

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 20**

St. Clair Civic Centre
Council Chambers
Monday, November 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:

	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:

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of October 16, 2006
Moore Museum Advisory meeting of October 4, 2006
Sombra Museum Board meeting of September 21, 2006

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:15 p.m. Taylor Drain – Court of Revision
7:20 p.m. Wadsworth Drain – Court of Revision

CORRESPONDENCE:

- a) Perry and Deb Vannieuwenhuyze
- b) Carol Brown – Property Standards
- c) Royal Canadian Legion – Brigden programs
- d) Jason and Tamara Bachus – Property Standards

INFORMATION:

- 1) Robert Myers – Assessment appeal – Wadsworth Drain
- 2) Ministry of Transportation – PTHI Act
- 3) L.G.P.S.B. – September meeting minutes
- 4) Township of Warwick – County hospital grant
- 5) Planning & Development Services Department – Nutrient Management
- 6) A.M.O. – Clean Water Act
- 7) A.M.O. – deposit return program
- 8) Ernie Hardeman – Resolution
- 9) Township of St. Clair – Notice of Passing
- 10) Corunna Santa Claus Parade – Invitation
- 11) Wilkesport Library – Invitation
- 12) Lambton Farm Safety – August 28 meeting minutes
- 13) County of Lambton – Council Highlights

DRAINS:

By-law Number 34 of 2006 – Taylor Drain - third reading
By-law Number 35 of 2006 – Wadsworth Drain – third reading

REPORTS OF COMMITTEES AND OFFICERS:

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

TREASURER'S REPORT:

- Five Year Request for Proposal for Audit Services

DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:

- By-law infraction – in camera

COORDINATOR OF ENGINEERING SERVICES REPORT:

- Bridge rehabilitation
- Corunna W.W.T.P. parking lot repair tenders
- Brigden Road watermain loop

COORDINATOR OF OPERATIONS (WORKS) REPORT:

- Backhoe Loader Tender

CLERK'S REPORT:

CAO'S REPORT:

- Guthrie Park Shoreline Protection

MOTIONS:

BY-LAWS:

By-law 67 of 2006 - Site Plan Agreement – Steadman Bros Funeral Home
By-law 68 of 2006 – Confirming by-law

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole – Wednesday, November 8, 2006 – 2:00 p.m.
Regular Council – Monday November 20, 2006 – 7:00 p.m.
Inaugural meeting of Council – Monday, December 4, 2006 – 7:00 p.m.

IN CAMERA:

- To discuss a legal matter.

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

MINUTES:

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

Moved by P. Gilliland

Seconded by P. Alexander

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

Council Meeting of October 15, 2006, Session #19

Moore Museum Advisory Committee minutes of October 4, 2006

Sombra Museum Board meeting of September 21, 2006

CARRIED

CORRESPONDENCE:

Council considered the letter received from Glen and Sue Sherrad and referred the letter for an in camera discussion.

Moved by S. Miller

Seconded by D. Randell

Motion #2 That the request from Terry and Deb Vannieuwenhuyze for consideration of a possible road closing be tabled and referred to staff for report.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #3 That the property standards complaint received from a Wilkesport resident be tabled for further information.

CARRIED

DEPUTATIONS AND APPOINTMENTS:

At the appropriate time the Clerk called to order the Court of Revision called to hear assessment appeals on the Taylor drain and Wadsworth Drain.

Moved by S. Warner

Seconded by D. Randell

Motion #4 That the Court of Revision on the Taylor Drain be opened with Mayor Arnold as Chair.

CARRIED

The Clerk advised that no written appeals had been received on this drainage assessment and no verbal appeals were offered at this time.

Moved by P. Alexander

Seconded by S. Warner

Motion #5 That the Engineer's assessment on the Taylor Drain as per the engineers report dated June 15, 2006 be accepted and confirmed and that the Court of Revision be closed.

