

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 1**

St. Clair Civic Centre
Council Chambers
January 9, 2012
6:00 p.m.

The regular semi-monthly meeting of the Council of the Corporation of the Township of St. Clair was held this evening with the following members present:

	S. Arnold	Mayor
	P. Gilliland,	Deputy Mayor
	P. Carswell-Alexander,	Councillor
	J. DeGurse,	“
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO
	J. Baranek	Deputy Clerk/Coordinator of Planning
	R. Dewhirst	Director of Emergency Services
	T. Boon	Deputy Fire Chief
	S. Bicum	Deputy Fire Chief

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Finance and Administration Committee meeting minutes of December 19, 2011
Public Works and Operations Committee meeting minutes of December 19, 2011
Council meeting minutes of December 19, 2011 – Session #29

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:00 pm – Chief Roy Dewhirst – St. Clair Boating fire ~ recap
6:15 pm – Rezoning – Stevens ~ S ½ Lot 4, Con 4
6:30 pm – Lukey Drain – Court of Revision
- Rumohr Drain – Court of Revision
- Meyers Drain – Court of Revision
- Rivers-Lapish – Court of Revision
- Watson-Tulloch – Court of Revision

CORRESPONDENCE:

- a) Ivan Bell – Livestock valuer
- b) Robert Rankin – Livestock valuer
- c) Chad Anderson – Livestock valuer
- d) Jared Langstaff – Livestock valuer
- e) Bluewater Gymnastics Club – request
- f) Len Howlett – Livestock valuer

INFORMATION:

- 1) SCRCA – 2012 fees
- 2) Township of Enniskillen – coyote control ~ January 26th meeting

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- 3) Fisheries and Oceans Canada – Silver Lamprey
- 4) ROMA/OGRA – delegation
- 5) OFM – seminar
- 6) Nova Chemicals – Genesis Pipeline
- 7) Municipality of Clarington - deficit funding
- 8) Municipality of Clarington – commercial fill
- 9) Ministry of Finance – 2012 education rates
- 10) Hydro One – notice of public meeting
- 11) Nottawasaga Police Service – resolution
- 12) Clean Harbors – November 15, 2011 minutes

DRAINS:

Drainage By-law #1 of 2012 – amending various drains

REPORTS OF COMMITTEES AND OFFICERS:

COORDINATOR OF PLANNING REPORT:

Applications A1/12, B1/12, A2/12 & B2/12

PROPERTY STANDARDS OFFICER REPORT:

357 Murray Street and 101 Main Street

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

Drain concerns – North Courtright Easterbrook Drains

CLERK'S REPORT:

Revision of December 1, 2011 Finance and Administration meeting minutes

BY-LAWS:

- By-law #1 of 2012 – General borrowing by-law
- By-law #2 of 2012 – Confirming by-law
- By-law #3 of 2012 – Assumption of Dallas Court
- By-law #4 of 2012 – Assumption of Shelby Lane

COUNCILLORS REPORTS:

UPCOMING MEETINGS:

- Drainage Committee meeting – Tuesday January 10, 2012 ~ 7:00 pm
- Special meeting of Council – Monday January 16, 2012 ~ 5:00 pm
- Committee of the Whole – Monday January 23, 2012 ~ 6:00 pm
- Regular Council – Monday January 23, 2012 ~ 7:30 pm (following Committee)

ADJOURNMENT:

The Mayor called the meeting to order at 6:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

DECLARATION OF CONFLICT OF INTEREST:

None declared.

MINUTES:

Council proceeded to review the minutes as listed on the agenda.

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Moved by J. Agar

Seconded by J. DeGurse

Motion #1: That the minutes of the Finance and Administration Committee meeting held on December 19, 2011 be received be adopted and printed.

CARRIED

In review of the minutes of the Public Works and Operations meeting of December 19, 2011 it was noticed that Councillor Randell was identified as both the mover and seconder of the motion and actually the motion moved by Councillor Randell was seconded by Councillor Miller.

Moved by S. Miller

Seconded by D. Randell

Motion #2: That the minutes of the Public Works and Operations Committee meeting held December 19, 2011 be received and accepted as corrected.

CARRIED

In discussion of the minutes of the Council meeting held December 19th, several errors and omissions were noticed.

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #3: That the minutes from the Council meeting held December 19, 2011 – Session #29 be received and accepted and amended as follows:

“Moved by J. DeGurse

Seconded by S. Miller

Motion #11: That the report submitted by the Deputy Clerk/Coordinator of Planning dated December 13, 2011 recommending that Council approve the amendment to the site plan for Clean Harbors which will authorize a building permit to be issued be received and that the Township will require a new comprehensive site plan prior to the issuance of any building permits.

CARRIED”

“Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #12: That St. Clair Township Council has the expectation that the proposed truck washing facilities at Clean Harbors will be fully enclosed and fumes vented to the incinerator stack and that a comprehensive drainage plan will be included in the new site plan.

