

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION #12**

St. Clair Civic Centre  
Council Chambers  
June 4, 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
Absent:	J. Baranek	Deputy Clerk/Coordinator of Planning

**AGENDA:**

**Declaration of Conflict of Interest:**

**Adopt Minutes:**

Finance and Administration Meeting minutes of May 22, 2012  
Public Works and Operations Meeting minutes of May 22, 2012  
Council Meeting minutes of May 22, 2012 ~ Session #11  
Moore Museum minutes of May 2, 2012  
Sombra Museum minutes of May 17, 2012

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

6:15 pm – Ben Hazzard – St. Clair River Run  
6:30 pm – Ann Markham – fence by-law exemption  
6:35 pm – Froomfield Drain – Court of Revision  
6:40 pm – Vandendool Drain – Court of Revision

**CORRESPONDENCE:**

- a) LAWSS – flow meter
- b) Property standards – 1211 Elizabeth Street
- c) Enbridge – charity golf tournament
- d) Ann Markham – fence request
- e) Transport Canada – Boating signs
- f) Sombra Sport & Recreation – golf tournament
- g) Captain Kidd Committee - permission

**INFORMATION:**

- 1) Port Lambton Athletic Association – June 10<sup>th</sup> invitation
- 2) Sutherland Cemetery – June 10<sup>th</sup> invitation
- 3) Sarnia – Lambton Chamber of Commerce – golf tournament
- 4) SCRCA – update
- 5) Drinking Water Source Protection – draft policies

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- 6) Town of Petrolia – golf tournament
- 7) LGPSB – April 25 minutes
- 8) SCRT – June 22<sup>nd</sup> public meeting
- 9) P. Davidson MP – agricultural update
- 10) Enbridge Pipeline – 9B reversal project
- 11) SHCA – June 14 invitation
- 12) Heritage St. Clair Township – May 2 minutes
- 13) Public Works Canada – dredging
- 14) LCHS – May 24 minutes
- 15) Mary Lou Denning – Livestock
- 16) Human Resources – New Horizons

**DRAINS:**

**REPORTS OF COMMITTEES AND OFFICERS:**

**PROPERTY STANDARDS OFFICER REPORT:**

- status report

**DRAINAGE SUPERINTENDANT REPORT:**

- South Courtright Drain tenders

**DIRECTOR OF PUBLIC WORKS AND OPERATIONS REPORT:**

- Overall responsible operators
- Regional WWTP odors
  - Hill Street/Petrolia Line paved shoulder
  - Froomfield watermain sizing

**DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:**

- Youseff subdivision –letter of credit
- First Solar – letter of credit

**CLERK'S REPORT:**

- In-camera property

**CAO'S REPORT:**

- In-camera legal

**MOTIONS:**

**BY-LAWS:**

- By-law #24 of 2012 – Confirming

**COUNCILLORS REPORTS:**

**UPCOMING MEETINGS:**

- Committee of the Whole – Monday June 18, 2012 ~ 6:00 pm
- Regular meeting of Council – Monday June 18, 2012 ~ following Committee
- Regular meeting of Council – Monday July 9, 2012 ~ 6:00 pm ??
- Committee of the Whole – Monday July 23, 2012 ~ 6:00 pm ?
- Regular meeting of Council – Monday July 23, 2012 ~ 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.

Moved by S. Miller

Seconded by P. Gilliland

**Motion #1** That the minutes from the Finance and Administration Committee meeting held May 22, 2012 be received and accepted as printed.

**CARRIED**

In review of the minutes of the May 22, 2012 Public Works and Operations, the Mayor advised that it was his intention on the motion referred to on page 5 relative to the Regional WWTP that the Director of Public Works and Operations be authorized to proceed with the retrofit of the waste treatment plant with the appropriate odor control mechanisms.

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #2:** That the minutes of the Public Works and Operations Committee meeting held May 22, 2012 be received as corrected and accepted.

**CARRIED**

Moved by P. Gilliland

Seconded by S. Miller

**Motion #3:** That the minutes from the Council meeting held May 22, 2012 – Session #11 be received and accepted as printed.

**CARRIED**

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #4:** That the minutes of the Moore Museum meeting held May 2, 2012 be received and accepted as printed.

**CARRIED**

Deputy Mayor Gilliland commented that the financial statements contained within the Moore Museum report are very difficult to understand. It was suggested that this be brought forward at the next board meeting by the Council representatives to the Moore Museum Board.

