



Essex County Council Regular Meeting Minutes

Wednesday, July 18, 2018

7:00 PM

Council Chambers, 2nd Floor

360 Fairview Avenue West

Essex, Ontario N8M 1Y6

519-776-6441, ext. 1335

- Council:
- Warden Tom Bain
 - Aldo DiCarlo, Mayor, Town of Amherstburg
 - Bart DiPasquale, Deputy Mayor, Town of Amherstburg
 - Ron McDermott, Mayor, Town of Essex
 - Nelson Santos, Mayor, Town of Kingsville
 - Gord Queen, Deputy Mayor, Town of Kingsville
 - Al Fazio, Deputy Mayor, Town of Lakeshore
 - Deputy Warden Ken Antaya, Mayor, Town of LaSalle
 - Marc Bondy, Deputy Mayor, Town of LaSalle
 - Hilda MacDonald, Deputy Mayor, Municipality of Leamington
 - Gary McNamara, Mayor, Town of Tecumseh
 - Joe Bachetti, Deputy Mayor, Town of Tecumseh
- Absent:
- Richard Meloche, Deputy Mayor, Town of Essex
 - John Paterson, Mayor, Municipality of Leamington
- Administration:
- Rob Maisonville, Chief Administrative Officer
 - Mary Birch, Director of Council & Community Services/Clerk
 - Sandra Zwiers, Director of Financial Services/Treasurer
 - Bruce Krauter, Chief, Essex Windsor EMS
 - Tom Bateman, Director of Infrastructure Services/Engineer
 - Lynda Monik, Administrator, Sun Parlor Home
 - Robin Greenall, CEO/Chief Librarian, Essex County Library
 - Renée Trombley, Manager Corporate Communications and Accessibility
 - Katherine Hebert, Council & Community Services Administrative Assistant

1. Closed Meeting

There was a Closed Meeting held at 6:45 P.M.

156-2018

Moved By Mr. McNamara

Seconded By Mr. McDermott

That Council move into a closed meeting pursuant to Section 239 (2) (d) of the Municipal Act, 2001, as amended for the following reason(s):

- Labour Relations

Carried

158-2018

Moved By Mr. Bachetti

Seconded By Mr. Fazio

That Council rise from the closed meeting at 6:55 PM.

Carried

2. Moment of Reflection

3. Singing of 'O Canada'

4. Recording of Attendance

Warden Bain noted that Councillors Meloche and Paterson were absent. All other members of Essex County Council were in attendance.

5. Disclosure of Pecuniary Interest

There were no conflicts of pecuniary interest declared.

6. Adoption of Regular Meeting Minutes

159-2018

Moved By Mr. Queen

Seconded By Mr. DiCarlo

That the minutes of the June 20, 2018 Regular Meeting of Essex County Council be adopted as presented.

Carried

7. County Warden's Welcome and Remarks

Warden Bain welcomed the members of County Council, Administration and the general public. He noted his participation in the following:

- The ground breaking ceremony for the construction of a new facility for Hospice of Windsor and Essex County - Erie Shores Campus;
- Along with the CAO, Mr. Maisonville, a meeting with the ProsperUs group;
- The Sri Sri Ravishankar Reception, where a humanitarian message of world peace was the focus;
- some local parades, including the Essex Fun Festival, the Lakeshore Sun Splash as well as Canada Day celebration events;
- The Windsor Detroit Bridge Announcement;
- The Leamington/Kingsville Chamber of Commerce Community Engagement conference;
- The Essex County Senior's Achievement Awards;
- The Windsor Essex County Chamber of Commerce Lifetime Achievement Awards;
- The Devonshire Mall Food Court Grand Opening ceremony.

8. Delegations and Presentations

8.1 Veterans Voices of Canada - 128 Flags of Remembrance Tribute

Michael Beale and Suzanne Allison, Veterans Voices of Canada - 128 Flags of Remembrance Tribute Committee members, to speak to County Council regarding an introduction, update and invitation to attend the 128 Flags of Remembrance Ceremony.

160-2018

Moved By Mr. McNamara

Seconded By Mr. Bondy

That Mr. Beale and Ms. Allison be permitted to address County Council.

Carried

Mr. Beale and Ms. Allison presented their project to Council and provided them with an invitation to attend the tribute ceremony on September 22, 2018. They explained that interested members of Council would be part of the procession parade at the dedication ceremony and that a donation of \$200 would provide a memorial flag to honour a veteran.

Mr. Antaya questioned whether the group would be visiting the local councils as well or if members of County Council should bring the request for donations forward to their local councils. It was noted that County Council members were to bring back the request to their local municipalities for consideration and that cut-off date for donations was mid-August. Ms. Birch was requested to circulate the donation form to those who request it.

