

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 6**

St. Clair Civic Centre  
Council Chambers  
Monday, March 6, 2006  
7:00 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:

|        |               |   |
|--------|---------------|---|
|        | J. Dedecker,  | Mayor   |
|        | S. Arnold     | Deputy Mayor                                    |
|        | P. Alexander, | Councillor                                      |
|        | S. Miller,    | “   |
|        | S. Warner,    | “   |
|        | P. Gilliland, | “   |
|        | D. Randell,   | “   |
| Staff: | J. Rodey,     | CAO   |
|        | J. DeMars,    | Director of Administration/Clerk/<br>Deputy CAO |

**AGENDA:**

**Declaration of Conflict of Interest:**

**Adopt Minutes:**

Council Meeting of February 13, 2006  
Special Finance & Administration Comm. of February 13, 2006  
Sombra Museum Board – February 16, 2006

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

7:30 p.m. – Road closing public hearings 1) Nash Dr.  
2) Ladysmith (B.O.W.)

**CORRESPONDENCE:**

- a) Captain Kidd Days – permission – August 4, 2006
- b) Moore Centre Women’s Institute – grant request
- c) John Rinker – property standard
- d) Lambton Municipal Association – Annual meeting
- e) Alzheimer Society – tag day
- f) S.C.R.C.A. – Corunna retaining wall – funding confirmation

**INFORMATION:**

- 1) Thomas Hunt – Burch Drain
- 2) Township of St. Clair – public hearing – road closing
- 3) Ministry of Finance – education tax rates
- 4) Northumberland County – resolution
- 5) James and Anne Hay – property acquisition
- 6) Corunna Community Policing Committee – February 7/06 minutes
- 7) St. Clair River Trail – January 25<sup>th</sup> minutes
- 8) Notice of Appeal – St. Clair Power – for Chad Anderson
- 9) Notice of Appeal – St. Clair Power – for S.M.C.
- 10) St. Clair Conservation Authority – 2006 levy assessment
- 11) Charlene Zhao – Mayor hunger strike

- 12) Moore Museum – Sampler
- 13) Environmental Review Tribunal – April 20<sup>th</sup> hearing
- 14) Ministry of Municipal Affairs and Housing – terms of office
- 15) O.M.B. – decision – Greenfield Energy
- 16) Union Gas – appointment
- 17) Bell Mobility – tower
- 18) Charlotte’s Task Force – thank you
- 19) County of Lambton – 2006 draft budget
- 20) A.M.O. – Local Health System Integration Act, 2005
- 21) A.M.O. – Federal Gas Tax Implementation
- 22) A.M.O. – OGRA/ROMA Combined Conference Announcements
- 23) A.M.O. – OMERS – Bill 206
- 24) County of Lambton – Wood lot application
- 25) County of Lambton – Council Highlights
- 26) Chamber of Commerce – invitation
- 27) Lambton Area Water Supply System - Minutes February 1, 2006
- 28) County of Lambton – Brownfields Knowledge Workshop – March 23, 2006

**DRAINS:**

By-law 4 of 2006 – Port Lambton Storm Sewer Drain

**REPORTS OF COMMITTEES AND OFFICERS:**

Committee of Adjustment-Decisions: B 3, B 4, B 5 and B 6/06 and A 8, A 9 and A 10/6

**DEPUTY TREASURER/COORDINATOR OF ACCOUNTING:**

- Council remuneration for 2005

**COMMUNITY SERVICES – COORDINATOR OF FACILITIES:**

- Wilkesport Library quotes

**ENGINEERING ASSISTANT/DRAINAGE SUPERINTENDENT:**

- Greenfield Energy Centre – Pipeline Crossing Agreement

**CLERK'S REPORT:**

**CAO'S REPORT:**

- Property & personnel – in camera

**MOTIONS:**

**BY-LAWS:**

By-law #12 of 2006 – Development Agreement – Bill & Esther Waybrant

By-law #13 of 2006 – Road closing – Nash Dr.

