



# MINUTES

## Council Meeting

4:00 PM - Thursday, April 14, 2022  
Municipal Office-Hybrid

The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, April 14, 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, and Councillor Jamie Armstrong
- Staff Present:** Clerk Administrator Janet Denkers, Treasurer Stephen Ikert, Public Works Manager Randy Hills, Fire Chief Steve Knight, Administrative Assistant Darlene Paolucci, Public Works Foreman Jerrett Hodgins, Drainage Superintendent David Moores, and Parks and Recreation Supervisor Kevin Miller
- Regrets:** Councillor Wayne Deans

### 1 CALL TO ORDER

Mayor Ferguson 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 24, 2022

#### RESOLUTION-2022-119

Deputy Mayor Frank Nemcek made a motion that the March 24, 2022 Council meeting Minutes be approved as presented without any errors or omissions. Councillor Jeannette Douglas seconded the motion.

**Carried**

### 4 BUSINESS ARISING FROM THE MINUTES

### 5 DELEGATIONS & TIMED EVENTS

- a) Court of Revision (reconvened) - Johnson Drain

#### RESOLUTION-2022-120

Councillor Jeannette Douglas made a motion that the Court of Revision on the Johnson Drain be opened. Councillor Jamie Armstrong seconded the motion.

**Carried**

The Mayor requested that any assessed owners identify themselves. None were present. No questions or comments were made on the assessment of the drain.

#### RESOLUTION-2022-121

Deputy Mayor Frank Nemcek made a motion that the assessments on the Johnson Drain be adopted as revised and that Court of Revision on the Johnson Drain be closed. Councillor Jamie Armstrong seconded the motion.

**Carried**

- b) Township of Dawn-Euphemia - Mayor Alan Broad Re: Fire Agreement  
Mayor Alan Broad was present at Council to discuss

Mayor Broad, as spokesperson, noted the amended agreement was being presented for the following reasons:

- i) provides efficiencies at both levels
- ii) the agreement is identical to Chatham Kent and Dawn-Euphemia
- iii) the agreement would simplify the process

It was noted that a copy of the proposal was forwarded to the Municipality of Southwest Middlesex by the Township of Dawn-Euphemia

**RESOLUTION-2022-122**

Deputy Mayor Frank Nemcek made a motion that staff provide a report to Council on Mayor Broad's proposal for a fee for service fire agreement for Council discussion. Councillor Jeannette Douglas seconded the motion.

**Carried**

**6 CORRESPONDENCE**

- a) Municipal Information

**RESOLUTION-2022-123**

Councillor Jeannette Douglas made a motion that the municipal correspondence be received and filed. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- b) Alvinston Optimist Club - Request for Christmas Parade

**RESOLUTION-2022-124**

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston supports the request from the Alvinston Optimist Club to host a reverse Santa Claus parade in 2022 as per the request from Chad Hayter dated April 6, 2022; and that the use of ATV's be permitted by organizers only on select town streets during the parade including the organization of it. Councillor Jeannette Douglas seconded the motion.

**Carried**

- c) Alvinston Arts & Activity Group - Request for Park Use

**RESOLUTION-2022-125**

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston has no objections for the Arts & Activity Group using the Community Park on June 12, July 10 and August 14, 2022 and that the grounds fee for each date be waived. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- d) Sexual Assault Survivor's Centre - Request for Support

**RESOLUTION-2022-126**

Councillor Jeannette Douglas made a motion that the Municipality of Brooke-Alvinston supports the Sexual Assault Survivors' Centre Sarnia Lambton Women's Day Celebration 2022. Councillor Jamie Armstrong seconded the motion.

**Carried**

- e) Town of Halton Hills - Gravel Extraction Licences

**RESOLUTION-2022-127**

Deputy Mayor Frank Nemcek made a motion that the request for support from the Town of Halton Hills regarding new gravel extraction licensing applications be received and filed. Councillor Jamie Armstrong seconded the motion.

**Carried**

- f) Town of Fort Erie - Climate Change

**RESOLUTION-2022-128**

Councillor Jamie Armstrong made a motion that the request for support from the Town of Fort Erie regarding Climate Change Action be received and filed. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- g) Municipality of Clarington - Zoning By-law Review Project

**RESOLUTION-2022-129**

Councillor Jamie Armstrong made a motion that the request for support from the Municipality of Clarington regarding the Municipality of Clarington's Comprehensive Zoning By-law Review Project be received and filed. Councillor Jeannette Douglas seconded the motion.

**Carried**

## **7 STAFF REPORTS**

- a) **Drainage Superintendent's Report:** Hustler Drain Tender Results

**RESOLUTION-2022-130**

Deputy Mayor Frank Nemcek made a motion that Council accepts the low tender submitted by JLH Excavating in the amount of \$23,696.10 including HST. Councillor Jeannette Douglas seconded the motion.

