

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 15**

St. Clair Civic Centre  
Council Chambers  
Monday, August 21, 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:

	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/ Deputy CAO

**AGENDA:**

**Declaration of Conflict of Interest:**

**Adopt Minutes:**

Council Meeting of July 17, 2006 – Session 14  
Public Works & Operations Comm. of August 9, 2006  
Finance & Administration Comm. of August 9, 2006

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

7:00 p.m. – Mayor Cam Ivey and Mayor Todd Case – Bluewater Health

**CORRESPONDENCE:**

- a) J. Callfas – Property Standards
- b) Chad Anderson – Conditional Building Permit
- c) Lindsay Carroll – Property Standards
- d) Corunna Giants – Tournament Permission
- e) Courtright Firefighters – Tournament Permission
- f) LCBO – Expansion
- g) Barbara O’Neil – Property Standards
- h) Barbara O’Neil – Traffic Safety

**INFORMATION:**

- 1. Carole Dedecker – Thank You
- 2) Bluewater Health Foundation – Memorial
- 3) Nordia – Call Centre closing
- 4) Minister of Tourism – Thank You
- 5) Nova Chemicals – Donation
- 6) MPP – C. Di Cocco – Response
- 7) Shawnie Snell – CSX Crossing
- 8) OFA – Energy
- 9) Charlotte’s Task Force – update
- 10) Township of Dawn-Euphemia – Invitation
- 11) Terra – September 9, 2006 – invitation
- 12) Nordia – Closure

- 13) C. Nisbet – Postal Service
- 14) Wm. McKee – Town Crier

**REPORTS OF COMMITTEES AND OFFICERS:**

Committee of Adjustment- Decisions: B 14/06, B 15/06 and A 12/06; Application A 13/06

**CO-ORDINATOR OF ENGINEERING SERVICES:**

- Urban Asphalt Resurfacing tenders
- Nash Landing assumption

**COORDINATOR OF OPERATIONS (WORKS):**

- Municipal Dock Rental

**TREASURER'S REPORT:**

- Electricity Procurement

**CLERK'S REPORT:**

- Friends of Joe
- Building Permit

**CAO'S REPORT:**

**MOTIONS:**

**BY-LAWS:**

- By-law 47 of 2006 – AMO/LAS Electricity Procurement Policy
- By-law 48 of 2006 – Election Procedures
- By-law 49 of 2006 – Confirming By-law
- By-law 50 of 2006 – Encroachment/Crossing Agreement – Greenfield Energy
- By-law 51 of 2006 – Assumption of Nash Landing Servicing
- By-law 52 of 2006 – Site Plan Agreement – Bargain shop – Danbury Developments Inc.
- By-law 53 of 2006 – Council Vacancy

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

- Regular Council Tuesday, September 5, 2006
- Committee of the Whole – Wednesday, September 13, 2006 – 2:00 p.m.
- Staff Appreciation Lunch – Wednesday, September 13, 2006 – 12:00 noon

**ADJOURNMENT:**

In the Mayor's absence the Deputy 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.

In memory of the late Mayor Joe Dedecker the Deputy Mayor asked those present to observe two minutes of silence in memory of Mayor Dedecker.

**MINUTES:**

Following this tribute Council proceeded to review the minutes as listed on the agenda. Councillor Randell pointed out that in reference to the minutes of the July 17<sup>th</sup> regular meeting of Council the information he referred to in his report from the St. Clair Region Conservation Authority was on the subject of the shoreline stability study.

Moved by D. Randell

Seconded by S. Warner

**Motion #1** That the minutes of the Council meeting of July 17, 2006, Session #14 be adopted as printed and circulated.

**CARRIED**

Moved by S. Warner

Seconded by P. Alexander

**Motion #2** That the minutes of the Committee of the Whole (Combined meeting of Finance & Administration and Public Works & Operations) meeting of August 9, 2006 be adopted as printed and circulated.

**CARRIED**

**DEPUTATIONS AND APPOINTMENTS:**

At the appointed time Deputy Mayor Arnold welcomed Mayor Cam Ivey of Lambton Shores and Mayor Todd Case of the Township of Warwick present to discuss with Council the issue of the County of Lambton financial pledge to Bluewater Health to facilitate the construction of the proposed new hospital.

Mayor Ivey provided a clarification as to the position of the municipality of Lambton Shores and Warwick and the statistics regarding the usage for the Bluewater Health facilities. Mr. Ivey stated that their position was that the provision of hospital facilities was a federal and provincial responsibility and he philosophically felt that the burden of the bricks and mortar hospital facilities should not be on the municipal tax base. However, if the municipalities wanted to make a financial contribution through the County the fair way to do so would be more appropriately funding on the basis of the percentage usage of the municipality's residents to the facility rather than the general County levy. The Mayor's advise that their municipalities are with holding the hospital portion of the levy and will host public meetings later in August or early September to solicit the opinion of their residents on the issue.