By-law #14 of 2006 – Confirming By-law

By-law #15 of 2006 – Pipeline Crossing – Greenfield Energy

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

- Committee of the Whole – Finance & Administration (**Draft 2006 budget review**)
  - Public Works & Operations – Wednesday, March 8, 2006 – 2:00 p.m.
- Regular Council – Monday, March 20, 2006 – 7:00 p.m.

**IN CAMERA:**

- To discuss Property and Personnel issues.

**ADJOURNMENT:**

The Mayor called the meeting to order at 7:00 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. Warner

Seconded by S. Arnold

**Motion #1** That the minutes of the following meetings be adopted as printed and circulated:

Council Meeting of February 13, 2006  
Special Finance & Administration committee of February 13, 2006  
Sombra Museum Board Minutes of February 16, 2006

**CARRIED**

**CORRESPONDENCE:**

Council proceeded to reviewed the Correspondence as listed on the agenda.

Moved by S. Miller

Seconded by P. Alexander

**Motion #2** That permission be granted to the Captain Kidd Days Committee for the establishment of a refreshment tent during their Community Festival scheduled for August 4<sup>th</sup> and 5<sup>th</sup> 2006 subject to the customary Township policy.

**CARRIED**

Council reviewed the request received from the Moore Centre Women's Institute for grant funding to defray building expenses.

Moved by S. Arnold

Seconded by S. Warner

**Motion #3** That a grant in the amount of \$2,500.00 be provided to the Moore Centre Women's Institute to defray 2006 building expenses from the Moore Township Education and Environment Reserve Fund.

**CARRIED**

Moved by P. Alexander

Seconded by S. Arnold

**Motion #4** That the Property Standards Officer be instructed to investigate and report on the property standards issue identified at property known municipally as 2507 Waterworks Road.

**CARRIED**

Moved by S. Arnold

Seconded by D. Randell

**Motion #5** That the 2006 membership to the Lambton County Municipal Association be accepted and approved for payment, with the appropriate number of extra tickets to be purchased.

**CARRIED**

Moved by S. Arnold

Seconded by D. Randell

**Motion #6** That permission be granted to the Alzheimer Society of Sarnia/Lambton to conduct its 6<sup>th</sup> annual tag day in the municipality on June 16<sup>th</sup> and June 17<sup>th</sup>, 2006.

**CARRIED**

Moved by S. Arnold

Seconded by D. Randell

**Motion #7** That the St. Clair Region Conservation Authority be advised that the municipality will accept its cost share for the Corunna retaining wall 2006 maintenance and operations.

**CARRIED**

**INFORMATION:**

Council reviewed the letter received from Mr. Tom Hunt regarding the Burch Drain.

Moved by S. Arnold

Seconded by S. Warner

**Motion #8** That a second ratepayers meeting be held with the Drainage Committee to discuss the repair request on the Burch and Wright Drains to allow Mr. Tom Hunt the opportunity for providing his input, with the notices to be sent by Registered Mail.

**CARRIED**

In review of the St. Clair River Trail minutes from its January 25<sup>th</sup> meeting, Council pointed out that the proposed 2006 portion of the River Trail construction is still subject to final engineering approval and final Council permission. In regards to the Union Gas senior staffing changes Council instructed staff to send a letter of congratulations and an open invitation to the new manager to attend any future meeting of Council. Council was advised of an invitation to attend the Sarnia/Lambton Chamber of Commerce meeting on April 4<sup>th</sup>. Council instructed staff to make the necessary arrangements for Township representatives able to attend.

Moved by P. Alexander

Seconded by S. Arnold

**Motion #9** That a member of staff be instructed to attend the Brownfields Knowledge Workshop sponsored by the County of Lambton on March 23, 2006.

