

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 5**

St. Clair Civic Centre
Council Chambers
Monday March 3, 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
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO
Absent:	P. Brown	Councillor

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of February 19, 2008 Session #4
Finance & Administration Meeting of February 20, 2008

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:05 pm Marie Taylor – Courtright Waste Treatment Plant
7:30 Ed Allin – Lambton Sportsman Club grant request
8:00 pm Todd Sharpless – Sombra Sports & Recreation Splash Pad Proposal

CORRESPONDENCE:

- a) Lambton Sportsman Club – grant request
- b) Sombra Sports & Recreation – splash pad proposal
- c) Courtright Friendship Club – improvements & grant request
- d) Western Ontario Wardens Caucus – resolution

INFORMATION:

- 1) Sharon Lapier – racetrack
- 2) Jean & Glen Poole – dirt bike track
- 3) County of Lambton – Council Highlights
- 4) County of Lambton – draft 2008 budget
- 5) David Lavender – wind turbines
- 6) A.M.O. – alert MIII funding
- 7) A.M.O. - alert MIII funding
- 8) A.M.O. - Federal gas tax
- 9) A.M.O. – Federal budget ~ gas tax
- 10) Ministry of Citizenship & Immigration – Cathcart Park
- 11) Moore Museum – The Sampler

DRAINS:

Drainage By-law #3 of 2008 – Laur Drain - Construction
Drainage By-law #4 of 2008 – Whitebread Tap Drain - Amending

REPORTS OF COMMITTEES AND OFFICERS:

Committee of Adjustment-Decisions A4/08, A5/08, A6/08, A9/08 & B1/08,
B2/08

CO-ORDINATOR OF WORKS (WATER/WASTE WATER):

2008 Water & Sewage usage rate – draft

PLANNER'S REPORT:

Draft plan of subdivision - Durco

TREASURER'S REPORT:

Proposed 2008 Operating Budget Changes

CLERK'S REPORT:

Property at 264 Paget Street, Corunna

CAO'S REPORT:

MOTIONS:

BY-LAWS:

By-law #9 of 2008 - Appoint Drainage Superintendent
By law #10 of 2008 – Confirming by-law
By-law #11 of 2008 – Cathcart Park agreement

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Finance & Administration, Public Works & Operations - Monday March 10,
2008 at 6pm
Regular Council – Monday March 17, 2008

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:

Councillor Carswell-Alexander declared a conflict of interest and left the Council Chambers during the presentation from the Lambton Sportsman Club, as she is a member of the club.

MINUTES:

During the discussion of the minutes of the Council Meeting held February 19th, 2008, it was;

Moved by P. Gilliland

Seconded by J. Agar

Motion #1: That Dow Chemical be contacted to determine the status of the information promised at the February 19th meeting relative to the Brownfield site east of Corunna on the north side of Petrolia Line.

CARRIED

Council also asked to see a copy of the draft agreement between the Township and Greenfield Energy for the use of a Township fire vehicle.

Moved by P. Gilliland

Seconded by D. Randell

Motion #2: That the minutes of the Council meeting of February 19, 2008 – Session #4 and Finance and Administration of February 20, 2008 be adopted as printed and circulated:

CARRIED

CORRESPONDENCE:

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #3: That the letter received from WOWC regarding the Farm Tax Rebate Resolution be received and accepted as:

Whereas the Province of Ontario moved from the Farm Tax Rebate Program to a 75% reduction in the agricultural property tax rate reduction program in 1998, at a cost in excess of 100 million dollars annually to the municipalities of the Province;

And Whereas the Province agreed to maintain municipal agricultural property tax revenue when they moved from the rebate program to the reduced tax rate program;

And Whereas municipalities have not received equivalent agricultural property tax revenue compensation from the Province of Ontario;

And Whereas this failure of the Province of Ontario to provide equivalent compensation has negatively impacted the financial position of all municipalities in Ontario with an agricultural tax base, at the above-noted cost in excess of 100 million dollars;

Therefore be it resolved that the Province of Ontario be petitioned to provide compensating revenue to the municipalities of Ontario that have been negatively impacted by the transition from the Farm Tax Rebate Program to the agricultural property tax rate reduction program.

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #4: That the letter received from the Courtright Friendship Club requesting parking lot lines being painted and eaves trough screens installed be forwarded to Gary Hackett to look into further and that the financial request be granted to the amount of \$400.

