022-102**

Councillor Wayne Deans made a motion that the Council of the Municipality of Brooke-Alvinston support the request from NOMA for the expansion of NOSM to address the urgent need for physicians in Northern Ontario. Councillor Jamie Armstrong seconded the motion.

**Carried**

- f) Municipality of Mississippi Mills

### **RESOLUTION-2022-103**

Councillor Wayne Deans made a motion that the Council of the Municipality of Brooke-Alvinston receive and file the motion from the Municipality of Mississippi Mills regarding a call for action from the provincial government to have current legislation and regulations surrounding municipal requirements to take over and maintain abandoned operating cemeteries. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

## **7 STAFF REPORTS**

- a) **Clerk Administrator's Report:** Municipal Authorization - West Nile Virus Larvicide

### **RESOLUTION-2022-104**

Deputy Mayor Frank Nemcek made a motion that the Municipality of Brooke-Alvinston supports local action by Lambton Public Health to reduce the risk of the West Nile Virus and authorizes any permit application for West Nile Virus control submitted to the Ministry of the Environment, Conservation and Parks from an appropriately licensed exterminator to apply a larvicide into catch basins or surface water located within and owned by Brooke-Alvinston and located on private land that drain into the storm drain system or waterways located in Brooke-Alvinston. Councillor Jeannette Douglas seconded the motion.

**Carried**

- b) **Clerk Administrator's Report:** 2022 Queen's Jubilee Funding Announcement

### **RESOLUTION-2022-105**

Councillor Jamie Armstrong made a motion that Administration work with the Alvinston Legion to provide improvements to the Cenotaph with funding from the Canadian Heritage in recognition of the 2022 Platinum Jubilee of Her Majesty Queen Elizabeth II. Councillor Jeannette Douglas seconded the motion.

**Carried**

- c) **Clerk Administrator's Report:** Canada Day 2022

### **RESOLUTION-2022-106**

Councillor Jamie Armstrong made a motion that the Canada Day 2022 report be received and filed and that Council authorize the road closure of River Street from Railroad Street to Sydenham Street to accommodate the 2022 Car show planned for July 3, 2022 from 9 am to 4 pm. Councillor Jeannette Douglas seconded the motion.

**Carried**

- d) **Clerk Administrator's Report:** 2022 Large Item Event

**RESOLUTION-2022-107**

Councillor Jeannette Douglas made a motion that one municipal large item disposal event be held June 6-10, 2022 and that the large item disposal event procedure as outlined be approved. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- e) **Clerk Administrator's Report:** Census Profile - 2021 Brooke-Alvinston

**RESOLUTION-2022-108**

Councillor Jamie Armstrong made a motion that the 2021 Brooke-Alvinston Census profile be received and filed. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- f) **Clerk Administrator's Report:** 2022 Municipal Election Recount Policy

**RESOLUTION-2022-109**

Councillor Jamie Armstrong made a motion that Council approve the 2022 Municipal Election Recount Policy, in addition to the provisions set out in the Municipal Elections Act: AND THAT the Clerk prepare the necessary By-Law for adoption by Council.

Councillor Wayne Deans seconded the motion.

**Carried**

- g) **Drainage Superintendent Report:** Bourne Drain Tender Opening

**RESOLUTION-2022-110**

Deputy Mayor Frank Nemcek made a motion that the contract for the Bourne Drain be awarded to JLH Excavating in the total amount of \$41,381.73 (including HST). Councillor Jamie Armstrong seconded the motion.

**Carried**

- h) **Drainage Superintendent Report:** Johnson Drain Tender Opening

**RESOLUTION-2022-111**

Councillor Jamie Armstrong made a motion that the Contract for the Johnson Drain be awarded to Bruce Poland and Sons in the total amount of \$31,927.35 (including HST) for both drainage works under Section 78 and 74. Councillor Jeannette Douglas seconded the motion.

**Carried**

- i) **Drainage Superintendent Report:** Johnson Symington Drain

**RESOLUTION-2022-112**

Councillor Wayne Deans made a motion that the contract for the Johnson-Symington Drain be awarded to Bruce Poland & SOs in the total amount of \$23,563.10 (including HST) Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- j) **Drainage Superintendent's Report: Drain Maintenance Request**

**RESOLUTION-2022-113**

Councillor Jamie Armstrong made a motion that the drain maintenance request from Burt McKinley for maintenance work on the Dolbear McKinlay Drain be forwarded to the Drainage Superintendent with the power to act. Councillor Wayne Deans seconded the motion.