CARRIED

The Chair called to order the Court of Revision on the Wadsworth Drain. It was noted that a written appeal had been received from Mr. Robert Myers. The Chair called upon Mr. Dennis McCready of Todgham Case Associates author of the report to provide information to the court relative to the Myers appeal. Mr. McCready stated that he feels that the assessment is appropriate and consistent with the other current drainage reports on the two other drains that the Myers property is involved in and in total the one hundred acre Myers farm is assessed for hundred acres in total for the Wadsworth Drain as well as the other two drains. It was noted that no verbal appeals were received.

Moved by P. Alexander

Seconded by S. Warner

Motion #6 That the Engineer's assessment as per the Engineers report dated July 21, 2006 be accepted and confirmed and the Court of Revision on the Wadsworth Drain be closed.

CARRIED

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

Council reviewed the information received from the Royal Canadian Legion regarding Remembrance Day ceremonies. Councilor Gilliland is to attend the Brigden ceremony in place of Councilor Alexander, the Mayor and Councilor Warner to attend the Corunna services and Councilor Randell to attend the Wallaceburg services.

Council reviewed the property standards complaint as noted on the agenda.

Moved by S. Warner

Seconded by S. Miller

Motion #7 That the property standards complaint relative to a property on the Pretty Road be referred to the property standards officer for investigation and report.

CARRIED

Council directed that the information received from the Ministry of Transportation regarding bridge inspections be referred to Public Works.

Moved by D. Randell

Seconded by P. Gilliland

Motion #8 That St. Clair Township supports the effort of AMO in relation to bottle deposit return.

CARRIED

Moved by S. Warner

Seconded by P. Alexander

Motion #9 Whereas the gap between the transfers from the province and the cost of social programs is growing and is now estimated by the Association of Municipalities at over \$3 Billion: and whereas delays in balancing the cost of delivering services with the ability to pay are resulting in delayed maintenance of infrastructure, reduced municipal services and property tax increases across the province; and therefore be it resolved that in the opinion of the Council of St. Clair Township that the provincial government's currently proposed Provincial-Municipal Fiscal and Service Delivery Review (which will not be completed until February, 2008, after the next provincial election) is needlessly drawn out and that a full review to balance the delivery of service with the ability to pay should be completed much more expediently, in order to avoid hitting taxpayers with unsustainable property tax hikes or significant reductions in service.

CARRIED

Moved by D. Randell

Seconded by P. Alexander

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

- a. Perry and Deb Vannieuwenhuyze
Inst. Motion #2
- b. Carol Brown – Property Standards
Inst. Motion #3
- c. Royal Canadian Legion – Brigden programs
Inst. Members of Council to attend
- d. Jason and Tamara Bachus – Property Standards
Inst. Motion #7
- e. AMO – bottle deposit return
Inst. Motion #8

- f. Ernie Hardeman
Inst. Motion #9

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

TREASURER'S REPORT:

Council reviewed Mr. Quenneville's report on the results of the recent proposal call for the provision of audit services for the municipality. Council reviewed the summary of the tenders submitted:

	Year 1	Year 2	Year 3	Year 4	Year 5
BDO Dunwoody LLP Chartered Accountants	\$18,680	\$18,200	\$18,750	\$19,300	\$19,900
Deloitte & Touche LLP	\$32,225	\$32,225	\$33,155	\$34,140	\$35,150
Collins Barrow Chartered Accountants	\$17,000	Plus cost of living	Plus cost of living	Plus cost of living	Plus cost of living

Moved by D. Randell

Seconded by S. Miller

Motion #11 That Collins Barrow Chartered Accountants be appointed the Township Auditors for the next five years subject to satisfactory performance.

CARRIED

DEPUTY CLERK/CO-ORDINATOR OF PLANNING REPORT:

Mrs. Brennan's report of a by-law infraction was referred as a legal matter to be discussed at an in camera session.

