



MINUTES

Council Meeting

4:30 PM - Thursday, October 26, 2023
Municipal Office

The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, October 26, 2023, at 4:30 PM, in the Municipal Office, with the following members present:

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

Staff Present: Treasurer Stephen Ikert, Fire Chief Steve Knight, Administrative Assistant Darlene Paolucci, Public Works Superintendent Jamie Butler, Parks and Recreation Manager Greg Thornicroft, Engineer Ray Dobbin, Corrine Nauta, and Manager of Planning & Development at Lambton County Ken Melanson

Regrets: Clerk Administrator Janet Denkers

1 CALL TO ORDER

The Mayor called the meeting to order at 4:30 p.m.

2 DISCLOSURE OF PECUNIARY INTEREST

The Mayor requested that any pecuniary interests be declared when appropriate.

3 MINUTES

a) Regular Council Meeting Minutes of October 12, 2023

RESOLUTION-2023-014

Councillor Craig Sanders made a motion that the October 12, 2023 regular Council meeting minutes be approved as presented without error or omissions. Councillor Don McCabe seconded the motion.

Carried

4 BUSINESS ARISING FROM THE MINUTES

5 DELEGATIONS & TIMED EVENTS

a) Court of Revision : Edgar Podolinsky Drain

There were no assessed members present for the Court of Revision.

RESOLUTION-2023-015

Councillor Jenny Redick made a motion that the Court of Revision for the Edgar Podolinsky Drain be opened. Councillor Craig Sanders seconded the motion.

Carried

b) Action from the Court

RESOLUTION-2023-016

Councillor Craig Sanders made a motion that the assessments for the Edgar Podolinsky Drain be confirmed as presented in the Engineer's Report dated July 20, 2023. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- c) Court of Revision 2nd - Morwood Petition Drain

Assessed owners present: Earl Morwood, Randy Molzan, Bob Van Damme

RESOLUTION-2023-017

Deputy Mayor Frank Nemcek made a motion that the 2nd Court of Revision for the Morwood Petition Drain be opened. Councillor Craig Sanders seconded the motion.

Carried

- d) Action from the Court

Bob Van Damme argued that he should not have to pay for surface water as per the Drainage Act.

Randy Molzan claimed that he is paying a majority of the cost associated with the drain and that the drain is of no benefit to him or Bob Van Damme.

The Engineer explained the Tribunal process for appealing the assessed costs of the drain.

RESOLUTION-2023-018

Councillor Craig Sanders made a motion that the assessments for the Morwood Petition Drain be confirmed as presented in the revised Schedule of Assessment dated September 28, 2023. Councillor Don McCabe seconded the motion.

Carried

- e) Building Services Report - 7523 Petrolia Line.

RESOLUTION-2023-019

Councillor Jenny Redick made a motion that the CBO issue a conditional building permit for the project at 7523 Petrolia Line and impose conditions or restrictions with respect to the conditional permit issuance. Councillor Craig Sanders seconded the motion.

Carried

- f) Terry Piche, Ontario Recreation Facilities Association Inc. (virtual)

Mr. Piche was present virtually to explain the roles and responsibilities of the refrigeration plant in a recreation facility.

6 CORRESPONDENCE

- a) Municipal Correspondence

RESOLUTION-2023-020

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

Carried

- b) Township of Clearview

RESOLUTION-2023-021

Councillor Jenny Redick made a motion that the request from the Township of Clearview be received and filed. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- c) Town of Cobourg

RESOLUTION-2023-022

Councillor Don McCabe made a motion that the request from the Town of Cobourg be received and filed. Councillor Craig Sanders seconded the motion.

Carried

- d) Town of Midland

RESOLUTION-2023-023

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston support the Town of Midland's request for improvements to the current state of "catch and release" justice in the Ontario legal system. Councillor Craig Sanders seconded the motion.

Carried

- e) Township of East Hawkesbury

RESOLUTION-2023-024

Councillor Don McCabe made a motion that the request for support from the Township of East Hawkesbury be received and filed. Councillor Jenny Redick seconded the motion.

Carried

- f) Township of McKellar

RESOLUTION-2023-025

Councillor Jenny Redick made a motion that the request for support from the Township of McKellar be received and filed. Councillor Don McCabe seconded the motion.

