



MINUTES

Council Meeting

4:30 PM - Thursday, January 11, 2024
Municipal Office

The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, January 11, 2024, at 4:30 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, Parks and Recreation Manager Greg Thornicroft, Public Works Superintendent Jamie Butler, Manager of Planning & Development at Lambton County Ken Melanson, and County Planner Maria Cossa-Rossi

Regrets:

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 at the appropriate time.

3 MINUTES

a) Regular Council Meeting Minutes of December 14, 2023

RESOLUTION-2024-001

Councillor Jenny Redick made a motion that the regular Council meeting minutes of December 14, 2024 be approved as presented without error or omission. Councillor Craig Sanders seconded the motion.

Carried

b) Special Council Meeting minutes of December 21, 2023

RESOLUTION-2024-002

Councillor Jenny Redick made a motion that the special Council meeting minutes be approved as presented without error or omission. Deputy Mayor Frank Nemcek seconded the motion.

Carried

4 BUSINESS ARISING FROM THE MINUTES

5 DELEGATIONS & TIMED EVENTS

a) County of Lambton Planning Manager - site plan delegation

Ken Melanson of the County Planning Department presented his report on site plan delegation. With ample discussion, it was noted that conversation between staff and Council on applications should remain open.

RESOLUTION-2024-003

Councillor Craig Sanders made a motion that Council receive the report presented by the County Planning Department titled Site Plan Decision

Delegation By-law update - delegation of Site Plan Agreements; and that By-law 4 of 2024 as presented, a By-law to Amend By-law 38 of 2022 the Site Plan Delegation By-law be approved. Councillor Don McCabe seconded the motion.

Carried

6 CORRESPONDENCE

- a) Request from Alvinston Killer Bees Hockey Club - ATM

RESOLUTION-2024-004

Councillor Craig Sanders made a motion that the Request dated January 3, 2024 from the Alvinston Killer Bees Hockey Club be approved in principle with staff directed to discuss further with representatives and provide a report back to Council. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- b) Request from Alvinston Killer Bees Hockey Club - Camera System

RESOLUTION-2024-005

Councillor Jenny Redick made a motion that the request dated January 3, 2024 from the Alvinston Killer Bee Hockey Club to purchase and install a new camera system (at their expense) be approved with staff reporting back on the ongoing costs to operate the system. Councillor Craig Sanders seconded the motion.

Carried

- c) Request from Alvinston Killer Bees Hockey Club - Playoff Ice

RESOLUTION-2024-006

Councillor Jenny Redick made a motion that Council approve the extension of ice to accommodate the Alvinston Killer Bees potential playoff season in principal with staff to report back at the next meeting. Councillor Craig Sanders seconded the motion.

Carried

- d) General Correspondence (circulated)

Councillor McCabe requested the circulated correspondence on the Lambton EMS Master Plan be brought forward.

RESOLUTION-2024-007

Councillor Jenny Redick made a motion that the correspondence items circulated be received and filed. Deputy Mayor Frank Nemcek seconded the motion.

Carried

RESOLUTION-2024-008

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston endorse the presented 2024-2028 Lambton Emergency Services (EMS) Master Plan; and that a request be sent for the Manager to attend a Council meeting to discuss further. Councillor Craig Sanders seconded the motion.

Carried

- e) Request for Support - City of Greater Sudbury Re: Amendment to the Occupational Health & Safety Act to Clarify the Definition of Employer

RESOLUTION-2024-009

Councillor Craig Sanders made a motion that the Council of the Municipality of Brooke-Alvinston support the December 12, 2023 Council resolution from the Town of the Greater Grand Sudbury in requesting that the province amend the Occupational Health and Safety Act to clarify the definition of employer to exclude owners that have contracted with a constructor for a project. Councillor Don McCabe seconded the motion.

Carried

- f) Request for Support - City of Port Colborne Support Re request from Municipality of Tweed

RESOLUTION-2024-010

Councillor Craig Sanders made a motion that the correspondence circulated for support from the Municipality of Tweed be received and filed. Councillor Don McCabe seconded the motion.

Carried

- g) Request for Support - Clearview Township

RESOLUTION-2024-011

Councillor Don McCabe made a motion that the request for support from Clearview Township regarding Cemetery Transfer / Abandonment Administration & Management Support be received and filed. Councillor Jenny Redick seconded the motion.

