



# MINUTES

## Council Meeting

4:30 PM - Thursday, February 9, 2023  
Municipal Office

The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, February 9, 2023, at 4:30 PM, in the Municipal Office, with the following members present:

**Council Present:** Mayor David Ferguson, Deputy Mayor Frank Nemcek, Councillor Jenny Redick, Councillor Don McCabe, and Councillor Craig Sanders

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

**Regrets:**

### 1 CALL TO ORDER

The Mayor called the meeting to order at 4:30 p.m.. Councillor Don McCabe and Treasurer Stephen Ikert participated virtually.

### 2 DISCLOSURE OF PECUNIARY INTEREST

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

### 3 MINUTES

a) Regular Council Meeting Minutes of January 26, 2023

#### **RESOLUTION-2023-041**

Deputy Mayor Frank Nemcek made a motion that the January 26, 2023 regular Council meeting minutes be approved as amended. Councillor Craig Sanders seconded the motion.

**Carried**

### 4 BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

### 5 DELEGATIONS & TIMED EVENTS

a) St. Clair Region Conservation Authority

Ken Phillips of the SCRCA was present to provide to Council information on the Authority, including the lands and its' use, departments, activities and new changes proposed in 2023 and changes with Bill 23.

b) Baker Tilly Sarnia

The municipally appointed Auditor provided a brief education session to Council on the Audit engagement and governance. He discussed Public Sector Accounting (PSAB) and reporting frameworks. He further discussed governance as the combination of processes and structures implemented by Council.

## 6 CORRESPONDENCE

### a) Municipal information

The Mayor noted that two residents, Bob Walsh and Mary Tizzard will be receiving volunteer awards through the SCRCA.

#### **RESOLUTION-2023-042**

Councillor Jenny Redick made a motion that the circulated correspondence be received and filed. Councillor Craig Sanders seconded the motion.

**Carried**

### b) Lambton Group Police Service Board - Request for Support

#### **RESOLUTION-2023-043**

Deputy Mayor Frank Nemcek made a motion WHEREAS changes to our judicial system implemented through recommendation of the Ministry of the Attorney General to clear court dockets, free up crown attorney case load and court time while promoting lessening incarceration sentences and granting lenient bail for most offenders have created a paradigm shift that appears to result in the criminal being favoured while not considering the safety of the public. We recognize and value the of innocent until proven guilty, but we are seeing an increasing number of instances where dangerous offenders continue to offend while at large on bail and receiving consideration on the offences when they have their day in court;

AND WHEREAS this practice is resulting in direct ineffectiveness of the court and fostering an attitude of indifference, as offenders of all nature of crimes, including violent offenders are not repenting from their mistakes, rather these offenders are re-offending. Often they are re-offending through a higher crime knowing that the consequences will not be severe or in relation to the punishment of the crime committed. Offenders have an awareness that if they are apprehended and release on bail, they are free to offend much more, knowing plea bargains will be struck for a conviction on a minimal number of offences, while the overwhelming bulk of charges are dismissed;

ANDWHEREAS the actions of the Ministry of the Attorney General has created frustration among law enforcement who's profession is to protect the public and keep communities safe resulting in morale implications to police forces across the province, including the Lambton OPP;

AND WHEREAS as recent devastating events across the province have begun to demonstrate a breakdown in the Criminal Justice System, with violent, repeat offenders being granted release, on conditions that are not respected or adhered to, with no penalty for those actions. There needs to be more consideration to the dangers of releasing offenders into the community while awaiting court and greater resolve to protect public safety by more stringent release conditions when bail is granted. We are aware of the decision of R. vs. Jordan and the need to expedite trials through the court system so justice is served in a fair and timely manner. We are supporters and advocates of justice and safety for all.

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Brooke-Alvinston call upon the Hon. Doug Downey, Attorney General of Ontario to:

1. Revisit policies and procedures that permit offenders to plea bargain numerous offences to a minimal number of offences, thereby reducing their sentencing. There must be consequences for actions of violent, repeat offenders; and
2. Revisit the bail release system, so those who are violent or repeat offenders remain incarcerated while awaiting bail to preserve and protect public safety.

