

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #18**

St. Clair Civic Centre
Council Chambers
Monday, October 2, 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	Mayor
	S. Miller,	Deputy Mayor
	P. Alexander,	Councillor
	S. Warner,	“
	P. Gilliland,	“
	D. Randell,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO

AGENDA:

5:45 p.m. – Firefighters - Service Awards (Hawthorns)

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of September 18, 2006 – Session #17
Drainage Committee of September 26, 2006
Moore Museum Advisory Committee – September 6, 2006

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:30 P.M. – Andrew Flanagan – Invenergy Site Plan

CORRESPONDENCE:

- a) Barry Davis – Sidewalk petition
- b) A.M.O. OMERS Act fund
- c) David Leach – request to purchase property

INFORMATION:

- 1) Royal Canadian Legion – Poppy Week
- 2) County of Lambton – rumble strips
- 3) Lambton Group Police Services Board – refund
- 4) O.M.B. – decision file PL 05120
- 5) Corunna Community Policing – Sept. 25 minutes
- 6) Carolinian Canada Coalition – invitation
- 7) County of Lambton – site plan – Invenergy
- 8) Barry Uitvlugt – Site plans evaluation – Invenergy
- 9) First Baptist Church – invitation
- 10) County of Lambton – Council Highlights

DRAINS:

By-law 34 of 2006 – Taylor Drain – 1st and 2nd reading
By-law 35 of 2006 – Wadsworth Dr. – 1st and 2nd reading

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment-Applications Decisions A 15 and A 16/06 and B 17/06

COORDINATOR OF ENGINEERING SERVICES:

- Pedestrian Crosswalk Status
- Broadway St. Sidewalk

FIRE CHIEF'S REPORT:

- Roof Replacement & HVAC Upgrade – Pt. Lambton Fire Station

CLERK'S REPORT:

CAO'S REPORT:

MOTIONS:

BY-LAWS:

- By-law 59 of 2006 – Invenergy Site Plan
- By-law 60 of 2006 – Invenergy Development Agreement

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Staff Appreciation Luncheon – Wednesday, Hawthorns – Oct 11, 2006 – 12:00 p.m.
- Committee of the Whole – Finance and PWO – Wednesday, Oct. 11, 2006 - 2:00 p.m.
- Regular Council – Monday, October 16, 2006 – 7:00 p.m.

ADJOURNMENT:

The Mayor called the meeting to order at 6:40 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.

Mayor Arnold acknowledged that prior to the meeting he and the other members of Council presented to approximately 15 volunteer firefighters from the six stations long service awards.

MINUTES:

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

Moved by D. Randell

Seconded by S. Warner

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

Council Meeting of September 18, 2006, Session #17

Drainage committee of September 26, 2006

Moore Museum Advisory Committee minutes of September 6, 2006

CARRIED

CORRESPONDENCE:

The petition received from Mr. Barry Davis on behalf of property owners on the north side of Broadway Street in Port Lambton was referred for discussion later in the meeting relative to the report of the Coordinator of Engineering Services.

Moved by P. Gilliland

Seconded by D. Randell

Motion #2 That the Township make a contribution in the amount of \$339.50 to the AMO OMERS Special Fund.

CARRIED

Council reviewed the request received from Mr. David Leach to purchase a small portion of property between his property and the sanitary sewer pump station owned by the municipality on Old River Road. The CAO pointed out to Council, that as a condition of the property transfer from the Province of the former St. Clair Parks Commission assets, the Township was not allowed to sell any of the properties.

Moved by S. Miller

Seconded by D. Randell

Motion #3 That staff be instructed to investigate the possibility of leasing a portion of the Brander Park property on Old River Road to Mr. David Leach.

CARRIED

INFORMATION:

Moved by D. Randell

Seconded by P. Alexander

Motion #4 That a donation on behalf of the Township be made to the Corunna Legion, Brigden Legion and Wallaceburg Legion as a contribution towards the annual Poppy Fund Campaign and the purchase of a memorial wreath for the November 11th ceremonies.

CARRIED

Council discussed amongst themselves who would attend the various Remembrance Day ceremonies. Councillor Randell volunteered to go to the Wallaceburg ceremony, Councillor Alexander volunteered to go to the Brigden ceremony and Mayor Arnold will attend the Corunna ceremony. Councillor Alexander to determine the details of the Brigden ceremony.