Carried

- h) Request for Support - Town of Aurora

RESOLUTION-2024-012

Councillor Jenny Redick made a motion that the request from the Cit of Aurora in reference to Community Safety and Inciteful Speech be received and filed. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- i) Request from the Township of Asphodel-Norwood

RESOLUTION-2024-013

Councillor Jenny Redick made a motion that the Council of the Municipality of Brooke-Alvinston support the resolution from the Township of Asphodel-Norwood for action to reduce insurance costs. Councillor Craig Sanders seconded the motion.

Carried

7 STAFF REPORTS

- a) **Drainage Superintendent's Report:**
Smith Patterson, Annett, Patterson-Bell, 6/7 Concession, Watt Drain
Morwood Drain
Edgar Podolinsky Drain
Gray Drain No. 1

RESOLUTION-2024-014

Councillor Jenny Redick made a motion that the bid from JLH Excavating in the amount of \$45,045.50 (including HST) for the drainage work on the Smith Patterson, Annett, Patterson Bell, 6/7 Concession and Watt Drain be accepted as the tender meets all of the requirements stipulated in the tender documents. Councillor Craig Sanders seconded the motion.

Carried

RESOLUTION-2024-015

Councillor Jenny Redick made a motion that the bid from Robinson Farm Drainage in the amount of \$42,936.61 (including HST) for the drainage work on the Morwood Drain be accepted as the tender meets all the requirements stipulated in the tender. Councillor Craig Sanders seconded the motion.

Carried

RESOLUTION-2024-016

Councillor Don McCabe made a motion that McNally Excavating in the amount of \$26,103 (including HST) for work on the Edgar Podolinsky Drain be accepted as the tender meets all of the requirement stipulated in the tender. Councillor Craig Sanders seconded the motion.

Carried

RESOLUTION-2024-017

Councillor Don McCabe made a motion that the bid from HE Construction in the amount of \$23,423.16 (including HST) for drainage work on the Gray Drain No. 1 be accepted as all requirements of the tender are met. Councillor Craig Sanders seconded the motion.

Carried

- b) **Clerk Administrator's Report:** Municipal Health & Safety Policy 2024

RESOLUTION-2024-018

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston approve the Health & Safety Statement for 2024. Councillor Don McCabe seconded the motion.

Carried

- c) **Clerk Administrator's Report:** Legal Services

RESOLUTION-2024-019

Councillor Jenny Redick made a motion that Council receive and file the Clerk Administrator's report on legal services. Councillor Don McCabe seconded the motion.

Carried

- d) **Clerk Administrator's Report:** Grant Writing Options

RESOLUTION-2024-020

Councillor Jenny Redick made a motion that Council receive and file this report; and that staff prepare reports to Council on proposed grant applications for submission in excess of \$25,000 with a line item in the report on whether a grant writer is recommended or additional resources can be sought internally (Engineer, Agency or locally (County , SLEP); and that the 2024 budget allow for contingencies in using a grant writer as needed. Councillor Craig Sanders seconded the motion.

Carried

- e) **Clerk Administrator's Report:** January 2024 Grant Funding Opportunities

RESOLUTION-2024-021

Councillor Jenny Redick made a motion that Council receive and file the report. Councillor Don McCabe seconded the motion.

Carried

- f) **Clerk Administrator's Report:** Electric Vehicle ChargeON Funding Program

RESOLUTION-2024-022

Councillor Don McCabe made a motion that the report Electric Vehicle ChargeON Funding Program be received and filed; and that staff be directed to submit an application(s) to the EV ChargeON Funding Program for: The BAICCC and in partnership with the Developer for Alvinston proper and that Council provides firm support in funding contributions for the BAICCC infrastructure. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- g) **Clerk Administrator's Report:** Annual Donation Requests

RESOLUTION-2024-023

Councillor Craig Sanders made a motion that the Council of the Municipality of Brooke-Alvinston approves annual grants to the following organizations as presented; and approves the draft grant policy as attached; and that the Brooke-Alvinston Skating Club, Legion Poppy Fund and Historical Society be increased to \$150 donations. Councillor Don McCabe seconded the motion.