CO-ORDINATOR OF ENGINEERING SERVICES REPORT:

Council reviewed Mr. Burnham's report on bridge rehabilitation, the Corunna waste water treatment plant parking lot improvements and the proposed Brigden Road water main loop. Council reviewed the quotes received for the construction of guide rails on the Stanley Line bridge at Jarvis Creek. The only tender for this job was Sylvester Construction in the tendered amount of \$7,431.63 plus GST.

Moved by P. Gilliland

Seconded by P. Alexander

Motion #12 – That the quote submitted by Sylvester Construction in the amount of \$7,431.63 plus GST be accepted for the replacement of the guide-rails on the Stanley Line bridge at Jarvis Creek between Kimball Road and Baby Road (Bridge #54).

CARRIED

Council reviewed the following quotes received for the parking lot repairs for the Corunna wastewater treatment plant. Tenders were as follows:

Murray Mills Excavating	\$20,095.00 plus GST
Brandon Contractors	\$22,237.50 plus GST
J.B.L. Construction	\$23,714.00 plus GST
Norm Brandon Limited	\$28,097.75 plus GST

Moved by D. Randell

Seconded by S. Miller

Motion #13 – That the quote submitted by Murray Mills Excavation in the amount of \$20,095.00 plus GST be accepted for the rehabilitation of the parking lot at the Corunna Waste Water Treatment Plant.

CARRIED

Moved by D. Randell

Seconded by S. Warner

Motion #14 That the acceptance of the tender of Robinson Farm Drainage in the amount of \$134,100.00 plus contingency and GST for the construction of the Brigden Road watermain loop from Tulloch Line to Lambton Line be delayed until a revised tender is submitted.

CARRIED

CO-ORDINATOR OF OPERATION/PUBLIC WORKS REPORT:

Council reviewed Mr. Berkvens report on his review of the tenders recently received for the purchase of a backhoe loader. In his report Mr. Berkvens has looked at the relative initial cost of the equipment plus possible repair and trade-in implications.

Moved by D. Randell

Seconded by S. Warner

Motion #15 That the tender of Toromount CAT for the supply of one 2006 Backhoe loader be accepted at the purchase price of \$77,004.00 plus tax, without trade and that the existing 1995 Case Backhoe Loader be sold by the municipality as surplus equipment, following the Township policy for disposal of surplus equipment.

CARRIED

CLERK'S REPORT:

Council reviewed the information provided by the Clerk in his capacity as Chief Returning Officer as to the status of the receipt of the ballot kits by the municipality. It was pointed out that there seems to be some confusion on behalf of the voters in there is reason to believe that a certain percentage of the voters included the signed declaration together with their ballot in the secrecy envelope. The current vote by mail and election day procedures could be construed and interpreted that these ballots would be rejected and not counted in the process. However, Council shared the Clerks concern that an attempt should be made at the risk of voter secrecy to determine the wishes of the voters and let the vote be counted. It was also pointed out that if the voter declaration is not attached or signed, that ballot would be rejected.

Moved by D. Randell

Seconded by S. Warner

Motion #16 That Schedule "B" Article 4(1) to By-law #48 of 2006, being a by-law to establish election procedures and alternative voting procedures be clarified to allow the Clerk/Chief Returning Officer to not automatically reject ballot packages that contain a different number of elector declarations than the number of ballot envelopes, therefore authorizing a procedure to open the ballot envelopes at the prescribed time on election day in an effort to assure voters interest is recorded in the final election results.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #17 That St. Clair Township support the appointment of Directory of Emergency Services Fire Chief Roy Dewhirst, as Deputy County Fire Coordinator for Lambton County.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

Mr. Rodey provided to Council a report following his discussions with the St. Clair Region Conservation Authority impossible grant funding available for shore protection work at former St. Clair Parks Commission property – namely Guthrie Park.

Moved by P. Gilliland

Seconded by P. Alexander

Motion #18 – That the Township of St. Clair agree to match the funding being provided by the Ministry of Natural Resources (\$55,000) and to proceed in conjunction with the St. Clair Region Conservation Authority with Phase I of the Guthrie Park Shoreline Protection Revitalization Project.