CARRIED

At the appointed time, Council welcomed Marie and Mark Taylor, owners of property known as 1460 St. Clair Parkway present to discuss with Council their earlier request for improvements to the sewer pump station adjacent to their property. Mr. & Mrs. Taylor advised that the pump station site is prone to odor omissions. The Mayor advised that Council has already directed staff to arrange for the lowering of the stack vent from 18 feet to 18 inches and basic aesthetic landscaping. Mr. Taylor suggested in his opinion that the vent pipe is plugged with perhaps birds' nests and would like to see bird screens and improved gaskets on the vent stack in the access hatch together with the work proposed. Council advised that this suggestion would be passed on to the appropriate Public Works staff.

TREASURER'S REPORT:

Council reviewed with Mr. Quenneville his report dated February 26th on the draft 2008 operating budget and suggested changes. In discussion of Mr. Quenneville's report, Councillor Carswell-Alexander advised that she would not be in a position to support the hiring of another full-time training officer for the Township's Emergency Services. Mayor Arnold also questioned the item on Line 41 identifying increased parks maintenance costs. Mr. Quenneville advised that in the preparation of the budget, Mr. Hackett has reflected higher parks maintenance costs relative to Sports Complex costs based on data as to the time spent by Township forces in each activity.

Moved by D. Randell

Seconded by S. Miller

Motion #5: That the Treasurer's report dated February 26th 2008 on the draft 2008 operating budget be received and referred and tabled to the meeting of the Finance & Administration Committee to be held at 5pm on Monday March 10th, 2008.

CARRIED

CORRESPONDENCE CONTINUED:

In the discussion of the Sharon Lapier letter regarding race tracks, Council instructed the clerk to contact other municipalities to see if the establishment of such race tracks is an issue in other neighboring municipalities.

Moved by P. Gilliland

Seconded by J. Agar

Motion #6: That staff be instructed to prepare a by-law prohibiting the establishment of ATV and mini-bike race tracks within 1000 meters of a residence.

CARRIED

Mr. Ed Allin, representing the Lambton Sportsman Club was present to discuss his club's request for financial support to help sponsor the 2008 Cowboy Action Shoot planned for July 12 and 13. Councillor Carswell-Alexander declared a conflict of interest due to her membership in the club and left the Council chambers. Mr. Allin explained the purpose of the event being sponsored by his club and the fact that it will attract 125 plus participants to the club's facility on the Bickford Line and that the event is part of the Southwestern Ontario Regional Shoot. Mr. Allin further explained that the event will be expensive to stage with advertising and on site facilities such as tents and portable washroom facilities. At the end of the discussion, it was;

Moved by D. Randell

Seconded by P. Gilliland

Motion #7: That staff be instructed to waive the normal building permit fee for the tents that will form part of the facility that will be established at the Lambton Sportsman Club's property to facilitate the Cowboy Action Shoot.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #8: That a \$500 grant be provided to the Lambton Sportsman Club to financially assist the staging of the July 12 and 13th Cowboy Action Shoot.

CARRIED

DRAINS:

Moved by D. Randell

Seconded by P. Gilliland

Motion #9: That Drainage By-law #3 of 2008, being a by-law to raise the sum of \$81,500.00 being money expended out of the General Funds of the Township of St. Clair for the construction of the Laur Drain be given the 1st & 2nd readings and be provisionally adopted.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #10: That Drainage By-law #4 of 2008, being a by-law to raise the sum of \$1,851.03 being money expended out of the General Funds of the Township of St. Clair for the repairs and improvements to the Whitebread Tap 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 Adjustments as listed on the agenda. It was pointed out that application A8/08 and A5/08 were deferred for further consideration by the Committee. CAO John Rodey pointed out that Deputy Mayor Gilliland and Councillor Agar, who sit on the Committee of Adjustments would not be able to participate at the reconsideration of these applications as they were not present during the evidence portion at which time the applications were deferred.

Moved by D. Randell

Seconded by P. Gilliland

Motion #11: That Councillor Carswell-Alexander and Councillor Brown be appointed as Council representatives at the Committee of Adjustment meeting for the reconsideration of applications A5/08 and A8/08.