**CARRIED**

Moved by P. Alexander

Seconded by P. Gilliland

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

- a. Captain Kidd Days – permission – August 4, 2006  
**Inst.** See Motion #2
- b. Moore Centre Women's Institute – grant request  
**Inst.** See Motion #3
- c. John Rinker – property standard  
**Inst.** See Motion #4
- d. Lambton Municipal Association – Annual Meeting  
**Inst.** See Motion #5
- e. Alzheimer Society – tag day  
**Inst.** See Motion #6
- f. S.C.R.C.A. – Corunna retaining wall – funding confirmation  
**Inst.** See Motion #7

**CARRIED**

**DEPUTATIONS AND APPOINTMENTS:**

At the appointed time the Mayor called to order the public meeting called to hear the request to close Nash Drive and a portion of the Ladysmith Road. CAO Rodey explained to the meeting the request received from a Developer to close the northerly portion of Nash Drive (formerly Queen Street) to allow a reconfiguration of a progressing development. Mr. Rodey advised that the road allowance in question does not connect to a through street and its development as a road in the future would not be probable.

Mr. Frances DeSena representing the proponent advised that his client, if the closing is approved by Council would proceed with the appropriate reference plan and that his client would agree to the purchase of the property based on the terms of the current land disposal policy.

Hearing no further comments and hearing no comments in opposition to the proposal the Mayor declared the public hearing closed.

Moved by S. Arnold

Seconded by S. Warner

**Motion #11** That Council approve in principle the proposal to close the northerly portion of the Nash Drive road allowance, and that the property be declared surplus to the Township's needs and the property disposed of in accordance with the Township's current disposal of surplus property policy as prescribed in By-law 58 of 2003, and that staff be authorized to proceed accordingly.

**CARRIED**

The Mayor reconvened the public hearing called to consider request to close Nash Drive and Ladysmith Road. The Clerk advised that a request had been received from the Ministry of Natural Resources on behalf of the Bickford Oak Woods Reserve to close a portion of the Ladysmith Road from the Bickford Line North to the Blind Line to allow its incorporation into the Bickford Oak Woods Reserve. Mr. Rick Visser of the Ministry of Natural Resources was present to speak in favour of the proposed closing due to the fact that if the road is closed and conveyed to the Ministry, the Ministry would then have the ability to include the road allowance into the Reserve and regulate and control its use.

Mr. Maitland Noyle was present to address the issue. Mr. Noyle identified himself as an owner of property to the West of the Ladysmith road allowance. Mr. Noyle stated his opinion that he would like to incorporate the 66 foot road allowance into his property and it was noted that Mr. Noyle and the previous owners of the property have maintained the property consistent with a rural residential lot. Mr. Visser advised that the Ministry would like to retain at least the easterly 33 feet of the 66 foot road allowance to allow public access into the Bickford Oak Woods area, however, it was pointed out that eventually the Ministry hopes to develop a new driveway entrance and parking facility, and it would be their intention to re-vegetate and re-forest the easterly half of the road allowance if it was conveyed to the Ministry. Councillor Alexander suggested that in response to Mr. Visser's comment that it may be two years before the Ministry develops a new access configuration, that the Township may want to provide grant funding out of the Moore Education and Environmental Reserve Fund to financially support and expedite the project. Deputy Mayor Arnold stated his opinion that Mr. Noyle's efforts on maintaining the property should be recognized.

The Clerk advised for the record that notification of this public meeting was published in the February 3, 2006 edition of the Sarnia Observer and as well notices were sent by First Class prepaid mail to property owners adjacent to the road allowance in question.

Hearing no further comments or objections to the closing of the road the Mayor declared the public hearing closed.