Mayor Case advised that Warwick has an additional problem where they felt the issue was not given appropriate public scrutiny and that he, in fact, was unable to attend the meeting due to a death in his family. In response to Councillors Gilliland's questions Mayor Ivey advised that in the alternative his municipality may agree to pay a portion of the hospital development costs financed through the County based on a usage percentage of the facilities.

Deputy Mayor Arnold on behalf of Council thanked Mayor Ivey and Mayor Case for their presentation and explanations of the positions taken by their municipality relative to Bluewater Health funding as well as those positions from the Township of Brooke-Alvinston and the Township of Dawn-Euphemia who took similar action.

**CORRESPONDENCE:**

Mr. Chad Anderson was present on behalf of Mr. Murray Shaw to present his letter of request identified as correspondence to this meeting regarding the possibility of a conditional building permit for the establishment of a roof structure over a dry manure storage facility.

On behalf of Mr. Shaw, Mr. Anderson stated that Mr. Shaw has applied to Ministry of Agriculture and Food for approval of his Nutrient Management Strategy that will take approximately two months to be reviewed. Mr. Shaw is hoping to construct the required

roof at this time of the year when construction conditions are favourable and the manure storage facility is empty which would assist in the construction. Mr. Shaw is willing to enter into a conditional building permit agreement that would allow the Township's

Building Official to issue a permit on a conditional basis subject to the receipt of the approved Nutrient Management Strategy. It was pointed out that Mr. Shaw does not intend to expand his livestock operation herd, but only make the management of the current herd more environmentally friendly.

Moved by D. Randell

Seconded by S. Miller

**Motion #3** That St. Clair Township approve the request of Mr. Murray Shaw for the issuance of a conditional building permit for a manure storage structure in advance of receipt of the approved Nutrient Management Strategy from the Ministry of Agriculture and Food subject to the appropriate security and performance guarantee provisions.

**CARRIED**

Moved by S. Miller

Seconded by P. Alexander

**Motion #4** That the Property Standards complaint received relative to property known as 127 Church Street be referred to the Property Standards Officer for investigation and report.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #5** That the Property Standards complaint received on behalf of 357 Murray St. be forwarded to the Property Standards Officer for investigation and report.

**CARRIED**

Moved by S. Miller

Seconded by P. Gilliland

**Motion #6** That the Corunna Giants Senior Baseball Club Association be granted permission for the licensing of a beer tent during the Ontario Baseball Association Senior "B" Championship Tournament to be held September 1<sup>st</sup> to September 4<sup>th</sup> 2006, subject to compliance with the Township's Alcohol Management Policy.

**CARRIED**

Moved by S. Warner

Seconded by D. Randell

**Motion #7** That the Courtright Fire Fighters Association be granted permission for the licensing of a beer tent at their Ball tournament to be held August 25<sup>th</sup> and 26<sup>th</sup>, 2006, subject to compliance with the Township's Alcohol Management Policy.

**CARRIED**

Moved by P. Alexander

Seconded by P. Gilliland

**Motion #8** That the Township of St. Clair has no objection to the establishment of an LCBO agency store in the community of Brigden.

**CARRIED**

Moved by P. Alexander

Seconded by P. Gilliland

**Motion #9** That the property standards complaint relative to property located at 3045 St. Clair Parkway be referred to the Property Standards Officer for investigation and report.

**CARRIED**

Council reviewed the communication received from a ratepayer requesting consideration for the installation of rumble strips at the intersection of all paved Township roads as a safety feature, and further request for similar installations on various County roads.

Moved by S. Miller

Seconded by P. Alexander

**Motion #10** That the request for the installation of rumble strips at the intersection of all paved Township roads be referred to Public Works staff for a report at the next meeting of the Public Works Committee.

**CARRIED**

Moved P. Alexander

Seconded by S. Miller

**Motion #11** That the request for construction of rumble strips at the intersections of various paved County Roads be referred to the Lambton County Infrastructure Committee for consideration.

**CARRIED**

A motion by Councillor Warner to install a traffic control signal at the intersection of Bentpath Line and Highway 40, failed to get a seconder and was defeated.

In review of the items of information Council instructed staff to prepare a report for consideration at the next Committee meeting on the Trillium Founding distribution protocol, and if there are any local members on this Committee. Also, Council was instructed to draft a letter of response for the Mayor's signature in response to the Shawnie Snell letter regarding CSX Crossings.

Moved by D. Randell

Seconded by P. Gilliland

**Motion #12** That St. Clair Township support the efforts being made by the Ontario Federation of Agriculture for Provincial funding to allow for the completion of the initial study to look at the feasibility of replacing coal electric generation with corn fired facilities.