Carried

7 STAFF REPORTS

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

Petition for Drainage Works

RESOLUTION-2023-026

Councillor Craig Sanders made a motion that Council accept the submitted petition by Jason Podolinsky for property located at Lot 6, Con 6; and that R. Dobbin Engineering be appointed to investigate the area. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- b) Drain Maintenance Request - 13th Concession Drain

RESOLUTION-2023-027

Councillor Craig Sanders made a motion that the drain maintenance request be forwarded to the Drainage Superintendent with the power to act. Councillor Jenny Redick seconded the motion.

Carried

- c) **Parks & Recreation Manager's Report:** Proposed mound - Optimist Diamond

Councillor Redick stated that she does not think that installing a permanent mound is feasible at this time.

Jason Migchels was present to speak on behalf of Alvinston Minor Ball.

RESOLUTION-2023-028

Councillor Don McCabe made a motion that approval be given to place a pitching mound on the Optimist hardball diamond. Councillor Jenny Redick seconded the motion.

Carried 4-1 (opposed: Councillor Jenny Redick).

- d) **Clerk Administrator's Report:** Cost Apportioning Agreement - SCRCA

RESOLUTION-2023-029

Councillor Craig Sanders made a motion that this report be received and filed; and that the proposed cost apportioning agreement with the SCRCA be approved; and that the Mayor and Clerk be authorized to sign all necessary documents. Deputy Mayor Frank Nemcek seconded the motion.

Carried 3-1 (opposed: Deputy Mayor Frank Nemcek).

- e) **Clerk Administrator's Report:** Joint Service Fire Agreement

RESOLUTION-2023-030

Councillor Craig Sanders made a motion that the Mayor and Clerk be authorized to sign the revised joint fire services agreement as presented. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- f) **Clerk Administrator's Report:** Licensing a portion of the arena stands - Hayter Memorial Hockey Tournament

Councillor McCabe declared a conflict of interest and did not participate in the vote.

RESOLUTION-2023-031

Councillor Jenny Redick made a motion that the Council of the Municipality of Brooke-Alvinston allow alcohol to be served in the stands at the 2023 Hayter Memorial Hockey Tournament games provided the conditions presented in the report are followed. Councillor Craig Sanders seconded the motion.

Carried

- g) **Treasurer's Report:** Ontario Municipal Partnership Fund

Councillor McCabe requested that the Treasurer prioritize spending of our Asset Management Plan.

RESOLUTION-2023-032

Councillor Don McCabe made a motion that Council receive and file the Ontario Municipal Fund (OMPF) 2024 Allocation Notice. Councillor Jenny Redick seconded the motion.

Carried

8 BY-LAWS

- a) By-law 39 of 2023 - Third & Final Reading of the Benner Duffy Drain

RESOLUTION-2023-033

Deputy Mayor Frank Nemcek made a motion that By-law 39 of 2023 be read a third time and finally passed this 26th day of October, 2023. Councillor Craig Sanders seconded the motion.

Carried

- b) By-law 48 of 2023 - Fire Service Agreement

RESOLUTION-2023-034

Councillor Jenny Redick made a motion that By-law 48 of 2023 be read a first, second, third time and finally passed this 26th day of October, 2023. Councillor Don McCabe seconded the motion.

Carried

- c) By-law 49 of 2023 - SCRCA Agreement

RESOLUTION-2023-035

Councillor Craig Sanders made a motion that By-law 49 of 2023 be read a first, second, third time and finally passed this 26th day of October, 2023. Councillor Jenny Redick seconded the motion.

Carried 3-1 (opposed: Deputy Mayor Frank Nemcek).

9 NEW BUSINESS

- a) The Fire Chief informed Council that the new fire truck has arrived. He also stated that there will be a "Pushing In" ceremony held November 25th and that more details will follow.
- b) Councillor Redick commented on the new sound system at the arena.

10 CLOSED SESSION

11 RISE AND REPORT

12 BY-LAW CONFIRMING PROCEEDINGS

- a) By-law 50 of 2023 - Confirming By-law

RESOLUTION-2023-036

Councillor Jenny Redick made a motion that By-law 50 of 2023 be read a first, second, third time and finally passed this 26th day of October, 2023. Councillor Craig Sanders seconded the motion.

Carried

13 ADJOURNMENT

Councillor Sanders made a motion to adjourn the meeting at 5:50 p.m.

Clerk-Administrator

Mayor