

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #3**

St. Clair Civic Centre
Council Chambers
February 4, 2008
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
	P. Gilliland,	Deputy Mayor
	P. Carswell-Alexander,	Councillor
	P. Brown,	“
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of January 21, 2008
Moore Museum of January 9, 2008

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:05pm Health Care worker recruitment task force - presentation
7:15pm Christine Laird & Jamie Butler – taxi license
7:30pm Marie Taylor

CORRESPONDENCE:

- a) Clairview Farms Ltd. – alley closing request
- b) Sombra Optimist Club – temporary road closure
- c) Ashley Lang – grant request
- d) Christine Laird & Janice Butler – taxi business license
- e) Sombra Sports & Rec. – community festival
- f) Perry & Deb Vannieuwenhuyze – refund request

INFORMATION:

- 1) O.M.B. – receipt of file
- 2) Multisport Canada – May relay

DRAINS:

By-law #1 of 2008 – Port Lambton Storm Sewer Drain - amending
By-law #2 of 2008 – Johnston Drain – amending

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment-decisions & minutes of January 28, 2008 meeting

PROPERTY STANDARDS OFFICER REPORT:

Petrolia Line property

BUILDING INSPECTOR'S REPORT:

2007 Building statistics

COORDINATOR OF OPERATIONS:

Highway #40 reconstruction

DIRECTOR OF PUBLIC WORKS, OPERATIONS & ENGINEERING:

Courtright S.T.P. pump station

TREASURER'S REPORT:

Rural infrastructure grant funding

CLERK'S REPORT:

Open Meeting Investigation – procedures and policies
Fee

CAO'S REPORT:

OPG – taxation
Chinook – OMB hearing

MOTIONS:

BY-LAWS:

By-Law 4 of 2008 – Interim tax levy
By-Law 5 of 2008 – Confirming by-law
By-Law 6 of 2008 – Appointments
By-Law 7 of 2008 – Application for OIPC funding

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Drainage Committee - Wednesday February 6 @ 7:00pm
Finance & Administration, Public Works & Operations - Monday February 11 @ 6:00pm
Emergency Services – Tuesday February 12 @ 7:00pm ~ Becher Firehall

IN-CAMERA:

Personnel

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 J. Agar

Seconded by D. Randell

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

Council meeting of January 21, 2008, Session #2
Moore Museum of January 9, 2008

CARRIED

At the appointed time Mayor Arnold on behalf of Council welcomed Beth Hodgins, Cindy Scholtens and Sharon Crowe representing the Health Care Worker Recruitment Task Force present to present to Councillor Pat Carswell-Alexander a plaque in recognition of Councillor Carswell-Alexander's energetic and effective work on behalf of the Task Force. In conclusion of the presentation Councillor Carswell-Alexander thanked the representatives of the Task Force for their kind words and Mayor Arnold expressed on behalf of Council his appreciation for the efforts of Councillor Carswell-Alexander and the advancement of the mandate of the Task Force.

CORRESPONDENCE:

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

Moved by S. Miller

Seconded by P. Brown

Motion #2 That the letter from Clairview Farms Ltd. be forwarded to the Department heads for a report on the details of this alley closing.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #3 That permission be granted to the Sombra Optimist Club to close Brander Park Road from Old River Road to the St. Clair Parkway on June 28, 2008 from 8:00 a.m. to 5:00 p.m. to allow the Club to conduct a Soap Box Derby.

CARRIED

Council directed that the closed portion of the road be appropriately signed and barricaded and further that as a condition of this permission that the Optimist Club be asked to circulate to the neighbours an advanced warning of the fact the road will be closed for these times on that particular day.

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #4 That the request made on behalf of Ashley Lang for grant funding to assist in her participation of the Rayjon Medical Mission be referred to the Moore Foundation meeting for consideration.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #5 That the Sombra Days event held on July 4, 5 & 6, 2008 be declared as a community festival and that permission be granted for the refreshment tent license as per established Township policy.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #6 That the letter received from Deb & Perry Vannieuwenhuyze requesting a refund for a minor variance applied for in May of 2007 be denied as per established Township policy.

CARRIED

Council reviewed the information correspondence from the OMB acknowledging receipt of the Chinook Global and Scrap Metal Coordinators appeal file and information from Multi Sport Canada on the coast Shore to Shore Relay.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #7 That permission be granted for the conduct of the 2nd Annual Shore to Shore Relay through St. Clair Township including the use of Brander Park, Branton-Cundick Park and Mooretown Park as staging areas for the event to be held May 31, 2008.

CARRIED

At the appointed time Council welcomed Christine Laird & Jamie Butler present on behalf of Downriver Cab to ask Council to reconsider the current taxi cab regulation by-law that would remove the provision of the necessity of taxi cab businesses being located in a commercially zoned area. Mr. Butler stated that when his license was granted last year he had a commercial address in Courtright but due to the fact the property has changed hands he has been required to seek other premises for which to run his taxi cab business. Currently Downriver Taxi is being run out of a rural residence on the Oil Springs Line. Council discussed with Ms. Laird and Mr. Butler in general terms the possibility of redesignated and rezoning the subject property to allow a commercial enterprise in an agricultural area. At the conclusion of the discussion Council directed Staff to prepare a report for Council's consideration at its next meeting on the issue presented by Ms. Laird and Mr. Butler and the implications and ramifications of initiating a planning process to change the Township's Official Plan and Zoning By-law to allow a commercial operation in an agricultural zone. Council pointed out that its next opportunity to consider the Staff report would be at the next meeting of Council which is scheduled for Tuesday, February 19th.