**CARRIED**

Moved P. Alexander

Seconded by P. Gilliland

**Motion #13** That the Township support the efforts of the citizens lobbying Canada Post to relocate their proposed mail pickup location to either Courtright or Mooretown.

**DEFEATED**

Council received for information the T.W. Gray report dated August 15<sup>th</sup> on the Catalpa Way local improvement.

Moved by P. Alexander

Seconded by S. Miller

**Motion #14** That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. J. Callfas – Property Standards  
**Inst.** See Motion #4
- b. Chad Anderson – Conditional Building Permit  
**Inst.** See Motion #3
- c. Lindsay Carroll – Property Standards  
**Inst.** See Motion #5
- d. Corunna Giants – Tournament Permission  
**Inst.** See Motion #6
- e. Courtright Firefighters – Tournament Permission  
**Inst.** See Motion #7
- f. LCBO – Expansion  
**Inst.** See Motion #8
- g. Barbara O'Neil – Property Standards  
**Inst.** See Motion #9
- h. Barbara O'Neil – Traffic Safety  
**Inst.** See Motions #10 and #11

**CARRIED**

**REPORTS OF COMMITTEES AND OFFICERS:**

Council reviewed Committee of Adjustment Decisions B 14/06, B 15/06, A 12/06 and Application A 13/06 and offered no comment.

**COORDINATOR OF ENGINEERING SERVICES:**

Council reviewed Mr. Burnham's report on the Urban Asphalt Resurfacing tenders and the Nash Landing Assumption.

Moved by S. Miller

Seconded by P. Gilliland

**Motion #15** That the revised contract amount submitted by Cope Construction in the amount of \$153,935.00 plus GST for Urban Asphalt Resurfacing project be accepted and that the Mayor and Clerk be authorized to sign the contract and other related documents.

**CARRIED**

Moved by S. Warner

Seconded by D. Randell

**Motion #16** That St. Clair Township accept the development work performed at Nash Landing Phase 2 as complete and that the two year maintenance period be enforced until August 21, 2008 and in addition the construction lien holdback amounting to \$28,809.90 be released to the developer.

**CARRIED**

**COORDINATOR OF OPERATIONS:**

Council reviewed Mr. Berkvens report on the request of Southwestern Sales to lease the former Sombra Gravel Dock.

Moved by D. Randell

Seconded by S. Miller

**Motion #17** That the former Sombra Gravel Dock be made available to Southwestern Sales Corporation Limited for the temporary storage and transfer of granular material for the period August 1, 2006 through December 18, 2006 for a fee of \$.45 per imperial ton.

**CARRIED**

**TREASURER'S REPORT:**

Council reviewed Mr. Quenneville's report on the update on the AMO/LAS Electricity Procurement Program.

Moved by S. Warner

Seconded D. Randell

**Motion #18** That the Treasurer's report on the Electricity Procurement Program be received for information.

**CARRIED**

**CLERK'S REPORT:**

Moved by P. Alexander

Seconded by P. Gilliland

**Motion #19** That Council approves the proposal to support and partner with the Grass Roots Citizens Committee known as the Friends of Joe for the development of a memorial to late Mayor Joe Dedecker at Port Lambton Park and further that the Port Lambton Park be renamed and rededicated as Dedecker Park.

**CARRIED**

Moved by S. Warner

Seconded by S. Miller

**Motion #20** That the building permit fee for the renovations at the Sombra Community Services building to accommodate the Best Start Program totaling \$787.50 be waived.

**CARRIED**

**MOTIONS:**

Moved by P. Alexander

Seconded by S. Miller

**Motion #21** THAT the Council of the Corporation of the Township of St. Clair endorse the Electricity Procurement Program in partnership with Local Authority Service (LAS), a wholly owned subsidiary company of the Association of Municipalities of Ontario.

THAT the execution of an Agency Appointment Agreement with Local Authority Services be approved, recognizing that as agent, LAS will negotiate all required electricity purchases on behalf of all procurement program members and that the details of all contracts will immediately be communicated to all program members;

THAT the authority to make all future program-related decisions for the Corporation of the Township of St. Clair be delegated to:

- 1) Treasurer
- 2) Deputy-Treasurer

AND FURTHER THAT Council authorize Local Authority Services, through its appointed agent, to have access to consumption data from the local electricity utility on an as needed basis, in order to compile load profile information for the procurement program.