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #5:** That the minutes of the Sombra Museum meeting held May 17, 2012 be received and accepted as printed.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

**Motion #6:** That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. LAWSS – flow meter  
**Inst. See Motion #7**
- b. Property Standards – 1211 Elizabeth Street  
**Inst. See Motion #8**
- c. Enbridge – charity golf tournament  
**Inst. See Motion #9**

- d. Transport Canada – boating signs  
**Inst. See Motion #10**
- e. Sombra Sports and Recreation – invitation  
**Inst. See Motion #11**
- f. Captain Kidd Committee – permission  
**Inst. See Motion #12**

**CARRIED**

**CORRESPONDENCE:**

Council proceeded to review the correspondence as listed on the agenda. Council reviewed the letter received from LAWSS regarding the recent flow meter installation that will eliminate the need to recalibrate and maintain approximately 29 water meters in St. Clair Township. Council discussed in general terms whether or not the single flow meter will be as accurate at the current protocol.

Moved by P. Gilliland

Seconded by D. Randell

**Motion #7:** That LAWSS be advised that the Township supports the continuation of the current metering protocol at this time.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by S. Miller

**Motion #8:** That the property standards complaint relative to property known as 1211 Elizabeth Street, Mooretown be referred to Property Standards Officer for investigation and report.

**CARRIED**

Moved by J. Agar

Seconded by P. Gilliland

**Motion #9:** That the Township sponsor the Enbridge St. Clair Township Emergency Services golf tournament in the amount of \$1500 representing a primary sponsorship and golf foursome.

**CARRIED**

Moved by D. Randell

Seconded by J. DeGurse

**Motion #10:** That three impaired boating warning signs measuring 12” by 12” be obtained through MADD Canada for placement at the three Township boat launch facilities.

**CARRIED**

Council reviewed the invitation from the Sombra Sports and Recreation for participation in the group’s June 9<sup>th</sup> golf tournament. The cost for entry into the tournament is \$80 per person plus the opportunity for \$150 hole sponsorship.

Moved by P. Carswell-Alexander

Seconded by D. Randell

**Motion #11:** That the Township sponsor a hole in the Sombra Sports and Recreation golf tournament to be held June 9<sup>th</sup> and further that four golf prizes be provided.

**CARRIED**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #12:** That the 2012 Captain Kidd Days be declared as a significant community festival and that permission be granted for the appropriate refreshment license for the event to be held at CAP Park August 3, 4 and 5 subject to the Township’s alcohol management policy.

**CARRIED**

Council proceeded to review the items of information correspondence. In response to the request to attend the Sutherland Cemetery function, Councillor Agar advised of his ability to attend.

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

**Motion #12:** That the Township participate as a hole sponsor in the amount of \$150.00 for the Sarnia/Lambton Chamber of Commerce golf tournament to be held August 15<sup>th</sup> at the St. Clair Parkway golf course.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #13:** That the Township participate in the annual Town of Petrolia golf tournament as a hole sponsor in the amount of \$75.

**CARRIED**

Council referred the communications from MP Pat Davidson regarding the farm credit grant program to the Director of Community Services for circulation. Council discussed the invitation received from the SHCA to attend the June 14<sup>th</sup> Municipal Day hosted by St. Clair Township. The Mayor encouraged members of Council and staff to attend this event.

Moved by D. Randell

Seconded by P. Gilliland

**Motion #14:** That the minutes of the May 2<sup>nd</sup> Heritage of St. Clair Township Committee discovery phase be received as information.

**CARRIED**

Council reviewed the information from the Government of Canada regarding proposed dredging at three locations on the St. Clair River. Mayor Arnold is to prepare draft comments. Council referred the information on the new horizon programs forwarded by Human Resources and Skills Development Canada to Thompson Gardens, the Corunna and Brigden Legions and the Moore Agricultural Society.

Moved by S. Miller

Seconded by J. DeGurse

**Motion #15:** That the items of information correspondence be received as information.

**CARRIED**

At the appointed time, council welcomed Ms. Anne Markham, owner of property known as 4755 St. Clair Parkway Port Lambton present to ask council for exemption to the current fencing by-law that would allow her to build a fence 6.5 feet in height which exceeds the 6 foot maximum and from the rear of her house to the water's edge. Ms. Markham stated that she has consulted her immediate neighbors and the neighbor to the south is in support of the fence and has actually offered to help finance its construction costs. No one was present to speak in opposition to the granting of the exemption and the Clerk advised that no written submissions either for or against the proposal were received. In response to Council's question, Ms. Markham advised that she would have no objection to lowering the fence height to the 6' maximum.