Moved by S. Miller

Seconded by S. Warner

Motion #5 That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Barry Davis – Sidewalk Petition
Inst. See Motion #8
- b. A.M.O. OMERS Act Fund
Inst. See Motion #2
- c. David Leach – request to purchase property
Inst. See Motion #3

CARRIED

DRAINS:

Moved by D. Randell

Seconded by S. Miller

Motion #6 That the Engineer's Report on the Taylor Drain prepared by Todgham & Case Associates dated June 15, 2006 be adopted and further that By-law Number 34 of 2006 being a by-law to authorize the construction and financing of the Taylor Drain be read the first and second time and be provisionally adopted.

CARRIED

Moved by P. Gilliland

Seconded by P. Alexander

Motion #7 That the Engineer's Report on the Wadsworth Drain prepared by Todgham & Case Associates dated July 21, 2006 be adopted and further that By-law Number 35 of

2006 being a by-law to authorize the financing and construction of the Wadsworth Drain be read the first and second time and be provisionally adopted.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Council reviewed Committee of Adjustment Decisions A 15, A 16/06 and B 17/06 and offered no comments.

COORDINATOR OF ENGINEERING SERVICES:

The Committee reviewed Mr. Burnham's report on the status of the pedestrian crossing on Lyndoch Street near Paget, which advised that material has been ordered for this project and the delivery schedule is such that the material should be received and the project completed by the end of October.

Council reviewed Mr. Burnham's report as to the Broadway Street sidewalk and the petition against the sidewalk received from Mr. Barry Davis and other owners on the north side of Broadway Street in Port Lambton. In his report Mr. Burnham is recommending that the proposed sidewalk on Broadway Street be constructed, however, as an alternative construction of a portion of sidewalk on the west side of Murray Street from Beckwith to Paget was suggested.

Moved by S. Miller

Seconded by D. Randell

Motion #8 That the project to construct a new sidewalk on the north side of Broadway Street from Hill Street to Salisbury in Port Lambton be cancelled and that a portion of a sidewalk on the west side of Murray Street from Beckwith to Paget Street in Corunna at an estimated cost of \$42,300.00 be constructed as an alternative.

CARRIED

DIRECTOR OF EMERGENCY SERVICES/FIRE CHIEF:

Council reviewed Chief Dewhirst's report on the results of the recent tender call for the roof replacement at the Port Lambton Fire Station. It was pointed out that the original budget estimate was \$85,000.00 and the low tender was received at \$96,025.00. It was also pointed out that the work was expanded to include the replacement of the existing roof mount HVAC system which was not contemplated in the original budget estimates. The three tenders for this project were as follows:

S & R Construction Ltd.	\$96,025.00
Henderson Builders Limited	\$114,201.91
Bill Hoekstra General Contracting	\$96,977.00

Moved by P. Alexander

Seconded by S. Miller

Motion #9 That the tender of S & R Construction Limited in the total amount of \$96,025.00 for the reconstruction of the roof at the Port Lambton Fire Station which includes replacement of the HVAC units be accepted.

CARRIED

COUNCILLORS REPORTS:

Steve Miller

Deputy Mayor Miller advised of attending a recent Port Lambton Community Hall meeting at which time discussions took place regarding an upcoming fund raiser.

Darrell Randell

Councillor Randell advised that the Friends of the St. Clair Photo Contest was a great success with over 460 entries. The photos that were entered are available on the Friends of St. Clair web site. Councillor Randell also advised that the group would attend a future meeting of Council to make a presentation as to the groups' activities.

Pete Gilliland

Councillor Gilliland advised of receiving neighbour concerns regarding the condition of property known as the former Colborne Street School which seems to be currently being used as a construction yard. Council was advised by the Clerk that the Property Standards Officer has been asked to investigate the property relative to an outstanding Property Standards Order and further a letter has been sent to the property owner expressing these concerns.

Pat Alexander

Councillor Alexander questioned Deputy Mayor Miller as to the type of fund raiser planned by the Port Lambton Community Hall in conjunction with the Port Lambton Volunteer Firefighters Association and offered her assistance. Councillor Alexander also briefed Council on the recent Brigden Library Committee meeting at which time the need to replace carpeting with hard surface floors was discussed. Councillor Alexander questioned the status of the three party agreement between the Township, the County and the School Board detailing provisions of maintenance cost shares. Staff was instructed to investigate the status of this agreement. Also, Councillor Alexander referred a drainage improvement request received from Mr. Gord Leaper to the Drainage Superintendent.