**Carried**

**8 BY-LAWS**

**9 NEW BUSINESS**

- a) **Update on proposed BAICCC renovations**

The Public Works Manager advised that in speaking with an Engineer what the cost estimates of installing a sprinkler system (if needed) would be

Councillor Deans inquired on the status of the Inwood Community Park washroom upgrades

Councillor Nemcek requested the 2023 budget consider blinds or window coverings for the upper hall of the BAICCC

- b) **Millpond - Request for Services**

**RESOLUTION-2022-114**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston allow the lot owners of 8093 Millpond to service the lot and that the Municipality enter into an agreement prior to it being serviced. Councillor Wayne Deans seconded the motion.

**Carried**

- c) **Lambton OPP Police Service Board - Update**

The Mayor advised that communications are still ongoing with the Solicitor General

- d) **Notice of Motion: Mayor Ferguson** -(submitted March 15, 2022)  
To have \$15,000 placed for consideration in the 2023 budget; this money for consideration is for potentially a one time payment towards the Optimist Arena Project

The Mayor stepped out of the Chair position and Deputy Mayor Frank Nemcek oversaw the vote.

**RESOLUTION-2022-115**

Mayor David Ferguson made a motion to have \$15,000 placed for consideration in the 2023 budget; this money for consideration is for potentially a one time payment towards the Optimist Arena Project. Councillor Jeannette Douglas seconded the motion.

**DEFEATED. 2-3 (opposed: Deputy Mayor Frank Nemcek, Councillor Jamie Armstrong, and Councillor Wayne Deans).**

- e) **Notice of Motion: Councillor Frank Nemcek** (submitted March 21, 2022)

That Council consider a cost sharing of 50/50 for Engineered plans for the Optimist Phase 2 project up to a maximum of \$15,000 of municipal funds being spent.

#### **RESOLUTION-2022-116**

Deputy Mayor Frank Nemcek made a motion that Council consider a cost sharing of 50/50 for Engineered plans for the Optimist Phase 2 project up to a maximum of \$15,000 of municipal funds being spent. Councillor Wayne Deans seconded the motion.

**Carried 3-2 (opposed: Mayor David Ferguson and Councillor Jeannette Douglas).**

Councillor Armstrong requested confirmation that the Public Works Manager would be the point person for contact with the Engineer and that the Optimist Club will not be requesting funds from Council after plans development and that the Optimist Club will be the fundraisers of the proposed project.

f) **Equipment at the former MTO lot**

The Public Works Manager advised that some tiling equipment of the County will be temporarily parked at the former MTO lot

g) **Comments from Councillor Deans** Re: Independent Newspaper article

In open session, Councillor Deans noted that in the recent Independent Newspaper article, the article failed to mention the monetary contribution of the Optimist Club to the developed plans of the proposed phase 2, and in his opinion, he did not agree with the Mayor's comments.

h) **Proposed Tractor Pull**

Councillor Armstrong noted the Fair Board is planning for a tractor pull on July 15, 2022

## **10 CLOSED SESSION**

- a) Personnel matters about an identifiable individual including employees

#### **RESOLUTION-2022-117**

Deputy Mayor Frank Nemcek made a motion that in accordance with Section 239(2) of the Municipal Act, Council move in camera to discuss personal matters about an identifiable individual including employees. Councillor Jeannette Douglas seconded the motion.

**Carried**

## **11 RISE AND REPORT**

The Clerk Administrator provided the rise and report and noted that direction was given to approach a youth member for the Parks and Recreation Committee.

## **12 BY-LAW CONFIRMING PROCEEDINGS**

- a) Confirming By-law

#### **RESOLUTION-2022-118**

Councillor Wayne Deans made a motion That By-law 19 of 2022 be read a first, second and third time and finally passed this 24th day of March 2022. Councillor Jamie Armstrong seconded the motion.

**Carried**

## 13 ADJOURNMENT

Councillor Nemcek made a motion to adjourn the meeting at 5:15 p.m.

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Clerk-Administrator

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Mayor