



# MINUTES

## Council Meeting

3:30 PM - Thursday, April 13, 2023  
Municipal Office

The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, April 13, 2023, at 3:30 PM, in the Municipal Office, with the following members present:

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

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

**Regrets:**

### 1 CALL TO ORDER

The Mayor called the meeting to order at 3:30 p.m..

### 2 DISCLOSURE OF PECUNIARY INTEREST

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

### 3 MINUTES

a) Special Meeting minutes of March 16, 2023

#### **RESOLUTION-2023-117**

Deputy Mayor Frank Nemcek made a motion that the minutes of the March 16, 2023 public meeting on the Durham Plan of Subdivision be approved as presented without error or omission. Councillor Craig Sanders seconded the motion.

**Carried**

b) Regular Council Meeting Minutes of March 23, 2023

#### **RESOLUTION-2023-118**

Councillor Craig Sanders made a motion that the minutes of the March 23 regular session of Council be approved as presented without error or omission. Councillor Don McCabe seconded the motion.

**Carried**

### 4 BUSINESS ARISING FROM THE MINUTES

### 5 DELEGATIONS & TIMED EVENTS

a) BM Ross Presentation

Ken Logtenberg and Dale Erb, Engineers from BM Ross were present at Council to give a brief and comprehensive education session on bridge inspections, asset management and subdivisions.

### 6 CORRESPONDENCE

a) Municipal Information

**RESOLUTION-2023-119**

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

**Carried**

- b) Request from the Busy B Association

**RESOLUTION-2023-120**

Councillor Jenny Redick made a motion that the request for support from the Busy B Association be received and filed. Councillor Don McCabe seconded the motion.

**Carried**

- c) Request from Chatham - Kent Re: Municipal Insurance Costs

**RESOLUTION-2023-121**

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston support the Municipality of Chatham-Kent's motion to assist with determining what tools may be available to reduce insurance costs, including cooperative purchasing of insurance, creation of a municipal reciprocal insurance provider or legislative changes to address insurance costs to municipalities. Councillor Craig Sanders seconded the motion.

**Carried**

- d) Request from Chatham-Kent Re: Bill 5

**RESOLUTION-2023-122**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston support the motion from the Municipality of Chatham-Kent in support of Bill 5-Stopping Harassment and Abuse by Local Leaders Act. Councillor Jenny Redick seconded the motion.

**Carried**

- e) Request from the Town of Essex Re: Surplus Proceeds from Tax Sales

**RESOLUTION-2023-123**

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston support the Town of Essex urging the province to reinstate previous legislation that permitted a Municipality to apply for and retain the surplus proceeds from a tax sale in their jurisdiction. Councillor Craig Sanders seconded the motion.

**Carried**

- f) Request from the Township of South Glengarry

**RESOLUTION-2023-124**

Councillor Craig Sanders made a motion that the Council of the Municipality of Brooke-Alvinston supports the motion from the Township of South Glengarry in regards to the moratorium on pupil accommodation reviews. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- g) Request from AORS

**RESOLUTION-2023-125**

Councillor Don McCabe made a motion that the Municipality of Brooke-Alvinston strongly opposes utility locate costs being downloaded to Ontario

municipalities by Enbridge gas and other utilities. Councillor Craig Sanders seconded the motion.

**Carried**

## **7 STAFF REPORTS**

### **a) Drainage Superintendent's Report**

#### **RESOLUTION-2023-126**

Councillor Don McCabe made a motion that Council accept the report on the **Hay Drain** as information; and that that assessed owners on the Hay Drain be invited to an onsite meeting to discuss the drain. Councillor Jenny Redick seconded the motion.

**Carried**

#### **RESOLUTION-2023-127**

Councillor Craig Sanders made a motion that prior to the approval of the abandonment of the **Edgar Drain Branch Extension**, that a new municipal road crossing under Salem Road be installed at the expense of the owner; and that a new catch basin is installed on the east side of Salem Road with the cost split 50% / 50% to roll numbers 50-145 and 50-146 and that Council approves the work for the road crossing to be completed based on time and material rates using Bruce Poland and Sons. Councillor Jenny Redick seconded the motion.

**Carried**

#### **RESOLUTION-2023-128**

Councillor Don McCabe made a motion that R. Dobbin Engineering be appointed under section 78 of the Drainage Act to prepare a new report on the **Wilcox Drain**. Councillor Craig Sanders seconded the motion.

**Carried**

#### **RESOLUTION-2023-129**

Deputy Mayor Frank Nemcek made a motion that due to the emergency replacement of the culvert on the **Wilcox Drain**, that the Drainage Superintendent be authorized to tender and approve the replacement of the culvert with consultation with municipal staff. Councillor Jenny Redick seconded the motion.

**Carried**

#### **RESOLUTION-2023-130**

Councillor Craig Sanders made a motion that Council approve of Calvin Schouten completing the special benefit work only on the **Hasting Drain**. Councillor Don McCabe seconded the motion.

**Carried**

#### **RESOLUTION-2023-131**

Councillor Jenny Redick made a motion that Council receive and file the Drainage Superintendent's report submitted for the April 13, 2023 meeting. Councillor Don McCabe seconded the motion.

**Carried**

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

#### **RESOLUTION-2023-132**

Councillor Jenny Redick 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 Craig Sanders seconded the motion.