AND THAT this resolution of council be forwarded to Attorney General of Ontario Hon. Doug Downey, Solicitor General Hon. Michael Kerzner, MPP Bob Bailey, MPP Monte McNaughton and County of Lambton Warden Kevin Marriott.

Councillor Craig Sanders seconded the motion.

**Carried**

- c) Village of Point Edward - Request for Support

**RESOLUTION-2023-044**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston support the resolution from the Village of Point Edward to call on the federal government to support our Premiers' call to make changes to prevent accused persons who are out on bail from committing further criminal acts and to commit to a thorough review of the bail system in Canada. Councillor Jenny Redick seconded the motion.

**Carried**

- d) Town of Petrolia - Request for support of Resolution

**RESOLUTION-2023-045**

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston support the Town of Petrolia's request that school boards become responsible for conducting their own trustee elections or at minimum municipalities be compensated by the school boards for overseeing such trustee elections. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- e) City of Thunder Bay - Request for support of Resolution

**RESOLUTION-2023-046**

Councillor Jenny Redick made a motion that the Council of the Municipality of Brooke-Alvinston receive and file the request from the City of Thunder Bay. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

## 7 STAFF REPORTS

- a) Treasurer's Report: 2023 Draft Budget Presentation

The Treasurer presented the DRAFT 2023 budget to Council for comment (and direction on additions or deletions) on the department proposals. The following department(s) were discussed:

**PARKS & RECREATION** - Council members commented on particulars in the budget including the proposed lawnmower, improvements to the referee room, doors and bleachers for Inwood

**RESOLUTION-2023-047**

Councillor Don McCabe made a motion that \$55,000 be placed in the 2023 budget for playground resurfacing in Inwood. seconded the motion.

**DEFEATED. 1-3 (opposed: Deputy Mayor Frank Nemcek, Councillor Jenny Redick, and Councillor Craig Sanders).**

The Mayor noted that with supply delays, Council would be asked to consider approval of the proposed lawn mower and bleachers for timely arrival (and in time for Inwood's 150th) later in the meeting.

*There were no additions or deletions by Council made to the Parks & Recreation draft budget.*

### **RESOLUTION-2023-048**

Deputy Mayor Frank Nemcek made a motion that Council approve the purchase of the lawn mower (\$21,350) and bleachers (\$11,500) prior to the budget adoption. Councillor Don McCabe seconded the motion.

**Carried**

**BROOKE FIRE RESCUE**- comments surfaced on the noted drainage work and explanation on the equipment needed.

*There were no additions or deletions made by Council to the Fire Budget.*

**ROADS DEPARTMENT** - Councillor Sanders inquired if staff could talk to Adelaide Metcalfe about proposed work done on the hill on the east end of LaSalle & Sexton for potential cost savings.

Staff advised the gravel tender has been sent out with results being presented at the next regular meeting for Council approval.

*There were no additions or deletions made by Council to the Roads draft budget.*

### **OTHER BUDGET ITEMS**

i) Hospital Donation

It was noted that there was a notice of motion made in a previous meeting that a donation be made to both Petrolia and Four Counties Hospital; staff noted that \$5,300 was placed in the budget and Council could keep that amount or raise it and direct staff where to issue it to (both or separate)

ii) Proposed Fencing (\$16,100)

### **RESOLUTION-2023-049**

Councillor Don McCabe made a motion that the item of fencing listed in the Parks & Recreation budget (\$16,100) be deferred seconded the motion.

**DEFEATED. 1-3 (opposed: Deputy Mayor Frank Nemcek, Councillor Jenny Redick, and Councillor Craig Sanders).**

b) **Clerk Administrator's Report**: 2023 Rabies Clinic

### **RESOLUTION-2023-050**

Deputy Mayor Frank Nemcek made a motion that Brooke-Alvinston host a Rabies Clinic in the pavilion at the BAICCC on April 15, 2023 pending veterinarian availability. Councillor Jenny Redick seconded the motion.