Steve Arnold

Mayor Arnold advised of receiving information regarding the Canada Citizenship Week and information received from MP Pat Davidson regarding rural mail delivery.

UNFINISHED BUSINESS:

Deputy Mayor Miller advised that he has passed on Councillor Gilliland's concern regarding the visibility at the intersection of the CN rail crossing and the Petrolia Line to the appropriate County Committee.

BY-LAWS:

Moved by P. Gilliland

Seconded by P. Alexander

Motion #10 That By-law Number 61 of 2006, being a By-law to authorize execution of a crossing/encroachment agreement with Greenfield Energy Centre LP for crossing certain roads 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

Mayor Arnold declared a recess in the meeting with Council to reconvene at 7:30 p.m.

DEPUTATIONS AND APPOINTMENTS:

Council reconvened and welcomed Mr. Andrew Flanagan representing Invenergy present to detail to Council the proposed Site Plan on property leased on the north side of Petrolia Line for the development of a cogeneration energy facility to be known as the St. Clair Energy Project.

Mr. Flanagan advised that the site involves 149 acres of property and the development will require the removal of a portion of the woodlot that will be subject to an agreement with the County to provide for tree replacement on a 2 to 1 ratio. Approximately 7.2 hectares of trees will be replanted mostly on the host site with a contribution to the St. Clair Region Conservation Authority for any shortfall.

The Site Plan detailed the location of the entrance, potable watermain service and the stormwater management strategy. At the conclusion of the presentation Mayor Arnold opened the presentation for discussion and questions. Councillor Alexander questioned if the existence of the plant would have any minimum distance separation impacts that would prohibit the establishment of livestock operations on the adjacent agricultural property.

Mr. Barry Uitvlugt, County Planner, advised that Invenergy development will impose no new or additional restrictions on such livestock operations than currently exist in the Township's Official Plan. Deputy Mayor Miller acknowledged the attendance at this meeting of Mr. Tom Wilson, a neighbouring property owner, and in response to Deputy Mayor Miller's questions advised that he had no major concerns with the proposed development.

The Mayor then called upon Mr. Barry Uitvlugt to present a brief overview on his Site Plan Evaluation Report. The Mayor then called upon Mr. Flanagan to provide a brief overview as to the status of the project. Mr. Flanagan advised that applications have been made for an environmental assessment bump up by First Nations and the Affordable Clean Energy Group. Invenergy is expecting a response from the Minister within the next few weeks and once the environment assessment issue has been settled, construction will start immediately. It is anticipated that the construction period will be approximately eighteen months with a five to six month commissioning process. It is estimated that the project will involve approximately 500 construction trades people.

Councillor Alexander questioned Mr. Flanagan if provisions have been made during the construction period for dust control and remedial measures. Mr. Flanagan advised that a dust control management program is in place and the construction project should have no off site impacts. At the conclusion of the discussion, it was;

Moved by P. Gilliland

Seconded by P. Alexander

Motion #11 That By-law 59 of 2006, a by-law to authorize execution of a Site Plan Agreement with St. Clair Power, L.P. and Shell Canada Limited for Part of Lots 22 and 23, Concession 11, geographic township of Moore, Township of St. Clair, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally padded.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #12 That By-law 60 of 2006, a by-law to authorize execution of a Development Agreement with St. Clair Power, L.P. and shell Canada Limited for Part of Lots 22 and 23, Concession 11, geographic Township of Moore, Township of St. Clair, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Council thanked Mr. Flanagan for his attendance and presentation.

Councillor Alexander questioned the possibility of appointing an engineer to investigate and prepare a report on the improvement of the Beresford Street Drain. Several members of Council advised that this process under the Drainage Act could only be initiated on petition or written complaint. Also in response to Council's questions the CAO advised that drainage improvement works will be initiated this week on the Cunningham Award Drain and the Marsh drainage issue.

ADJOURNMENT:

Moved by S. Miller

Seconded by S. Warner

Motion #13 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:05 p.m.

MAYOR

CLERK