Moved by P. Gilliland

Seconded by D. Randell

Motion #8 That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Clairview Farms Ltd. – alley closure
Inst. See Motion #2
- b. Sombra Optimist Club – temporary road closure
Inst. See Motion #3
- c. Ashley Lang l- grant request
Inst. See Motion #4
- d. Christine Laird & Jancie Butler – taxi business license
Inst. Refereed for Staff report
- e. Sombra Sports & Rec. – community festival
Inst. See Motion #5
- f. Perry & Deb Vannieuwenhuyze – refund request
Inst. See Motion #6

CARRIED

DRAINS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #9 That Drainage By-law #1 of 2008, being a by-law to raise the sum of \$5,152.73 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

Moved by P. Gilliland

Seconded by D. Randell

Motion #10 That Drainage By-law #2 of 2008, being a by-law to raise the sum of \$5,477.21 being money expended out of the General Funds of the Township of St. Clair for the drainage reassessment to the drainage works to the Johnston 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 Committee of Adjustment decisions and minutes of its January 28, 2008 meeting and offered no comments.

PROPERTY STANDARDS OFFICER REPORT:

Council reviewed the Property Standards Officer's report relative to property known as 1784 Petrolia Line. Council was provided a verbal report by the Clerk as to the current status of the order. After considerable discussion it was:

Moved by P. Brown

Seconded by P. Carswell-Alexander

Motion #11 That the Property Standards Officer's report be received and accepted and that the Clerk and Property Standards Officer be authorized to meet with the Township Solicitor and M.O.E. to discuss debris removal options and report to Council.

CARRIED

BUILDING INSPECTOR'S REPORT:

Council reviewed the Building Inspector's Statistical Report for permits issued, permit fees generated and contract costs for the year 2007.

Moved by D. Randell

Seconded by P. Gilliland

Motion #12 That the Building Inspector's report on the 2007 building statistics be received as information.

CARRIED

COORDINATOR OF OPERATIONS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #13 That the Coordinator of Operations (Roads/Drainage) report on Hwy #40 reconstruction be received and accepted as information.

CARRIED

Moved by D. Randell

Seconded by P. Brown

Motion #14 That the Ministry of Transportation of Ontario be requested to consider the paving of the Highway #40 road shoulders from the Bickford Line to the Rokeby Line to accommodate slow moving vehicles as a matter of vehicular safety.

CARRIED

DIRECTOR OF PUBLIC WORKS/OPERATIONS & ENGINEERING:

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #15 That the Director of Public Works/Operations & Engineering report on the vent stacking at the Courtright Pumping Station be referred for further consideration at the next meeting of the Public Works Operations & Engineering Committee meeting to be held February 11th.

CARRIED

TREASURER'S REPORT:

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #16 That the Rural Infrastructure Investment Initiative grant application for the Village of Wilkesport Sanitary Sewage System be approved and the Treasurer be authorized to execute all the necessary documents.

That the Mayor and Clerk be authorized to sign the By-law for the Rural Infrastructure Investment Initiative grant for the Village of Wilkesport Sanitary Sewage System.

And further that the application be enhanced to identify the Township's long range plans and successes to service populated areas with sanitary sewer service and identify that the Wilkesport Village proposal is one of two remaining areas to be serviced in the Township's plan and further that the installation of the sanitary sewers for Wilkesport would not only improve health and safety for the residents of Wilkesport and the downriver communities but also would improve aquatic life.

CARRIED

CLERK'S REPORT:

Moved by P. Gilliland

Seconded by D. Randell

Motion #17 That the draft policy relating to the procedures for public access to the Open Meeting Investigation process relate to the provisions of the Municipal Act, 2001 as amended by Bill 130 be adopted.

CARRIED

The Clerk led Council in a discussion of the implied authority for municipality to impose a fee for such open meeting investigations in an attempt to filter out possible nuisance requests.

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #18 That the fee in the amount of \$100.00 be imposed for all open meeting investigation requests with the provision that the fee be refundable if the investigators report indicates valid grounds for the request.

Motion defeated.

Moved by S. Miller

Seconded by P. Gilliland

Motion #19 That an application fee established at \$100.00 per application be established for application for open meeting investigation.

CARRIED

CAO'S REPORT:

Council reviewed Mr. Rodey's report on the taxation of Ontario Power Generation facilities relative to a portion of the payment in lieu of taxes the municipality is allowed to retain.

Moved by P. Brown

Seconded by P. Carswell-Alexander

Motion #20 That the province amend paragraph 2 (4) (a) Ontario Regulation 382/98 under the Municipal Act, 2001 adding: "or by the natural gas-fired generating plants known as Greenfield Energy Centre and St. Clair Power located in St. Clair Township in the County of Lambton" and that the Minister of Finance, the Honourable Dwight Duncan be advised of our request.