CARRIED

COORDINATOR OF WORKS (WATER/WASTE WATER) REPORT:

Council reviewed Mr. VanHyfte's report on the possible options for the 2008 water and sewage usage rates.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #12: That Council accepts option #3 for the establishment of the 2008 water and waste water rates as per Mr. VanHyfte's report dated February 19, 2008.

SUPERCEDED BY MOTION TO TABLE

Moved by P. Gilliland

Seconded by D. Randell

Motion #13: That the Coordinator of Works (Water/Waste water) report dated February 19, 2008 dealing with the proposed water and sewerage usage rates be tabled for further discussion at the March 10th meeting of the Public Works and Operations Committee.

CARRIED

PLANNER'S REPORT:

Council reviewed Mr. Uitvlugt's report recommending comments relative to the draft plan of subdivision submitted by Durco Developments. Council expressed some concern due to the fact there was no fencing requirement provided for the east side of the development.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #14: That the report submitted by the Planner, Barry Uitvlugt, dated February 4 be received and that the concerns contained in the report and the fencing requirements on the east side of the proposed development be submitted for consideration at the plan of subdivision public meeting scheduled for April 8, 2008.

CARRIED

CLERK'S REPORT:

Council proceeded to review the Clerk's report on property known as 264 Paget Street in Corunna. The Clerk advised Council that he has consulted with the Ministry of the Environment who have conducted site inspections and notwithstanding the fact, the occupant is in the waste transfer and clean up business, no such activity is being carried out on the site. The site is used basically for outdoor vehicle storage and office uses. It was pointed out by the CAO that this use could be construed as legal, non-conforming

since such activities have taken place on the site for considerable number of years. Council expressed concern relative to the height of the new fence constructed on the property and requested that the Fire Services do a fire inspection for the premises.

Moved by J. Agar

Seconded by P. Gilliland

Motion #15: That staff be instructed to obtain a legal opinion as to the use of property known as 264 Paget Street for outside vehicle storage and office usage.

CARRIED

At the appointed time, Mr. Todd Sharpless and several representatives of the Sombra Sports & Recreation Committee as well as potential users were present to present to Council the Association's request for municipal funding to establish a splash pad at the Sombra Park. In his presentation, Mr. Sharpless advised that the proposed equipment is computer controlled and timed and would occupy a pad of approximately 117square meters. Also in his presentation, Mr. Sharpless pointed out the past accomplishments of the Sombra Sports & Recreation Association and their success in fundraising activities. The proposal calls for the construction of the splash pad at a cost of approximately \$109,000.00 with a requested contribution from the Municipality of \$54,600.00. Also the proposal contained a repayment schedule. The repayment of the requested loan from the Municipality running from the year 2008 to 2012 inclusive. Mr. Sharpless replied to several questions raised by Members of Council. It was pointed out that if the equipment is purchased through the Township, the GST would be rebated to the Municipality. After considerable discussion, it was;

Moved by J. Agar

Seconded by S. Miller

Motion #16: That Council accept the proposal of the Sombra Sports & Recreation Association to provide an initial loan and a grant of an estimated \$54,645.00 to the Sombra Sports & Recreation Associate for the establishment of a splash pad at Sombra Park to be financed from the Township's Education and Environment fund.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #17: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Lambton Sportsman Club – grant request
Inst. See Motion #7
- b. Sombra Sports & Recreation – splash pad proposal
Inst. See Motion #15
- c. Courtright Friendship Club – improvements & grant request
Inst. See Motion #3
- d. Western Ontario Wardens Caucus - resolution
Inst. See Motion #??????

CARRIED

BY-LAWS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #18: That By-law Number 9 of 2008, which is a By-law for the Township of St. Clair to appoint a Drainage Superintendent for the Corporation, 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 P. Gilliland

Motion #19: That By-law Number 10 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 February 19, 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 D. Randell

Seconded by P. Gilliland

Motion #20: That By-law Number 11 of 2008, being a by-law to authorize the execution of an agreement for the transfer of Crown property known as Cathcart Park to the Municipality be read the required number of times, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised of getting a request to repair the mailbox at property known as 799 Oil Springs Line that was apparently damaged in snow removal operations.

Moved by P. Gilliland

Seconded by J. Agar

Motion #21: That Public Works staff be instructed to repair the mailbox located at 799 Oil Springs Line.

CARRIED

The Deputy Mayor also led Council into a discussion of the proposed Roger's Communications Tower site as discussed at an earlier meeting of the Site Plan Committee.