**Carried**

- c) **Clerk Administrator's Report:** Canada Day - SOP Request (Optimist Club)

**RESOLUTION-2023-133**

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston has no objections to the Alvinston Optimist Club obtaining a Special Occasion Permit for the Canada Day 2023 events (June 30-July 1, 2023) as the event is deemed an event of municipal significance to the community. Councillor Craig Sanders seconded the motion.

**Carried**

- d) **Public Works Superintendent's Report:** 2023 Dust Suppressant

**RESOLUTION-2023-134**

Councillor Don McCabe 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 \$297.36 flake / tonne (including tax) be accepted. Councillor Jenny Redick seconded the motion.

**Carried**

- e) **Clerk Administrator's Report:** New Municipal By-law for Road Occupancy permit

**RESOLUTION-2023-135**

Councillor Jenny Redick made a motion that Council approve the draft By-law to regulate occupancy on the streets and roads and right of ways owned by the Municipality of Brooke Alvinston Councillor Craig Sanders seconded the motion.

**Carried**

- f) **Clerk Administrator's Report:** Optimist Phase 1 Proposal

**RESOLUTION-2023-136**

Councillor Craig Sanders made a motion that Council direct staff to forward to the Architect/ Engineer (Spriet) the recommended changes to the dressing room area only on the submitted plans for revision and pricing once payment from the Optimist Club for 50% of the plans price is received. Councillor Don McCabe seconded the motion.

**Carried**

- g) **Clerk Administrator's Report:** Memorial Bench & Water Fountain -BAICCC

**RESOLUTION-2023-137**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston grant permission to the Alvinston Optimist Club to purchase and install a water fountain on the BAICCC grounds at their cost and provided the grounds are returned to their original condition; and that further permission be granted to place a memorial table on the grounds. Councillor Don McCabe seconded the motion.

**Carried**

- h) **Clerk Administrator's Report:** Memorial Bench - Ruth Leitch

### **RESOLUTION-2023-138**

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston has no objections to a memorial bench being placed outside of the Alvinston Library doors in memory of Ruth Leitch. Councillor Craig Sanders seconded the motion.

**Carried**

- i) **Clerk Administrator's Report:** PARC Committee

### **RESOLUTION-2023-139**

Councillor Jenny Redick made a motion that Council direct staff to put a call out for applications to the PARC committee to fill the grounds and skating vacancies and provide a report to Council. Councillor Don McCabe seconded the motion.

**Carried**

- j) **Clerk Administrator's Report:** License Renewal

### **RESOLUTION-2023-140**

Councillor Don McCabe made a motion That Council authorize the agreement presented between Hydro One (His Majesty the King in right of Ontario as represented by Ontario Infrastructure and Lands Corporation (OILC) for the license of land for public recreational purposes. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- k) **Fire Chief / CEMC's Report:** Emergency Preparedness Week - 2023

### **RESOLUTION-2023-141**

Councillor Don McCabe made a motion That May 1-13, 2023 be declared Emergency Preparedness Week in the Municipality. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- l) **Clerk Administrator's Report:** Ball Fence Advertising

### **RESOLUTION-2023-142**

Councillor Craig Sanders made a motion that staff be directed to offer advertising opportunities on the ball fences in Brooke-Alvinston with the banner type product outlined. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

## **8 BY-LAWS**

- a) By-law 18 of 2023 - Fees By-law

### **RESOLUTION-2023-143**

Councillor Craig Sanders made a motion that By-law 18 of 2023 be read a first, second and third time and finally passed this 13th day of April 2023. Councillor Don McCabe seconded the motion.

**Carried**

- b) By-law 19 of 2023 - Road Permit By-law

### **RESOLUTION-2023-144**

Deputy Mayor Frank Nemcek made a motion that By-law 19 of 2023 be read a first, second and third time and finally passed this 13th day of April, 2023. Councillor Don McCabe seconded the motion.

**Carried**

- c) By-law 20 of 2023 - Hydro One Agreement

**RESOLUTION-2023-145**

Councillor Craig Sanders made a motion that By-law 20 of 2023 be read a first, second and third time and finally passed this 13th day of April 2023. Councillor Don McCabe seconded the motion.

**Carried**

**9 NEW BUSINESS**

- a) The Public Works Superintendent noted Nauvoo Road will be closed effective May 1, 2023 from Rokeby to Petrolia Line while construction is being done.
- b) Councillor McCabe noted the Lambton Federation of Agriculture is planning a tour for Councillors on June 28th around the County.
- c) Councillor McCabe requested a status update on the pavilion agreement with the Optimist Club. The Clerk Administrator noted that a letter was sent out in February and March requesting information with no response. The Secretary Treasurer, upon request provided information that the matter was deferred until more Optimist members were present. The Administrator and Parks & Recreation Manager later met with Optimist members Rob Van Dyk and Jeff McLachlan and discussed a potential solution for presentation to the club on April 3rd. There has been no communication received from the club to date.

**10 CLOSED SESSION**

**11 RISE AND REPORT**

**12 BY-LAW CONFIRMING PROCEEDINGS**

- a) By-law 21 of 2023

**RESOLUTION-2023-146**

Councillor Don McCabe made a motion that By-law 21 of 2023 be read a first, second and third time and finally passed this 13th day of April, 2023. Councillor Jenny Redick seconded the motion.

**Carried**

**13 ADJOURNMENT**

Councillor Nemcek made a motion to adjourn at 5:20 p.m..

---

Clerk-Administrator

---

Mayor