CARRIED”

“Moved by D. Randell

Seconded by P. Gilliland

Motion #12a: That MPAC be asked to participate in the review of the new comprehensive site plan for the Clean Harbors facility to assure that all assessable buildings have been accounted for.

CARRIED”

Fire Chief Roy Dewhirst and Deputy Chiefs Tom Boon and Steve Bicum were present to present to Council a presentation recapping the events at the St. Clair Boating boat storage facility in Port Lambton on December 20th, 2011. Chief Dewhirst had earlier provided to Council a report giving some statistical data and review of equipment involved in the firefighting activities. This evening’s power point presentation showed photos showing the proximity of the marina storage buildings, location of hydrants, location of the staging area as well as outlined methods used to extinguish the fire with fire apparatus from 5 stations responding as well as a fire boat and an aerial truck from Clay Township and Algonac Michigan. At the conclusion of the presentation, Chief Dewhirst responded to several questions. The Mayor stated that his expectation was that some aspects of the activities of the day could have been improved and that he is requesting a recap of the events of the day from all stations that responded including the two US stations, the OPP, EMS, MOE and any other group or agency involved in the fire fighting efforts.

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Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #4: That a letter of thanks be drafted for the Mayor's signature to all those outside groups and agencies that assisted in the fire fighting efforts at the St. Clair Boating and Marina on December 20, 2011.

CARRIED

At the appropriate time the Mayor called to order the public hearing called to consider the application to rezone property known as South ½ of Lot 4, Concession 4, geographic township of Moore, known municipally as 2877 Waterworks Road, owned by Scott and Susan Stephens. The Mayor explained the process that would be followed at this public hearing and anyone wishing to do so would have an opportunity to comment either in opposition or in support of the application. The Mayor then called upon Ezio Nadalin, Lambton County Planner who provided his report on the issue. Mr. Nadalin advised that the rezoning that has been applied for and is subject to this public meeting was a condition of a recent decision of the Township's Committee of Adjustment that created the residential parcel as a surplus farm dwelling. At the conclusion of the presentation, Mr. Nadalin recommended that Council approve the amendment. No written submissions were received, no one was present to speak either in opposition or support of the rezoning proposal. Hearing no comments, the Mayor declared the public meeting closed and Council returned to order.

Moved by J. Agar

Seconded by D. Randell

Motion #5: That By-law #5 of 2012 being a by-law to amend the Comprehensive Zoning By-law No. 17 of 2003 pursuant to Sections 34 and 39 of the Planning Act to re-zone property known as South ½ of Lot 4, Con 4 geographic Township of Moore known municipally as 2877 Waterworks Road having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

At the appointed time Mayor Arnold called to order the Court of Revision to hear assessment appeals on the Lukey Drain, Rhumor Drain, Myers Drain, Rivers-Lapish Drain and the Watson-Tulloch Drain. Mr. Ray Dobbin, author of the five drainage reports was present to respond to any drainage assessment appeals. Mr. Dobbin pointed out that the purpose of the five reports was to reassess for future maintenance purposes affected by the two major First Solar facilities. Mr. Dobbin explained that relative to the Myers Drain and the Rivers-Lapish Drain, as determined at the last Court of Revision watershed area was revisited and property owned by the Fournie's and Gormley's was removed from the Myers Drain watershed and included in the Rivers-Lapish Drain watershed to the north based on the actual drainage patterns in the area. No assessment appeals were received and no one was present to appeal the assessment verbally. Mr. and Mr. Fournie were present and agreed with the assessment recommended by Mr. Dobbin.

Moved by D. Randell

Seconded by P. Gilliland

Motion #6: That the engineer's assessment on the Lukey Drain, Rhumor Drain, Watson-Tulloch Drain according to the Engineer's report dated October 27, 2011 report and the assessments on the Myers Drain and Rivers-Lapish Drain according to the Engineer's assessment in his report dated October 27, 2011 and as amended on December 13, 2011 be adopted and approved and that the Court of Revision on these five drains be closed.

CARRIED

CORRESPONDENCE:

Council proceeded to review the correspondence as listed on the agenda.

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #7: That Robert Rankin be named the Township's Livestock Valuer.

DEFEATED

Moved by D. Randell

Seconded by P. Gilliland

Motion #8: That Chad Anderson be named as the Township's Livestock Valuer effective January 15, 2012.

CARRIED

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Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #9: That the request for funding from the Bluewater Gymnastics Club be received and filed.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #10: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Ivan Bell – Livestock Valuer
Inst. See motion #8
- b. Robert Rankin – Livestock Valuer
Inst. See motion #8
- c. Chad Anderson - Livestock Valuer
Inst. See motion #8
- d. Jared Langstaff - Livestock Valuer
Inst. See motion #8
- e. Bluewater Gymnastics Club – request
Inst. See motion #9
- f. Len Howlett – Livestock Valuer
Inst. See motion #8
- g. Doug Babcock – Livestock Valuer
Inst. See motion #8
- h. Dennis Robinson – Livestock Valuer
Inst. See motion #8
- i. Sherman Parr – Livestock Valuer
Inst. See motion #8

CARRIED

Council reviewed the items of information correspondence. Mayor Arnold provided to the Clerk a summary of the St. Clair Regional Conservation Authority's 2011 fees including various camping fees. Council requested application be made for delegation meetings for ROMA/ACRO with the Minister of the Environment regarding Clean Harbors and Brownsfield issue and the Minister responsible for infrastructure regarding possible funding for infrastructure projects. In discussion of the communication from the Ministry of Finance regarding the 2012 education rates, Council asked for a report from the Treasurer comparing proposed 2012 education rates with those in the past.