Moved by S. Miller

Seconded by J. Agar

**Motion #16:** That an exemption from the fence by-law be granted for the owner of the property known as 4755 St. Clair Parkway to allow the construction of a fence from the rear of the house to the water's edge.

**CARRIED**

At the appointed time Mayor Arnold called to order the Court of Revision to hear any appeals on the Froomfield Drain assessment and the Vandendool Drain assessment. The Clerk advised that no written appeals have been received relative to the Froomfield Drain and no one was present to present an appeal. Mr. Dobbin explained to the Court, his discussions with the Aamjiwnaang First Nation relative to its assessment. Reserve properties are not subject to the Drainage Act and paying of the drainage assessment under the authority of the Drainage Act would be optional. An opportunity would be made to apply to the Federal Government for a corresponding grant. It was pointed out that if this process is not followed or the grant is not successful, the assessment would be charged to the initiating municipality, in this case St. Clair Township.

Moved by P. Gilliland

Seconded by D. Randell

**Motion #17:** That the engineer's assessment on the Froomfield Drain according to his report dated April 19, 2012 be adopted.

**TABLED**

Moved by P. Gilliland

Seconded by J. DeGurse

**Motion #18:** That the Court of Revision on the Froomfield Drain be adjourned until the assessment issue with the Aamjiwnaang First Nation is clarified.

**CARRIED**

Chairman Arnold called to order the Court of Revision to hear any assessment appeals on the Vandendool Drain. The Clerk advised that two written appeals had been received relative to the assessment of the Vandendool Drain from John and Delores Kahue and Keith and Cathy McMillan residing at 3905 and 3897 St. Clair Parkway respectively. Mr. Dobbin, author of the engineer's report on the Vandendool Drain provided a written explanation to the questions raised by Mr. and Mrs. Kahue. Mr. Dobbin explained that the assessment proposed was for cut-off benefit and due to the location of the St. Clair Parkway and the proposed new drain, would cut off the drainage water that would normally flow across the Kahoe property.

Moved by D. Randell

Seconded by J. Agar

**Motion #19:** That the assessment on the John & Delores Kehoe property, known municipally as 3905 St. Clair Parkway, Roll No. 10-305-03 be reduced by 25% and that the assessment on the St. Clair Parkway road allowance be increased by an equivalent amount.

**CARRIED**

Mr. Dobbin responded to the written appeal filed by Keith and Cathy McMillan. In the letter of appeal, the McMillans are stating that since the proposed Vandendool Drain is being constructed for the benefit of a residential development, in their opinion, the full cost of the drainage works should be charged to the developer. It was also suggested in the letter of appeal that the route of the proposed drain is inappropriate and should be in fact in a different location. In response, Mr. Dobbin stated that the benefit assessment for the McMillan property was in fact for a cut-off benefit and that the rationale is similar to that of the Kahue property.

Moved by P. Gilliland

Seconded by J. DeGurse

**Motion #20:** That the assessment on the Keith & Cathy McMillan property, known municipally as 3897 St. Clair Parkway, Roll No. 10-301 be reduced by 25% and that the assessment on the St. Clair Parkway road allowance be increased by an equivalent amount.

**CARRIED**

Moved by D. Randell

Seconded by J. Agar

**Motion #21:** That this Court hear verbal appeals from the floor.

**CARRIED**

Norman Laakes, owner of property known as 3902 St. Clair Parkway was duly sworn. Mr. Laakes stated that his property drains sufficiently with the drainage system that is now in place and does not see the value for his assessment of approximately \$2,830. Mr. Dobbin stated that the culvert in front of the Laakes property would be removed and the size increased from 12" to approximately 21" which should improve drainage in the area. Mr. Laakes stated that the drain was partially enclosed by the 12" culvert to facilitate the St. Clair River Trail at which time he contributed \$500 towards the cost and with the new drainage proposal, that culvert will be redundant and in fact will be removed. Mr. Laakes also stated that his property is for sale and is afraid that the construction and possible future assessment will detract from the value of the property.