Mr. McNamara thanked the delegation for the presentation and for the tributes they have facilitated for local veterans. He further expressed that a \$1000.00 donation for 5 veterans from Tecumseh would be forthcoming.

Warden Bain indicated that the County would provide a donation to Veterans Voices of Canada - 128 Flags of Remembrance Tribute as well, and thanked the delegation for their presentation.

8.2 R. J. (Bob) Williams, Executive Director/Consultant, Canada South Festival Network

R. J. (Bob) Williams to provide an update to County Council on the work of the Canada South Festival Network.

161-2018

Moved By Mr. McDermott

Seconded By Mr. Santos

That Mr. Williams be permitted to address County Council.

Carried

Mr. Williams provided Council with an overview of the services that the Canada South Festival Network (CSFN) provides and the data that has been collected over the past five years at local festivals. He noted that this year there was no funding allotment for the engagement of student labour to continue the data collection process. He further noted that any local municipality or festival committee who wishes to collaborate on a project should reach out to the CSFN or to himself directly.

Mr. Williams discussed the handouts and noted that his contact information was therein. He further noted that the data sheets in the handouts could be used to submit funding or grant applications for festivals.

9. Communications

9.1 Correspondence

162-2018

Moved By Mr. DiPasquale

Seconded By Mr. Fazio

That the correspondence listed on the regular agenda for July 18, 2018, be received and any noted action approved.

Carried

9.1.1 Association of Municipalities of Ontario (AMO)

View the online versions of the AMO Watchfile Newsletter, dated June 21, 28, July 5 and 12, 2018.

9.1.2 AMO

Received e-mailed AMO Communications, dated June 22, 2018 regarding AMO President, Lynn Dollin Video Update of the June 22 Board meeting.

9.1.3 AMO

Received e-mailed AMO Communications, dated July 12, 2018 regarding an AMO Policy Update - Ontario Government's Speech from the Throne.

9.1.4 SouthWestern Integrated Fibre Technology (SWIFT)

Received e-mail, dated July 4, 2018 regarding - City of London joins SWIFT, committing \$690,000 to building broadband for everyone.

9.1.5 SWIFT

Received e-mail Media Release, dated July 12, 2018 announcing SWIFT releases RFP to break ground on regional network in Delaware Nation at Moraviantown.

9.1.6 Union Gas Limited

Received e-mail, dated July 5, 2018 regarding an Ontario Energy Board Notice stating that Union Gas Limited has applied to dispose of certain account balances and for approval of the amount of its earnings that it must share with customers.

9.1.7 The College of Physicians and Surgeons of Ontario

Received correspondence, dated July 2018 seeking nominations for the 2019 Council Award Honouring Outstanding Physicians.

9.1.8 Windsor-Essex County Health Unit

Received correspondence dated June 12, 2018 from Theresa Marentette, Acting CEO regarding Smoke-Free Ontario Act, 2017.

9.1.9 Windsor-Essex County Health Unit

Received correspondence, dated July 3, 2018 from Theresa Marentette, Acting CEO regarding the Smoke-Free Ontario Act, 2017 - Delayed implementation.

9.1.10 Ontario Human Rights Commission (OHRC)

Received e-mail, dated July 10, 2018 providing the OHRC Annual Report highlights impact in 2017 - 2018.

9.1.11 Ministry of Transportation

Received correspondence, dated July 4, 2018 regarding the cancellation of the Ontario Municipal Commuter Cycling (OMCC) program that was funded through the cancelled Cap and Trade Program.

9.1.12 Town of Tecumseh

Received e-mail, dated July 11, 2018 regarding their July 25, 2018 Master Drainage Plan Public Information Centre.

9.2 Resolutions

9.2.1 Association of Municipalities of Ontario (AMO)

AMO's Board of Directors passed a resolution "*in support of the Governments of Canada and Ontario successfully resolving the North American Free Trade Agreement (NAFTA) renegotiations*" and calls on member municipalities to consider the attached resolution to express local support.

163-2018

Moved By Mr. McNamara

Seconded By Mr. Antaya

That Essex County Council supports the resolution of AMO in support of the Governments of Canada and Ontario successfully resolving the North American Free Trade Agreement renegotiations.

Carried

10. Consent Agenda

164-2018

Moved By Mr. Bondy

Seconded By Mr. Santos

That the recommendation in the Administrative Report listed as item 10.1 on the Consent Agenda for July 18, 2018, be approved and further that the information item listed as item 10.2 on the said Consent Agenda be received.

Carried

10.1 Approval of Invoices - Legal Services

Report Number 2018-0718-ADM-R12-RM, dated July 18, 2018 from Robert Maisonville, Chief Administrative Officer.