CARRIED

Council requested Staff contact Minister Dwight Duncan to arrange for a meeting with the Mayor and CAO to represent to Minister Duncan the issues as identified in Mr. Rodey's report.

Moved by P. Gilliland

Seconded by D. Randell

Motion #21 That Council retain Stephen D'Agostino of Thomson Rogers Barristers and Solicitors to defend Councils position related to the approval of By-law 68-2007 at a hearing before the Ontario Municipal Board.

CARRIED

BY-LAWS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #22 That By-law Number 4 of 2008, A By-law for the Township of St. Clair to provide for interim tax levies for the year 2008 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 J. Agar

Motion #23 That By-law Number 5 of 2008, 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 January 21, 2008 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 P. Carswell-Alexander

Seconded by S. Miller

Motion #24 That By-law Number 6 of 2008, being a by-law to establish Standing Committees of Council and to establish certain appointments for the Township of St. Clair for the year 2008 and to amend By-law 2 of 2008, 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 J. Agar

Seconded by P. Gilliland

Motion #25 That By-law Number 7 of 2008, being a by-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (OIPC) for funding from the rural infrastructure investment initiative for the Wilkesport sanitary sewers eligible capital projects of the Corporation of the Township of St. Clair ("The Municipality"); and to approve the expenditure of funds on said eligible capital projects 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 Miller Councillor Miller advised Council that he has attended a recent Port Lambton Community Hall Committee meeting at which time the Committee members discussed possible fund raising activities for the Winter of 2008.

Pat Carswell-Alexander Councillor Carswell-Alexander advised Council of a continuing problem with the heating system at the Brigden Community Hall. It was pointed out that hall improvements have been subject an application for a Trillium Funding with the results of such application as yet unknown. The Councillor felt that if the Trillium grant fundings is unsuccessful provision should be made in the Township's budget for the necessary upgrades. Council requested that Deputy Mayor Gilliland as a member of the Township Trillium Foundation Committee contact the Director of Community Services to get a current comprehensive list on the status of various applications to the Trillium Fund for perhaps possible discussion with the area representatives on the Grant Consideration Committee. Councillor Carswell-Alexander also attended a recent meeting of the Brigden

Library Committee and as well the recent training opportunity sponsored by AMO in London last week. Councillor Carswell-Alexander also made numerous contacts to community groups who may benefit from event announcements in the St. Clair Township Beacon.

Pat Brown Councillor Brown also attended the recent AMO training opportunity last Friday and Saturday at which time part of the discussion involved MPAC in property assessments. It was pointed out at the seminar that properties in Ontario will be reassessed in the 2008 for taxation commencing in the 2009 taxation year with increases if any to be phased over a 4 year period.

Steve Arnold Mayor Arnold advised of attending a recent Shell Open House in Point Edward as well as attending the Sarnia-Lambton Chamber of Commerce awards function and a meeting of the Lambton Farm Safety Association. The Mayor also attended a one day session with the Provincial NDP Environmental critic and the St. Clair Region Conservation Authority Executive Committee meeting. Mayor Arnold also advised of asking the Clerk to contact a representative of Lambton Elderly Outreach who will make a presentation to the next Finance and Administration Committee on services provided particularly in the transportation field by Lambton Elderly Outreach. The Mayor also attended a meeting with Staff and the Consultants who are drafting the plans for the Emergency Services Building in Corunna. It was hoped that the plans could be available for the tender process by the end of February. Council stated its desire to review and approve the final plans prior to tender circulation. Also, the Mayor advised of being invited to attend a tentative meeting on February 12th proposed by neighbours of a proposed dirt track in the Township. The Mayor advised that the organizers hoped to have Municipal Council representative as well as representative from Township Staff who could if called upon could explain the permits and possible planning processes that would be necessary to establish such a track. Staff cautioned Council that such a meeting may be inappropriate for Staff as it may be confused with meetings that may be required if a planning process is applied for. Mayor Arnold also advised of a communication received from Mr. Barry Davis regarding a possible merger of two properties co-owned by Mr. Davis and his sister and Mr. Davis' attempts to create a building lot for his son. Mr. Davis' letter and request for advise and assistance was turned over to Staff for report. The Mayor also advised that the Lambton Farm Safety Association is seeking a municipal grant for 2008 in the amount of \$400.00. Council was reminded of the meeting of the Site Plan Committee to be held Wednesday, February 6th at 7:00 p.m.

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #26 That the meeting enter an in camera session to discuss a personnel issue, property issues and a legal and lawyer/client privilege issue with the Mayor as Chair.

CARRIED

The meeting returned to order.

NEW BUSINESS:

Mayor Arnold advised of a request received from Reg and Elsie Metcalfe for Township assistance in facilitating a meeting with Shell and its Consultants with the neighbours of the proposed Shell facility. Mayor Arnold advised that he would pass the Metcalfe's request onto the appropriate Shell representatives for possible consideration of such a meeting.

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:25 p.m.

MAYOR

CLERK