**Carried**

- b) **Drainage Superintendent's Report:** Steadman Drain No. 1 Tender Results

**RESOLUTION-2022-131**

Councillor Jamie Armstrong made a motion that Council accepts the low tender submitted by Robinson Farm Drainage in the amount of \$222,280.04 including HST. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- c) **Drainage Superintendent's Report:** Summary Report

**RESOLUTION-2022-132**

Councillor Jeannette Douglas made a motion that Council receive and file the Drainage Superintendents monthly report; and that the recommendation(s) on the Bourne Drain and Cook Drain as outlined in the report of the Drainage Superintendent dated April 2022 be approved. Councillor Jamie Armstrong seconded the motion.

**Carried**

- d) **Drainage Superintendent's Report:** Request for Maintenance

**RESOLUTION-2022-133**

Councillor Jamie Armstrong made a motion that Council directs staff to forward the drain maintenance request on the Courtright Drain to the Drainage Superintendent with the power to act. Councillor Jeannette Douglas seconded the motion.

**Carried**

- e) **Clerk-Administrator's Report:** Warwick Fire Agreement Renewal

**RESOLUTION-2022-134**

Deputy Mayor Frank Nemcek made a motion that the Clerk Administrator and Mayor be authorized to sign the authorizing By-law and fire agreement between the Municipality and the Township of Warwick. Councillor Jeannette Douglas seconded the motion.

**Carried**

- f) **Clerk-Administrator's Report:** Requests from the Brooke-Alvinston Ag Society -Pro Rodeo

**RESOLUTION-2022-135**

Councillor Jeannette Douglas made a motion that the Council of the Municipality of Brooke-Alvinston declares the Alvinston Pro Rodeo being held June 17-19, 2022 as an event of municipal significance and acknowledges that the Brooke-Alvinston Agricultural Society will be applying for a Special Occasion Permit (SOP) for the Brooke-Alvinston-Inwood Community Centre Complex / Pavilion / Grounds at 3310 Walnut Street; and that

The Council of the Municipality of Brooke-Alvinston waive section 3.9 of By-law 37 of 2021 to allow noise to extend to 2 a.m. during the 2022 Alvinston Pro Rodeo; and that

The Brooke-Alvinston Ag Society be allowed to use an off road vehicle on the BAICCC grounds during the Alvinston Pro Rodeo event only. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- g) **Clerk-Administrator's Report:** Proposed Development(s) in Brooke-Alvinston

**RESOLUTION-2022-136**

Deputy Mayor Frank Nemcek made a motion that the report titled Proposed Development in Brooke-Alvinston be received and filed. Councillor Jamie Armstrong seconded the motion.

**Carried**

- h) **Clerk-Administrator's Report:** Joint Audit Compliance Committee

**RESOLUTION-2022-137**

Councillor Jeannette Douglas made a motion that the By-law presented to authorize a Joint Audit Compliance Committee be approved. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- i) **Clerk-Administrator's Report:** Special Meeting of Council

**RESOLUTION-2022-138**

Deputy Mayor Frank Nemcek made a motion that a special meeting of Council be scheduled for May 19, 2022 at 4 pm for the consideration of three drain reports and to hold a public meeting for a rezoning application. Councillor Jamie Armstrong seconded the motion.

**Carried**

- j) **Parks & Recreation Supervisor's Report:** Potential of Early Ice - BAICCC

### **RESOLUTION-2022-139**

Councillor Jeannette Douglas made a motion that the Council of the Municipality of Brooke-Alvinston direct Administration to discuss options with the Alvinston Ag Society to exempt the ice surface only from the agreement for use during the Fall Fair to allow early ice installation at the BAICCC. Councillor Jamie Armstrong seconded the motion.

**Carried**

- k) **Public Works Manager's Report:** Seismic Testing

### **RESOLUTION-2022-140**

Deputy Mayor Frank Nemcek made a motion that Council approve entering into an agreement with ELS and Company for seismic testing on Inwood Road from Churchill to Petrolia Line at a rate of \$100/km Councillor Jeannette Douglas seconded the motion.

**Carried**

- l) **Public Works Manager's Report:** 2022 Dust Suppressant

### **RESOLUTION-2022-141**

Councillor Jamie Armstrong made a motion That the lowest tender received from Den Mar Brines for the supply, haul and application of dust suppressant in the amount of \$216.96 flake / tonne (including tax) be accepted. Councillor Jeannette Douglas seconded the motion.