Carried

- h) **Treasurer's Report:** Accounts Payable Listing - December 2023

RESOLUTION-2024-024

Councillor Jenny Redick made a motion that Council receive and file the Accounts Payable Listing for December 2023. Deputy Mayor Frank Nemcek seconded the motion.

Carried

8 BY-LAWS

- a) By-law Number 1 of 2024 - Interim Tax By-law

RESOLUTION-2024-025

Councillor Jenny Redick made a motion that By-law 1 of 2024 be read a first, second and third time and finally passed this 11th day of January 2024. Councillor Don McCabe seconded the motion.

Carried

- b) By-law Number 2 of 2024 - Penalty By-law

RESOLUTION-2024-026

Deputy Mayor Frank Nemcek made a motion that By-law 2 of 2024 be read a first, second and third time and finally passed this 11th day of January 2024. Councillor Jenny Redick seconded the motion.

Carried

- c) By-law Number 3 of 2024 - Borrowing By-law

RESOLUTION-2024-027

Councillor Don McCabe made a motion that By-law 3 of 2024 be read a first, second and third time and finally passed this 11th day of January 2024. Councillor Craig Sanders seconded the motion.

Carried

- d) By-law 4 of 2024 - Site Plan Delegation (Amending)

RESOLUTION-2024-028

Councillor Jenny Redick made a motion that By-law 4 of 2024 be read a first, second and third time and finally passed this 11th day of January 2024. Deputy Mayor Frank Nemcek seconded the motion.

Carried

9 NEW BUSINESS

- a) Councillor Redick inquired as to the next 2024 budget discussions. More discussion will be made at the January 25th meeting.
- b) Councillor Nemcek inquired if the municipal insurance policy covers costs associated with Conflict of Interest. He was advised the policy covers costs associated with Court and if the defendant was innocent (no COI against them).
- c) Councillor Nemcek noted that positive comments about the arena cleanliness he received during the 2024 Silver Stick tournament.
- d) Councillor Redick inquired about the status of the agreement between the Optimist Club and the Municipality. The Clerk Administrator advised the agreement was requested to be placed on hold by the Optimist President. The Clerk Administrator reiterated the agreement was recommended to be put in place to protect the financial interests of the Municipality.
- e) Councillor Redick noted the U15 Rep ELMHA team that won international Silver Stick in addition to the Skating Club teams that recently won gold medals in a competition.
- f) Councillor McCabe noted that the Lambton County Archives are looking for historical hockey stories.
- g) Councillor McCabe noted the upcoming 175th birthday of the County of Lambton in conjunction with the Baldwin Act of 1849 which is considered the legislation that is the foundation of local government.
- h) The Clerk Administrator requested Council to consider an early start time for the February 22, 2024 Council meeting due to accommodate a volunteer commitment of the Clerk Administrator. Council had no issue with an 8 am meeting and the Clerk advised she will advertise in advance.
- i) The Clerk Administrator advised that staff will be working on setting up a Rabies Clinic for the end of April in the pavilion.

10 CLOSED SESSION

- a) Section 239 (2)(b) personal matters about an identifiable individual including employees

RESOLUTION-2024-029

Councillor Craig Sanders made a motion that Council move into a closed session meeting to discuss personnel matters about an identifiable individual including employees. Councillor Jenny Redick seconded the motion.

Carried

11 RISE AND REPORT

The Clerk Administrator reported a closed session was held to discuss personal issues about an identifiable individual including employees. It was reported that the closed session minutes of December 21, 2023 be approved as presented; That Randy Hills be appointed to the Committee of Adjustment effective February 1, 2024; That Kevin Tizzard and Ron Hills be appointed to the Alvinston Cemetery Board effective January 11, 2024 and that the appointment by-law be amended administratively to reflect this.

12 BY-LAW CONFIRMING PROCEEDINGS

- a) By-law Number 5 of 2024 - Confirming By-law

RESOLUTION-2024-030

Deputy Mayor Frank Nemcek made a motion that By-law 5 of 2024 be read a first, second and third time and finally passed this 11th day of January, 2024.

Councillor Don McCabe seconded the motion.

Carried

13 ADJOURNMENT

A motion to adjourn was made at 6:05 p.m..

Clerk-Administrator

Mayor