**Carried**

ii) Community Improvement Program

The Clerk Administrator requested Council to consider adding monies to the Community Improvement Program

### **RESOLUTION-2023-051**

Councillor Craig Sanders made a motion that Council add \$5000 to the budget for the Community Improvement Plan Councillor Jenny Redick seconded the motion.

**Carried**

c) **Clerk Administrator's Report**: Notice of Public Meeting

### **RESOLUTION-2023-052**

Councillor Craig Sanders made a motion that the attached notice (Durham subdivision) be received and filed. Councillor Jenny Redick seconded the motion.

**Carried**

- d) **Clerk Administrator's Report:** Pavilion Bar Agreement with the Optimist Club

Councillor Nemcek declared a conflict of interest as he is an Optimist Member and the item dealt with money between the Municipality and the Optimist Club. He did not participate in the discussion.

**RESOLUTION-2023-053**

Councillor Craig Sanders made a motion that the attached agreement be reviewed by Council and that staff forward to the Optimist Club a letter recommending an adjustment in the annual fee due to increased electricity costs. Councillor Don McCabe seconded the motion.

**Carried**

- e) **Clerk Administrator's Report:** Inwood 150th Anniversary Celebration

**RESOLUTION-2023-054**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston support the planning and celebration of the Inwood 150th anniversary committee and agrees to waive the rental fee for the grounds, ballpark and pavilion for the June 24-25, 2023 weekend. Councillor Jenny Redick seconded the motion.

**Carried**

**8 BY-LAWS**

- a) **By-law 8 of 2023** - Borrowing By-law  
(Verbal update will be provided prior to passing- repeal By-law 4 of 2023)

**RESOLUTION-2023-055**

Deputy Mayor Frank Nemcek made a motion that By-law 8 of 2023 be read a first, second and third time and finally passed this 9th day of February 2023. Councillor Don McCabe seconded the motion.

**Carried**

- b) **By-law 9 of 2023** - Rating By-law

**RESOLUTION-2023-056**

Councillor Craig Sanders made a motion that By-law 9 of 2023 be read a first, second and third time and finally passed this 9th day of February 2023. Councillor Jenny Redick seconded the motion.

**Carried**

- c) **By-law 10 of 2023** - Appointment of an Integrity Commissioner

**RESOLUTION-2023-057**

Deputy Mayor Frank Nemcek made a motion that By-law 10 of 2023 be read a first, second and third time and finally passed this 9th day of February 2023. Councillor Craig Sanders seconded the motion.

**Carried**

**9 NEW BUSINESS**

- a) Optimist Phase 1 & 2/3 Proposal: Review of Plans meeting date(s)

The Clerk Administrator advised that the Phase 2/3 drawings were received and according to the January 26, 2023 resolution she would forward to the Optimist Building Committee Chair (Jamie Armstrong). A meeting date was requested for the Optimist Building Committee and Council to review. The date selected was March 23, 2023 at 4:30 p.m..

**b) Suggestions for 2023 Senior of the Year**

The Clerk Administrator requested Council members to think about potential Senior of the Year nominees.

**c) Ag Society - installation of waterline, internet and electrical**

The Clerk Administrator advised that the AG Society provided notification of their intent to proceed with the project. Staff will connect the Ag Society with contacts with Bluewater Power if requested. Staff will also draft an agreement up for the project regarding maintenance and other particulars of the proposal

**d) NPG Survey - the Clerk Administrator circulated copies of the NPG Survey; the report will be released publically at a later time.**

**e) Ontario Agriculture Hall of Fame - the Mayor noted that Carolynne Griffith had been recently elected to the Ontario Agricultural Hall of Fame.**

**10 CLOSED SESSION**

**11 RISE AND REPORT**

**12 BY-LAW CONFIRMING PROCEEDINGS**

**a) By-law 11 of 2023 - Confirming By-law**

**RESOLUTION-2023-058**

Councillor Jenny Redick made a motion that By-law 11 of 2023 be read a first, second and third time and finally passed this 9th day of February 2023. Councillor Craig Sanders seconded the motion.

**Carried**

**13 ADJOURNMENT**

Councillor Nemcek made a motion to adjourn the meeting at 6:50 p.m..

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Clerk-Administrator

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Mayor