Moved by P. Gilliland

Seconded by D. Randell

**Motion #22:** That the assessment for the Laakes property, known as 3902 St. Clair Parkway, Roll No. 10-308 be reduced by \$500 and that the assessment on the St. Clair Parkway be increased by the equal amount.

**CARRIED**

Neil Cofell, representing the Lambton Baptist Church, was duly sworn. Mr. Cofell stated that in his opinion the Lambton Baptist Church has sufficient drainage and is seeking relief on the assessment.

Moved by D. Randell

Seconded by J. DeGurse

**Motion #23:** That the request for reduction of assessment for the Lambton Baptist Church be denied.

**CARRIED**

Henry Regts, representing property owner Mr. Bert Vandendool, was duly sworn. Mr. Regts stated that he feels the road assessment is too low compared to that of Mr. Vandendool's and that the road authority should pay the cost of the re-engineering since his client, Mr. Vandendool was satisfied with the work prescribed and the assessment in the first report that was referred back to the Engineer by Council for further investigation. Mr. Regts is suggesting that the road assessment be increased by \$7,000 and that \$12,000 from the residential property owned by Mr. Vandendool be placed on the agricultural property to the east owned by Mr. Vandendool. Mr. Dobbin advised that he feels his assessment was calculated fairly and accurately under the guidelines established by OMAFRA and that the arbitrary increase in the assessment on the agricultural lands by \$12,000 may put the entire grant in jeopardy.

Moved by J. Agar

Seconded by P. Gilliland

**Motion #24:** That the assessment appeal filed on behalf of Mr. Bert Vandendool be denied

**CARRIED**

Moved by D. Randell

Seconded by J. Agar

**Motion #25:** That the Engineer's assessment on the Vandendool Drain as per the report dated March 23, 2012 be accepted as amended by the Court of Revision and that the Court of Revision be closed.

**CARRIED**

Mr. Ben Hazzard, representing the St. Clair River Run Committee, was present to discuss with Council the plans for this year's events scheduled for Saturday, July 21, 2012. Mr. Hazzard said that for the first year they were planning to hold an in-park run for the child entrants. It was pointed out that the first year of the run, 2010, attracted (73) runners, last year, there was 158 and this year, they expect numbers to approach approximately 209. Mr. Hazzard also pointed out that a high percentage of the runners are from the London area. Mr. Hazzard stated that his group is seeking five (5) requests from Council, including permission to divert the traffic on the St. Clair Parkway on July 21<sup>st</sup> from 7:30 a.m. to 11 a.m., provision of support from Township staff from the Public Works and Community Services, possible storage space if available in a Township facility for the St. Clair River Run supplies, a request that the grass at Brander Park be mowed the Wednesday prior to the event and that the Township pays the cost of additional police services that will be required.

Moved by S. Miller

Seconded by D. Randell

**Motion #26:** That the request of the St. Clair River Run Committee be investigated by Township staff for possible space availability in the Water/Works equipment storage building behind the former Sombra Township administration building

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #27:** That the request of the St. Clair River Run Committee relative to diversion of traffic on the St. Clair Parkway, availability for the use of Township forces, grass cutting at Brander Park and provision for off-duty policing be accepted.

**CARRIED**

It was suggested that a meeting be held with Mr. Hazzard and appropriate members of his Committee with Township staff and the O.P.P. to discuss duties and responsibilities on the day of the run. In response to Council's questions, Mr. Hazzard says that his Committee has been in contact with Tourism Sarnia-Lambton and, in the future, they are hoping to attract a major corporate sponsor. Council thanked Mr. Hazzard for his presentation.

**DEPUTATIONS AND APPOINTMENTS:**

**REPORTS OF COMMITTEES AND OFFICERS:**

**PROPERTY STANDARDS OFFICER REPORT:**

Council proceeded to review the report of the Property Standards Officer dated April 30, 2012.

Moved by D. Randell

Seconded by S. Miller

**Motion #28:** That the report submitted by the Property Standards Office dated May 30, 2012 be received and accepted as information.

**CARRIED**

**DRAINAGE SUPERINTENDENT REPORT**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #29:** That the report received from the Drainage Superintendent dated May 30, 2012 recommending that the tender submitted by Henry Heyink Construction Ltd. in the amount of \$316,400.00 (including taxes) for the South Courtright Drain construction be received and accepted and that the Mayor and Clerk be authorized to sign the necessary documents.