Moved by S. Arnold

Seconded by S. Miller

**Motion #12** That Council approve in principle the proposed closing of the Ladysmith Road allowance from the Bickford Line North to the Blind Line with the provision that the proposed road closing through the Noyle property in its entirety be offered to Mr. Noyle with the recipient to be responsible for survey, legal and other associated costs of the

transfer and with the further provision that the proposed closed road allowance from the North limit of the Noyle property to the Blind Line be offered to the Ministry of Natural Resources, and further that an access easement be granted to the Ministry of Natural Resources for a two year period for that portion of the closed road allowance through the Noyle property, and that the provisions of the Township's disposal of surplus lands policy as prescribed in By-law 58 of 2003 be waived.

**CARRIED**

**DRAINS:**

Moved by D. Randell

Seconded by S. Warner

**Motion #13** That Drainage By-law #4 of 2006, being a by-law to raise the sum of \$12,299.03 being money expended out of the General Funds of the Township of St. Clair for the expenditures to the Port Lambton Storm Sewer Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

**REPORTS OF COMMITTEES AND OFFICERS:**

Council reviewed the Decisions of the recent meeting of the Committee of Adjustment and offered no comment or opinion.

**DEPUTY TREASURER/COORDINATOR OF ACCOUNTING REPORT:**

Moved by P. Alexander

Seconded by S. Miller

**Motion #14** That the report from George Lozon, CGA Deputy Treasurer dated February 23, 2006, re: Council Remuneration be received.

**CARRIED**

**COMMUNITY SERVICES/COORDINATOR OF FACILITIES REPORT:**

Council reviewed the quotes received for the Wilkesport Library roof replacement. The quotes were as follows:

|                        |                     |
|------------------------|---------------------|
| Bullock roofers        | \$5,444.00 plus GST |
| D. Wilson Construction | \$5,550.00 plus GST |
| R. L. Brown            | \$3,956.53 plus GSt |

Moved by S. Arnold

Seconded by S. Warner

**Motion #15** That the report from the Coordinator of Facilities regarding the quotes received for the replacement of the Wilkesport Library Roof project be awarded to R. L. Brown in the amount of \$3,956.23.

**CARRIED**

**ENGINEERING ASSISTANT/DRAINAGE SUPERINTENDENT REPORT:**

Council reviewed the report prepared by Mr. Graham regarding the Greenfield Energy's request for a pipeline crossing agreement relative to the Johnston Drain for pipelines required in the development of the Greenfield Energy facility.

Moved by S. Miller

Seconded by P. Gilliland

**Motion #16** That the Township of St. Clair enter into a Pipeline Crossing Agreement with Greenfield Energy Centre LP for the crossing of the Johnston Drain and that the Mayor and Clerk be authorized to sign the agreement or other related documents.

**CARRIED**

**CLERK'S REPORT:**

The Clerk advised of his request to discuss a property issue in an in camera session.

**CHIEF ADMINISTRATIVE OFFICER'S REPORT:**

Mr. Rodey advised of a personnel and property issue that would be more appropriately discussed in camera.

**BY-LAWS:**

Moved by D. Randell

Seconded by S. Warner

**Motion #17** That By-law 12 of 2006, a by-law to authorize execution of a Development Agreement with Bill and Esther Waybrant, for Part of Block C, Plan 574, Courtright, geographic Township of Moore, Township of St. Clair, being designated as Part 1 on Reference Plan 25R9085, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

**CARRIED**

Moved by P. Gilliland

Seconded by P. Alexander

**Motion #18** That By-law Number 14 of 2006, the By-law for the Township of St. Clair to confirm the resolutions and motions of St. Clair Township which were adopted up to and including the February 13, 2006 Council meeting, 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 S. Warner

Seconded by S. Arnold

**Motion #19** That By-law Number 15 of 2006, being a by-law to authorize execution of a pipeline crossing with Greenfield Energy Centre LP for crossing certain roads and drains in St. Clair Township, 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:**

**Steve Arnold**

Deputy Mayor Arnold advised that he attended the recent Moore Township Optimist Club Youth Appreciation dinner and enjoyed the opportunity to attend. Also, received a call from a ratepayer interested in applying for the position of Animal Control Officer. The Clerk advised that it was his intention to draft requests for proposals for circulation.