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #22: That Roger's Communication be advised that the Township will not support the current proposed location of the telecommunications tower south of Rokeby Line and that this information be conveyed MPP Pat Davidson and Industry Canada.

CARRIED

Deputy Mayor Gilliland also attended two 90th birthday celebrations as well as the Youth Appreciation night sponsored by the Moore Optimist Club on February 28th. While attending the ROMA/OGRA, Deputy Mayor attended with Councillor's' Randell and Agar, a meeting with opposition leader John Tory at which time the Township's infrastructure plans and priorities were discussed. Deputy Mayor Gilliland also questioned the effectiveness of the pedestrian crossing signs installed on Cameron Street.

Jeff Agar

Councillor Agar also questioned the effectiveness of the signage referred to by Deputy Mayor Gilliland. Councillor Agar advised of his attendance at the ROMA/OGRA conference that he found very educational. He also participated in the Moore Optimist Youth Appreciation night.

Darrell Randell

Councillor Randell congratulated Mayor Arnold on his election as the Chair of St. Clair Region Conservation Authority. Councillor Randell attended the recent announcement by the area MP and the Federal Minister of the Environment regarding Federal funding for St. Clair River sediment clean up. He also attended the 150th anniversary kick-off celebration at the Oil Heritage Museum and attended the ROMA/OGRA conference, which he thought too was very educational and informative.

Steve Miller

Councillor Miller asked staff to contact the owner of the Port Lambton food store regarding his request for parking restriction on Stoddard Street. Councillor Miller advised

that it appeared that additional off street parking will be provided through a project by a local financial institution. In light of this, Councillor Miller intends to bring forward to the Public Works Committee, his concept of possible parking restrictions on the St. Clair Parkway in Port Lambton.

Pat Carswell-Alexander

Councillor Carswell-Alexander led Council into a discussion of the possibility of the Township hiring experts to comment and assist in Council's decision making efforts relative to significant projects such as the development of wind farms. Mayor Arnold advised that information has been made available to the St. Clair Conservation Authority which he will share with the Councillor. Also Ducks Unlimited information will be made available to the Councillor through Councillor Randell.

Steve Arnold

Mayor Arnold advised of a call received from a Mr. Jamie Monteith regarding a drainage problem that has been referred to the appropriate staff. Also, the Township was asked to provide a 90th anniversary celebration certificate for the Rebekha Lodge for festivities planned for April 12th of this year. The Mayor also led Council into discussion of the need for a directional sign on the Kimball road for the Community of Wilkesport.

Moved by D. Randell

Seconded by S. Miller

Motion #23: That staff be instructed to create and install a directional sign at the intersection of Kimball Road and the Wilkesport Line providing directions to the Community of Wilkesport.

CARRIED

The Mayor attended the recent meeting of the Sombra Sports & Recreation Association at which time the Association's possible involvement in future Sombra hall operations was discussed. He also attended the International Blue Ribbon Committee on the St. Clair River as well as attended a meeting with MP Pat Davidson as well as the St. Clair Region Conservation Authority annual meeting. While at the ROMA/OGRA conference, he attended a meeting with opposition leader John Tory, and MTO Minister Jim Bradley to discuss Highway #40 issues as well as David Kaplan, Minister of Infrastructure Renewal at which time the Minister was briefed on various infrastructure projects such as sanitary sewer works being advanced by the Municipality. The Mayor also attended a meeting with Suncor officials regarding possible facility expansion and a meeting with MTO to discuss Nova traffic routing during the Highway #40 reconstruction project. The Mayor also asked staff to contact the CSX Railway regarding the reported condition of the rail crossing bridge at Baby Creek. In response to the Mayor's questions, the CAO advised that the final building design plans for the emergency services building in Corunna have not as yet been received from the architect and CSX continues not to return calls placed to establish a meeting with CSX relative to the future plans for the rail lines through St. Clair Township.

Council was reminded that the March 10th meeting of the Finance and Administration Committee will commence at 5pm to allow discussion on the Treasurer's report on the draft 2008 Capital Budget.

Hearing no further business, it was;

ADJOURNMENT:

Moved by S. Miller

Seconded by J. Agar

That the meeting do hereby adjourn.

CARRIED

Council Meeting Minutes
March 3, 2008

The meeting adjourned at 9:15 p.m.

MAYOR

CLERK