**CARRIED**

**DIRECTOR OF PUBLIC WORKS AND OPERATIONS:**

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #30:** That the report from the Director of Public Works and Operations dated May 30, 2012 regarding the overall responsible operators be received and accepted.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

**Motion #31:** That the report from the Director of Public Works and Operations dated May 30, 2012 regarding the WWTP odor problems be received and accepted as information.

**CARRIED**

Moved by P. Gilliland

Seconded by S. Miller

**Motion #32:** That the report from the Director of Public Works and Operations dated May 30, 2012 regarding the Hill Street/Petrolia Line paved shoulder/bicycle path be received and accepted as information.

**CARRIED**



**DEPUTY CLERK/COORDINATOR OF PLANNING**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #33:** That the report received from the Deputy Clerk/Coordinator of Planning dated May 31, 2012 recommending that Council directs the Planning Coordinator to release the LOC for the Youseff Subdivision as per report and provided that final paving has been completed.

**CARRIED**

Moved by J. DeGurse

Seconded by J. Agar

**Motion #34:** That the report received from the Deputy Clerk/Coordinator of Planning dated May 31, 2012 recommending that Council directs the Planning Coordinator to release the letters of credit (\$287,820 and \$5,000) to First Solar for both the Mooretown and Sombra sites be received and accepted.

**CARRIED**

**CLERK'S REPORT:**

- In-camera property

**CHIEF ADMINISTRATIVE OFFICER'S REPORT:**

- In-camera legal

**BY-LAWS:**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #35:** That By-law #24 of 2012 being a by-law to confirm the resolutions and motions of St. Clair Township which were adopted up to and including May 22, 2012 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:**

**Pat Carswell-Alexander**

Councillor Carswell-Alexander advised of a request received for new carpeting at the Brigden Library and the group to formally make the request to Council in writing.

Also, Councillor Carswell-Alexander received a request from the Brigden Horticultural Society for Township assistance in provision of water for plant maintenance this summer.

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #36:** That staff be instructed to work with the Brigden Horticultural Society to provide the material and labour for a water tap to be used for plant maintenance.

**CARRIED**

Councillor DeGurse advised of the possibility of using water from the Brigden Fairgrounds. Councillor DeGurse is to investigate this possibility.

Councillor Carswell-Alexander also had an in-camera personnel item.

**Pete Gilliland**

Deputy Mayor Gilliland advised of attending the June 2, 2012 St. Clair River Trail event with several other members of Council.

**Jim DeGurse**

Councillor DeGurse advised that Beth McGill, former employee of the Moore Agricultural Society, is leaving that position.

Councillor DeGurse also advised of receiving a complaint regarding insufficient handicap parking for the use of Fawn Island residents at the Corunna Ferry Dock Hill. The person making the complaint to Councillor DeGurse was going to approach the Corunna Community Policing Committee.

**Darrell Randell**

Councillor Randell also attended the June 2, 2012 St. Clair River Trail event.

**Jeff Agar**

Councillor Agar advised Council of a private charity golf tournament scheduled for the St. Clair Parkway golf course and asked Council to consider the provision of contributions to the prize table.

Moved by J. Agar

Seconded by D. Randell

**Motion #37:** That two rounds of golf be offered for the private charity golf tournament scheduled for the St. Clair Parkway golf course.

**CARRIED**

Councillor Agar is to provide the Clerk with details of the charity fundraiser.

**Steve Arnold**

Mayor Arnold attended the May 30, 2012 Shell open house at the Corunna Legion and this past weekend, attended the Federation of Canadian Municipalities conference in Saskatchewan. Mayor Arnold also observed a relatively small dog park in Windsor and asked the Director of Community Services to investigate. Also, the animal control officer was asked to increase patrol in the CAP Park area.

Council, in discussion of upcoming meetings, agreed to the establishment of meeting dates in July of Monday, July 9<sup>th</sup> and Monday, July 23<sup>rd</sup> with the provision that the Committee of Adjustment meeting can be rescheduled.

Moved by S. Miller

Seconded by J. Agar

**Motion #38:** That the meeting enter an in-camera session to consider property, legal and personnel issues.

**CARRIED**

Meeting returned to order

**ADJOURNMENT:**

Moved by S. Miller

Seconded by D. Randell

**Motion #39:** That the meeting do hereby adjourn.

**CARRIED**

The meeting adjourned at 9:00 p.m.

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MAYOR

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CLERK