10.2 Provincial Offences Program - 2017 Annual Report

Report Number 2018-0718-CCS-R007-MB, dated July 18, 2018 from Mary Birch, Director of Council and Community Services/Clerk.

11. Reports and Questions

11.1 Essex County Library Board

Report of the Essex County Library Board meeting, dated May 23, 2018, Mr. Richard Meloche, Chair.

165-2018

Moved By Mr. Santos

Seconded By Mr. McDermott

That the minutes of the Essex County Library Board, dated May 23, 2018 be received.

Carried

11.2 Essex-Windsor Solid Waste Authority

Report of the Essex-Windsor Solid Waste Authority meeting, dated May 1, 2018, Ms. Hilda MacDonald, Vice-Chair.

Mr. McNamara questioned the ESWWA debenture interest rate and penalty clause for early discharge. He indicated that there may be lower interest rates and more attractive lending agreements available through Infrastructure Ontario, and questioned if it might be worthwhile to investigate the costs of refinancing the debt with Sunlife to another funding source.

Mr. Maisonville explained that alternative financing options for the ESWWA debenture had been investigated before and that negotiations with Sunlife to alter the financing agreement had been unsuccessful, however, Administration would raise the issue again with ESWWA to continue to monitor opportunities to secure better financing arrangements.

166-2018

Moved By Mrs. MacDonald

Seconded By Mr. Antaya

That the minutes of the Essex-Windsor Solid Waste Authority, dated May 1, 2018 be received.

Carried

11.3 2017 County of Essex Consolidated Financial Report

Report Number 2018-0718-FIN-R005-SZ, dated July 18, 2018 from Sandra Zwiers, Director of Financial Services/Treasurer.

Ms. Zwiers presented the report and acknowledged the effort of departmental staff that worked to achieve the favourable results with the audit team. She noted some of the audit findings for Council to consider as follows:

- Note 9 - Reserve Fund Balance (as a key indicator of financial condition)
- Note 7 - Long-Term Debt (solely related to the locating, approval and construction of the Regional Landfill site as managed by the EWSWA)
- Note 11 - Commitments (the County's financial contribution to the local projects which make the Corporation a positive community partner)

It was noted that the 2017 Consolidated Financial Statements illustrate the Corporation's continued commitment to sound financial planning and long term fiscal sustainability.

167-2018

Moved By Mr. Bondy

Seconded By Mr. Queen

That Essex County receive the Administrative Report presenting the 2017 County of Essex Consolidated Financial Report and approve the 2017 County of Essex Consolidated Financial Statements.

Carried

11.4 Restricted Acts of Council After Nomination Day

Report Number 2018-0718-CCS-R006-MB, dated July 18, 2018 from Mary Birch, Director of Council and Community Services/Clerk.

Ms. Birch provided a summary of the requirements under s.275 of the Municipal Act. She noted that 11 of 14 current members of County Council must have filed their nomination papers and have the potential for returning to County Council for the 2018 election in a mayor or deputy mayor capacity in order to be exempt from the Restricted Acts of Council section of the Municipal Act.

She further noted that the recommended delegation of authority of the restricted acts to the CAO would apply for the period July 28, 2018 (nomination day) and continue to December 12, 2018 (inaugural meeting and swearing in of County Council).

168-2018

Moved By Mr. McDermott

Seconded By Mr. Bondy

That Essex County Council adopts By-law 30-2018 which, provisional upon Essex County Council being subject to the restricted acts of Council set out in Section 275 (3) of The Municipal Act, 2001, S.O. 2001 c.25, following nomination day, delegates approval authority to the Chief Administrative Officer of the County of Essex for the period July 28 to December 12, 2018, to approve the following acts:

- appointment or removal of any Officer (Department Head) of the County of Essex;
- disposition of real property owned by the County of Essex;
- unbudgeted expenditures or liabilities of the County of Essex exceeding \$50,000;

And further that the Chief Administrative Officer will report to Essex County Council any intended use of this delegated authority.

Carried

11.5 Upgrades to Parking Lots, Courtyard, Sidewalks

Report Number 2018-0718-SPH-R009-LM, dated July 18, 2018 from Lynda Monik, Administrator, Sun Parlor Home.

Ms. Monik provided a summary of the tender process and work that had been involved in the sidewalk and courtyard upgrades. She noted that the upgrades would not only make some necessary repairs, but also would render the Sun Parlor Home more accessible.

169-2018

Moved By Mr. McNamara

Seconded By Mrs. MacDonald

That the contract be awarded to the low tender from Pierascenzi Construction Limited, based on the revised provisional items, at a cost with an upset limit of \$264,595.00 plus HST.