CARRIED

BY-LAWS:

Moved by P. Alexander

Seconded by S. Miller

Motion #19 That Drainage By-law #34 of 2006 being a by-law to authorize the financing and construction of the Taylor Drain be read the third time and be finally passed, signed and sealed.

CARRIED

Moved by P. Alexander

Seconded by D. Randell

Motion #20 That Drainage By-law #35 of 2006 being a by-law to authorize the financing and construction of the Wadsworth drain be read the required number of times and be finally passed, signed and sealed.

CARRIED

Moved by P. Alexander

Seconded by P. Gilliland

Motion #21 That By-law 67 of 2006, a by-law to authorize execution of a Site Plan Agreement with Steadman Bros. Funeral Home, Brigden, Ontario geographic Township of Moore, Township of St. Clair, County of Lambton, be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by D. Randell

Seconded by S. Warner

Motion #22 – That By-law Number 68 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 October 16, 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

COUNCILLORS REPORTS:

Pat Alexander

Councilor Alexander requested staff to investigate the missing Pretty Road sign at the Holt Line. Also has received a request from the Port Lambton Library for the possible donation of a surplus computer from the Civic Centre to the Library. Council was advised of the November 18, 2006 Wilkesport firefighters fundraising event, and of the January 21, 2007 health task force fundraising dinner.

Moved by S. Miller

Seconded by P. Gilliland

Motion #23 That the township make an appropriate donation for a door prize to the **November 18, 2006** physician recruitment fundraising dinner and that Councilor Alexander be reimbursed for the corresponding amount.

CARRIED

Councilor Alexander also advised of Ethyl Canada's pledge to donate \$400.00 towards the Veterans Memorial Wall at the St. Clair Civic Square. Councilor Alexander also received a complaint relative to the activity and noise at the LaFarge dock in Courtright, and advised that the 911 sign is missing from the Wilkesport Library. In response to Councilor Alexander's question regarding possible increased fill rate for the Clean Harbors facility, it was suggested that Councilor Alexander contact the Ministry of the Environment.

Pete Gilliland

Councilor Gilliland advised of the item of discussion dealing with the potential legal issue that he would like to see discussed in camera.

Shirley Warner

Councilor Warner put forth a motion to reconsider Motion #14 from the September 18, 2006 meeting regarding mail box locations on the St. Clair Parkway between Mooretown and Courtright. In failing to get a seconder, the resolution failed.

Darrell Randell

Councilor Randell attended the recent Dedecker Park dedication and expressed his thanks and gratitude to staff who were instrumental in this development. Councilor Randell also requested staff to investigate with the appropriate authorities a permanent liquor license for the Wilkesport Community Centre.

Steve Arnold

Mayor Arnold provided his thanks to staff for their efforts in developing and making Dedecker Park a reality. The Mayor also passed on some comments regarding the maintenance of the Wilson Memorial Park to the appropriate staff. Staff was also requested to include the improvement of the Brigden Road from Brigden to the Plank Road as a possible 2007 capital project. Council was also advised that the Wardens banquet will be hosted in Brigden on November 18, 2006.

Moved by P. Alexander

Seconded by P. Gilliland

Motion #24 The meeting enter into an in-camera session with the Mayor as Chair to discuss a legal issue.

CARRIED

Motion by S. Miller

Seconded by P. Alexander

Motion #25 That the owner of the property identified as 1100 Emily St., Mooretown, Ontario be advised that the Township is requiring that the trailer being used for living purposes at that site be removed by November 30, 2006. And further staff be instructed to terminate access to Township Utilities for this living accommodation.

CARRIED

ADJOURNMENT:

Moved by P. Gilliland

Seconded by S. Miller

Motion #26 That the meeting adjourn.

CARRIED

The meeting adjourned at 9:00 p.m.

MAYOR

CLERK