**CARRIED**

**BY-LAWS:**

Moved by S. Miller

Seconded by P. Alexander

**Motion #22** That By-law Number 47 of 2006, being a by-law to approve a financial policy on commodity price hedging for electricity procurement, 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. Gilliland

Seconded by S. Miller

**Motion #23** That By-law Number 48 of 2006, a by-law of the Corporation of the township of St. Clair to establish election procedures and alternative voting (vote by mail) procedures for the 2006 Municipal elections, 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 D. Randell

Seconded by S. Warner

**Motion #24** That By-law Number 49 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 an including the July 17, 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 D. Randell

**Motion #25** That By-law Number 50 of 2006, being a by-law to authorize execution of a pipeline crossing/encroachment agreement 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**

Moved by S. Warner

Seconded by D. Randell

**Motion #26** That By-law 52 of 2006, a by-law to authorize execution of a Site Plan Agreement with Danbury Developments Inc., and Daniel Brousseau, Lots 83 and 84 and Part Lot 82, Plan 413, Corunna, Ontario geographic Township of Moore, Township of St. Clair, County of Lambton, 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:**

**Shirley Warner**

Councillor Warner advised of a complaint received from a neighbour relative to 342 Murray Street. The local impression is that there is a commercial operation located on the property and that the water service has been terminated. Staff was asked to investigate the status of the water service.

**Darrell Randell**

Councillor Randell attended the recent AMO Conference which he found informative and the theme of the Conference was Energy and Energy Conservation. Also, Councillor Randell questioned the status of the draft letter he has prepared regarding Great Lakes renewal. Council was advised that this letter would be available for consideration at its next meeting. Also, Councillor Randell volunteered to contact the St. Clair Region Conservation Authority regarding shoreline protection for the small property referred to as Stokes Island in the former Township of Sombra.

**Steve Miller**

Councillor Miller advised that he also attended with Councillor Randell the recent AMO Conference.

**Pete Gilliland**

Councillor Gilliland advised that he attended and represented Council at the recent Southwest Ontario Optimist Convention. In response to Councillor Gilliland's question, Council was advised that the Code 8 issued on Sunday at Shell was reported to the Fire Chief. Also, Councillor Gilliland reported to Community Services Director, Gary Hackett, the need to repair a portion of the fence at Guthrie Park. In response to Councillor Gilliland's question, Council was advised that the proposed agreement drain between the Township and two private property owners on the north side of the Moore Line near Burton Creek has been finalized and signed.

**Pat Alexander**

Councillor Alexander questioned the status of the request received from Mark and Marie Taylor regarding the increase in vent stack height at the pump facility west of the Courtright Sewage Treatment Plant. Also, discussed with Council the drainage problem on the Dicer Drain identified by Mr. Jim Elliott near the intersection of LaSalle and Plank Road.

Moved by P. Alexander

Seconded by P. Gilliland

**Motion #27** That the Jim Elliott drainage concern on the Dicer Drain be referred to the appropriate staff for investigation.

**CARRIED**

Councillor Alexander stated that Physician Recruitment Task Force has changed its name to the Physician Recruitment Task Force of Sarnia-Lambton and currently there seems to be nine interested Family Practitioners willing to move into the Sarnia-Lambton area. Contact has been made by the Task Force to Dr. William O'Mahony, in Corunna, in an attempt to assist in attracting a Family Physician to the Corunna Medical Clinic. Council discussed in general possible additional funding to the Task Force and were generally receptive to the concept of additional funding of reports for additional physician recruitment remains positive. Councillor Alexander also attended the recent Captain Kidd Days parade and attended the recent Brigden Community Festival which seemed to be popular and successful.

A request for repair of the washrooms at Guthrie Park has been forwarded to the Director of Community Services. Also, Councillor Alexander questioned the status of the report from staff as to how traffic, fire services, garbage collection and blue box collection can be facilitated once the Riverside Drive Bridge in Port Lambton is closed for replacement.

**Steve Arnold**

Deputy Mayor Arnold questioned staff as to the delay in the tender closing for the sanitary sewer extension and watermain replacement on the St. Clair Parkway south of County Road 80. The CAO advised that the delay in tender of approximately two weeks was requested by interested contractors due to a difficulty in securing firm contract prices from sub-trades.



**NEW BUSINESS:**

Council considered draft By-law 53 of 2006 declaring a vacancy on Council and providing for the filling of those vacancies.

Moved by P. Gilliland

Seconded by P. Alexander

**Motion #28** That by-law Number 53 of 2006 a by-law to declare a Council vacancy and to appoint to fill such vacancy, 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. Miller

Seconded by P. Alexander

**Motion #29** That relative to the provisions of By-law 53 of 2006 that Mayor Arnold be appointed as the Township representative on the Lambton Area Water Supply System and that both the Mayor and Deputy Mayor represent the municipality on the St. Clair Region Conservation Authority, and that the current Committee appointments remain in place with Mayor Arnold representing the municipality where appropriate in place of Mayor Dedecker.

**CARRIED**

**ADJOURNMENT:**

Moved by D. Randell

Seconded by S. Warner

**Motion #30**

That the meeting do hereby adjourn.

**CARRIED**

The meeting adjourned at 8:45 p.m.

---

MAYOR

---

CLERK