**Carried**

- m) **Public Works Manager's Report:** 2022 Road Race

### **RESOLUTION-2022-142**

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston has no objections to the temporary road closure of Nauvoo Road between Alvinston and Watford and the temporary closure of Churchill Line from Donnelly Road to Nauvoo Road on Monday, May 23, 2022 for the Watford-Alvinston Optimist Road Race and that Churchill Line to Ebenezer Road be used as the detour route during the road race. Councillor Jeannette Douglas seconded the motion.

**Carried**

- n) **Public Works Manager's Report:** Appointment of Engineer - Phase 2 Optimist Project

### **RESOLUTION-2022-143**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston appoint Spriet Engineering for the architectural / engineering services and waives the requirements for a competitive process in favour of a negotiated process for the Municipality for the reason that the Public Works Manager has worked with Spriet Engineering in the past and Spriet was the original firm appointed in the construction of the BAICCC. Councillor Jamie Armstrong seconded the motion.

**Carried**

Councillor Armstrong stated that the phase 2 project was a municipal project and not an Optimist project. The Optimist club agreed to fundraise for the project. He noted the minutes in October 2021 would reflect this.

- o) **Fire Chief's Report:** Brooke Fire Rescue - Quarterly Report

### **RESOLUTION-2022-144**

Deputy Mayor Frank Nemcek made a motion that the quarterly report presented by the Fire Chief be received and filed. Councillor Jeannette Douglas seconded the motion.

**Carried**

- p) **CEMC Report:** Emergency Preparedness Week - 2022

**RESOLUTION-2022-145**

Councillor Jamie Armstrong made a motion that May 1-7, 2022 be declared Emergency Preparedness Week in the Municipality. Councillor Jeannette Douglas seconded the motion.

**Carried**

- q) **Treasurer's Report:** Accounts Payable Listing - March 2022

The accounts paid for March 2022 were reviewed

**8 BY-LAWS**

- a) By-law 6 of 2022 - Bourne Drain - third and final reading

Mayor Ferguson declared a conflict of interest as an assessed owner on the drain and did not participate in the vote.

**RESOLUTION-2022-146**

Councillor Jeannette Douglas made a motion that the Bourne Drain By-law receive third and final reading. Councillor Jamie Armstrong seconded the motion.

**Carried**

- b) By-law 8 of 2022 - Johnson-Symington Drain - third and final reading

**RESOLUTION-2022-147**

Councillor Jamie Armstrong made a motion that the Johnson-Symington By-law receive third and final reading. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- c) By-law 9 of 2022 - Steadman Drain No. 1 -third and final reading

**RESOLUTION-2022-148**

Councillor Jamie Armstrong made a motion that the Steadman Drain No. 2 By-law receive third and final reading. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- d) By-law 20 of 2022 - Drain Maintenance By-law

**RESOLUTION-2022-149**

Councillor Jamie Armstrong made a motion that By-law 20 of 2022 be read a first, second and third time and finally passed this 14th day of April 2022. Councillor Jeannette Douglas seconded the motion.

**Carried**

- e) By-law 21 of 2022 - By-law adopting the Ballot Recount Policy

**RESOLUTION-2022-150**

Councillor Jeannette Douglas made a motion that By-law 21 of 2022 be read a first, second and third time and finally passed this 14th day of April 2022.  
Councillor Jamie Armstrong seconded the motion.

**Carried**

- f) By-law 22 of 2022 - By-law to authorize agreement with Township of Warwick

**RESOLUTION-2022-151**

Councillor Jamie Armstrong made a motion that By-law 22 of 2022 be read a first, second and third time and finally passed this 14th day of April 2022.  
Councillor Jeannette Douglas seconded the motion.

**Carried**

- g) By-law to authorize a Joint Audit Compliance Committee

**RESOLUTION-2022-152**

Councillor Jamie Armstrong made a motion that By-law 23 of 2022 be read a first, second and third time and finally passed this 14th day of April 2022.  
Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

**RESOLUTION-2022-153**

Councillor Jamie Armstrong made a motion that the Confirming By-law be read a first, second and third time and finally passed this 14th day of April 2022.  
Councillor Jeannette Douglas seconded the motion.

**Carried**

**9 NEW BUSINESS**

**10 CLOSED SESSION**

**11 RISE AND REPORT**

**12 BY-LAW CONFIRMING PROCEEDINGS**

- a) Confirming By-law

**RESOLUTION-2022-154**

Councillor Jamie Armstrong made a motion that By-law 24 of 2022 be read a first, second and third time and finally passed this 14th day of April 2022.  
Councillor Jeannette Douglas seconded the motion.

**Carried**

**13 ADJOURNMENT**

A motion was made by Councillor Armstrong to adjourn the meeting at 4:52 p.m..

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Clerk-Administrator

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Mayor