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #11: That the items of information correspondence be received as information.

CARRIED

DRAINS:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #12: That Drainage By-law #1 of 2012, being a by-law to raise the sum of money being expended out of the general Funds of the Township of St., Clair for the maintenance to various drains in the Township be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

COORDINATOR OF PLANNING REPORT:

Moved by J. DeGurse

Seconded by J. Agar

Motion #13: That applications submitted by the Coordinator of Planning for the month of January be received and accepted as information.

CARRIED

PROPERTY STANDARDS OFFICER REPORT:

Moved by S. Miller

Seconded by D. Randell

Motion #14: That the report submitted by the Property Standards Officer dated December 19, 2011 be received and accepted as information.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #15: That the Property Standards Officer be authorized to issue a property standards order on property known as 101 Main Street in Courtright.

CARRIED

Moved by J. Agar

Seconded by S. Miller

Motion #16: That the Clerk be given the authority to instruct that a property standards order be issued for property known as 357 Murray Street pending results of the most recent site visit by the Property Standards Officer.

CARRIED

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #17: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated January 4, 2011 regarding the letter from Bob Bailey about the North Courtright Drain be received and accepted as information.

CARRIED

CLERK'S REPORT:

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #18: That the report submitted by the Clerk dated January 4, 2012 regarding a revision in the minutes of the December 1, 2011 Finance and Administration meeting be received and accepted.

CARRIED

BY-LAWS:

Moved by D. Randell

Seconded by S. Miller

Motion #19: That By-law Number 1 of 2012, the Borrowing By-law for the Township of St. Clair for the year 2012, having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #20: That By-law Number 2 of 2012, being a by-law to confirm the resolutions and motion of St. Clair Township which were adopted up to and including December 19, 2011 having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

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Moved by P. Gilliland

Seconded by D. Randell

Motion #21: That By-law #3 of 2012 being a by-law to assume subdivision shown by 25M-18 known as Dallas Court – 2052689 Ontario Inc. having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #22: That By-law #4 of 2012 being a by-law to assume subdivision shown by 25M-34 known as Shelby Court – 1714632 Ontario Inc. having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

The CAO advised Council of the current status of the OPG assessment appeal. A meeting scheduled for January 11th was cancelled in favor of a conference call proposed to be held January 12th. Mayor Arnold advised of his refusal to participate in a conference call since that concept is contrary to what he feels he was promised by senior ranking OPG officials. Also Council was made aware of the ERB posting of the proposal of Clean Harbors to cover leechate ponds. Mayor Arnold advised that he was made aware of the ERB posting and has forwarded the appropriate information to the Township's Environmental solicitor Peter Pickfield. Council was also advised that Midfield, a tenant in the former Century Truss building would like to start negotiations for a lease extension.

Jeff Baranek

Mr. Baranek advised Council of discussions with Barb Little and family regarding the signing of the deeds resulting from a successful application to the land division Committee approximately 21/2 years ago. Mr. Baranek advised Council that most of the conditions imposed by the Committee of Adjustment are still outstanding and the one year time frame has long since expired.

Pete Gilliland

Deputy Mayor Gilliland wondered if Mayor Arnold would be available to attend the January 12th Health Study meeting. Mayor Arnold will be available to attend.

Darrell Randell

Councillor Randell led Council in a discussion of grant funding from the Great Lakes sustainability fund for drainage works near the St. Clair River. Councillor Randell is going to contact the St. Clair Region Conservation Authority to see if they had any knowledge of such a grant program.

Jim DeGurse

Councillor DeGurse reminded Council of the January 10th meeting of the Drainage Committee.

Steve Arnold

Mayor Arnold attended the weekend opening of the new library facility in Camlachie and asked Councillor Miller to bring to the Police Services Board attention the need for improved security of the garbage enclosure at the Emergency Services building used by the OPP or perhaps the placement of an appropriate dumpster. Mayor Arnold also asked the Treasurer to remind Council of budget discussion meeting dates. The Mayor also advised Council that he will be out of the Municipality on County business in mid January and early February on two occasions to attend sessions on economic development sustainability and the Calgary Upgrader Conference.

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Hearing no further business, it was:

ADJOURNMENT:

Moved by S. Miller
That the meeting do hereby adjourn.

Seconded by D. Randell

CARRIED

The meeting adjourned at 8:00 p.m.

MAYOR

CLERK