Carried

11.6 Tender Summary - CWATS Paving Project (3)

Report Number 2018-0718-IS-R019-TRB, dated July 18, 2018 from Tom Bateman, Director of Infrastructure Services/County Engineer.

Mr. Bateman provided an overview of the CWATS Project 3 and the installation of paved shoulders along County Road 20. He discussed the tender process and the financial implications for the County as well as the lower tier municipality. He noted the recommendation.

Mr. Santos questioned whether the guard rails would be replaced. Mr. Bateman indicated that there was a need for the existing cable guides over the drains to be upgraded during the construction process.

170-2018

Moved By Mr. Fazio

Seconded By Mr. Antaya

That the tender for the active transportation pathway on County Road 20 be awarded to Pierascenzi Construction Ltd. for a total tender amount of \$2,678,075.00 plus H.S.T.

Carried

11.7 Tender Summary - CWATS Paving Project (4)

Report Number 2018-0718-IS-R020-TRB, dated July 18, 2018 from Tom Bateman, Director of Infrastructure Services/County Engineer.

Mr. Bateman discussed the CWATS Project #4 - Installation of Paved Shoulders along County Road 50. He discussed the tender process and noted the report recommendation for Council to consider.

171-2018

Moved By Mr. McNamara

Seconded By Mr. McDermott

That the tender for the active transportation pathway on County Road 50 be awarded to Rudak Excavating Inc. for a total tender amount of \$981,990.00 plus H.S.T.

Carried

12. Unfinished Business

12.1 Essex County Accessibility Advisory Committee (ECAAC) Event

Mr. Queen invited members of Council and the public to join the Essex County Accessibility Advisory Committee at the Vollmer Recreation Centre in LaSalle for the 'Celebrate Our Ability - Accessibility Awareness Walk'. He noted the July 28, 2018 event would kick off at 10:30 AM with some greetings and words of encouragement from Mayor Antaya and Warden Bain followed by the walk and some refreshments afterward. He advised that all were welcome to this free event.

12.2 Financial Statements

Mr. Antaya provided congratulatory remarks to the Administrative team of the County, in particular the Finance department for their favourable report from the auditors. He noted that their work throughout the year was reflected in the favourable evaluation and report.

13. New Business

13.1 Public Reporting of Closed Meeting

Warden Bain noted that a Closed Meeting of Essex County Council was held at 6:45 PM, prior to the regular Council meeting, pursuant to Section 239 (2) (d) of the Municipal Act, 2001.

Administration provided Council with an update on labour relations.

13.2 Town of Lakeshore

Mr. Fazio advised that Lakeshore Council had requested that the County consider installing a pedestrian control signal in the area of County Road 22 and Emery Drive. He noted that since the last traffic study which, didn't warrant a signal at that time, several new construction endeavors had been added and there was increased traffic in general due to schools and recreation facilities.

Mr. Fazio read the Town of Lakeshore resolution regarding the County Road 22 location. Mr. Fazio requested that a report be brought forward to consider by County Council at a future meeting.

Mr. Bateman acknowledged the comments from Mr. Fazio and noted that there have been some discussions with the Town of Lakeshore administrative team regarding some options for

remediation of the traffic issues at that location. He advised that a report would be forthcoming.

13.3 County Road 22 and County Road 19

Mr. Bachetti noted that there were some issues at County Rd. 22 and County Rd. 19 with the apparent deterioration of the road work that was completed in the area. He noted some deficiencies in the asphalt work and requested that the County look into the issue further.

13.4 AMO Term

Mr. McNamara thanked County Council for their support during his term as AMO President and as Past President in the past year. He asked that the County continue to support him at the upcoming AMO Conference to be a member of the County Caucus so that he would continue to be involved in AMO.

Warden Bain thanked Mr. McNamara for his service on the AMO board and for adding his perspective and the County's voice to the table at AMO over the past several years.

14. Adoption of By-Laws

172-2018

Moved By Mr. DiCarlo

Seconded By Mrs. MacDonald

That By-laws 30-2018 and 31-2018, having been read a first, second and third time, be finally passed and enacted.

Carried

14.1 By-law Number 30-2018

A By-law to Authorize the Delegation of Authority to the Chief Administrative Officer for Certain Duties During Restricted Periods.

14.2 By-law Number 31-2018

A By-law to Confirm the Proceedings of the Council of the Corporation of the County of Essex. (July 18, 2018)

15. Notice of Motion

16. Adjournment

173-2018

Moved By Mr. Antaya

Seconded By Mr. Bachetti

That the Essex County Council meeting for July 18, 2018 be adjourned at 8:05 PM.

Carried

Tom Bain

Warden - County of Essex

Mary Birch

Director of Council and Community Services/Clerk