**Darrell Randell**

Councillor Randell advised that Clean Harbors were hosting their Annual Public Information Open House at the Brigden Fair Grounds on Tuesday, March 7<sup>th</sup>. Also, the Wilkesport Community Centre is preparing plans for renovations in the Community Centre which would include washroom upgrades and various other facilities improvement that may be eligible for Trillium Grant funding and may cost in the neighbourhood of \$100,000.00. The Board is requesting financial support from the municipality and were generally advised that funding for the project has not been provided in the Township's current budget, but could be revisited in 2007.

**Pat Alexander**

Councillor Alexander requested the status of a flashing stop light at the intersection of LaSalle and DeGurse Drive. The Clerk advised that the letter of request had been sent to the First Nations several weeks ago with no response. Councillor Alexander also advised of a ratepayer request for the speed limit on the Kimball Road North of County Road 80 to be reduced from 90 km to 80 km. It was pointed out by several other members of Council that a similar request several years ago was denied by the County. Councillor Alexander advised that she also attended the recent Optimist Club Youth Appreciation dinner.

Also based on a ratepayer request Councillor Alexander is requesting a staff report on the sidewalk on the East side of the St. Clair Parkway from the Shell property to LaSalle Line.

Moved by P. Alexander

Seconded by D. Randell

**Motion #20** That staff be instructed to investigate and report on the condition and possible repair or replacement costs for the sidewalk on the East side of the St. Clair Parkway from the Shell property North to LaSalle Line.

**CARRIED**

Staff responded to questions raised by Councillor Alexander relative to possible alley closings in Brigden, and the request to staff to replace the St. Clair Township flag at the Civic Centre. Councillor Alexander is also requesting the reinstatement of the project status list on an ongoing basis.

**Pete Gilliland**

Councillor Gilliland advised of receiving numerous complaints regarding inappropriate people using the handicapped parking space on Hill Street adjacent to the Corunna Post Office. It was suggested that the By-law Enforcement Officer be asked to routinely patrol the area to take appropriate action to discourage such illegitimate use.

Also, in response to Councillor Gilliland's questions the Clerk advised that the request relative to the Corunna United Church property and its handicapped parking capabilities was referred as requested to the County Road Authority.

Councillor Gilliland also led Council in a discussion of possible Trillium Fund grant application protocols for the St. Clair River Trail Committee. Councillor Gilliland cautioned that relative to grant funding the River Trail Committee should be mindful of its relationship with the municipality and the fact that projects dealing with municipal facilities unless managed under a separate operating agreement tend not to be eligible for such Trillium Grant Funding.

**Steve Miller**

Councillor Miller attended a recent meeting of the Port Lambton Community Hall Board and advised Council that the Board intends through the cooperative efforts of the local Optimist Club to apply for Trillium Grant Funding for community hall renovations including outside insulation and cladding.

Moved by P. Gilliland

Seconded by D. Randell

**Motion #21** That the meeting enter an in camera session to discuss property and personnel issues with the Mayor as Chair.

**CARRIED**

The meeting returned to order.

Moved by P. Gilliland

Seconded by S. Warner

**Motion #22** That the recommendations contained in the report of the Chief Administrative Officer dated March 2, 2006 be approved.

**CARRIED**

Moved by S. Arnold

Seconded by P. Gilliland

**Motion #23** That Council acknowledge the completion of the six month probationary period for CAO John Rodey and that Mr. Rodey be considered as a full-time employee with the appropriate salary grid placement, consistent with the non-union management agreement.

**CARRIED**

**ADJOURNMENT:**

Moved by S. Miller

Seconded by D. Randell

That the meeting adjourn.

**CARRIED**

The meeting adjourned at 9:30 p.m.

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MAYOR

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CLERK