

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #2**

St. Clair Civic Centre
Council Chambers
January 19, 2009
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 5, 2009 Session #1
Finance and Administration of January 12, 2009
Public Works and Operations of January 12, 2009

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:05 pm Ryan Wilson – Donation request
7:10 pm Alan Hunter and Ginette Plante
7:30 pm Public Meeting Renewable Energy

CORRESPONDENCE:

- a) Alan Hunter and Ginette Plante – Fence height
- b) Steve Moran – Grass cutting
- c) Ryan Wilson – Donation request
- d) Jill Cain – Stop sign request for Albert and Paget Streets

INFORMATION:

- 1) MMAH – Energy Standards
- 2) Corunna Community Policing – January 6, 2009 minutes
- 3) Tourism Sarnia-Lambton – Manager’s report
- 4) Tourism Sarnia-Lambton – December 11, 2008 meeting minutes
- 5) Erie St. Clair LHIN – News release
- 6) Barry Uitvlugt – Planner’s report on renewable energy
- 7) Lakeshore Group – Renewable energy policy
- 8) Joe & Karen Fournie – Renewable energy
- 9) Andrew Cromarty – Renewable energy
- 10) Stephen Gardiner – Renewable energy

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

PROPERTY STANDARDS OFFICER:

Status report

COORDINATOR OF OPERATIONS (WORKS) REPORT:

Snow plowing procedures
Motor Grader 2009 tender results

CLERK'S REPORT:

Committee of Adjustment February 23, 2009 appointment

CAO'S REPORT:

In camera – personnel

MOTIONS:

BY-LAWS:

By-law #3 of 2009 Interim Tax
By-law #4 of 2009 Official Plan Amendment – renewable energy (*Draft*)
By-law #5 of 2009 Zoning by-law amendment – renewable energy (*Draft*)

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of Adjustment – Monday January 26, 2009 ~ 7:00pm
Regular Council – Monday February 2, 2009 ~ 7:00pm
Committee of the Whole – Monday February 9, 2009 ~ 6:00pm
Regular Council – Tuesday February 17, 2009 ~ 7:00pm (?)
Committee of Adjustment - Monday February 23, 2009 ~ 7:00pm
Operating Budget Meeting – Monday March 2, 2009 ~ ?:00pm

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.

Mayor Arnold pointed out that it was his intention that staff was to contact MPP Marie Van Bommel to set up a meeting with Minister Dwight Duncan at the upcoming ROMA Conference.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #1 That the minutes of the Council meeting of January 5, 2009 – Session #1 be adopted as printed and circulated, and amended.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #2 That the minutes of the Finance and Administration Meeting held January 12, 2009 be adopted as printed and circulated.

CARRIED

In discussion of the Public Works and Operations minutes, Deputy Mayor Gilliland suggested that recommendation #3 be amended to include the establishment of signing strips on the north side of the intersection of Brigden Road and the Petrolia Line as well as the solar powered stop light.

Moved by P. Gilliland

Seconded by P. Brown

Motion #3 That the Township consider the establishment of signing strips as well as the solar powered stop light at the north intersection of the Petrolia Line and Brigden Road.

CARRIED

Moved by P. Carswell-Alexander

Motion #4 That the solar light proposed to be located at the north intersection of the Brigden Road and the Petrolia Line be relocated to the intersection of Brigden Road and Plank Road.

The motion failed to get a seconder and was declared lost.

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #5 That the issue of the establishment of a solar powered stop light and signing strips at the intersection of the Brigden Road and the Petrolia Line and or the intersection of the Plank Road and the Brigden Road be referred to staff for review and report.

CARRIED

At the appointed time Council welcomed Mr. Ryan Wilson present to discuss with Council his request for donation and support of his 2009 Golf Tournament as a fund raising effort for the Cancer Society. Mr. Wilson pointed out that the event in 2008 raised \$6,400.00 for donation. Mr. Wilson is requesting Township support to the level provided for 2008 being a \$200.00 grant, plus entering a foursome of golfers at a cost of \$80.00 per golfer plus a donation towards the prize table. Members of Council complimented Mr. Wilson on his charitable efforts and encouraged his continued enthusiasm.

Moved by P. Brown

Seconded by P. Gilliland

Motion #6 That the Township sponsor the 2009 Ryan Wilson Charity Golf Tournament for the benefit of the Canadian Cancer Society in the amount of a \$200.00 donation, entering a foursome at \$80.00 per golfer plus the provision of a golf prize.

A recorded vote was requested by Councillor Carswell-Alexander.

Councillor Randell - yes
Councillor Agar - yes
Deputy Mayor Gilliland - yes
Councillor Miller - yes
Councillor Carswell-Alexander - no
Councillor Brown - yes
Mayor Arnold - yes

The Motion was:

CARRIED

At the appointed time Mayor Arnold welcomed Mr. Allan Hunter resident of property known as 220 Derby Court in Paddock Green of the height provisions and the Township's current fencing by-law.

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #7 That the matter of the fence height exemption applied for by Mr. Alan Hunter tabled at the last meeting of Council be lifted from the table.

CARRIED

Mr. Hunter presented another 8 letters of support for the fence height from neighboring property owners. Councillor Brown and Councillor Agar advised of attending on site to observe and measure the fence. The two Councilors agreed with Mr. Hunter's statement that the fence measured from inside his yard is 6 feet in height due to the grade of his back yard and that the fence is actually 6 ' 9" in height relative to his neighbours property to the north. After considerable discussion it was:

Moved by J. Agar

Seconded by P. Brown

Motion #8 That the request filed by Mr. Alan Hunter resident at 220 Derby Court in Corunna for a 17 foot fence with a height of 6 ' 9" be granted and that the fence be allowed to remain in its current condition.

CARRIED

Council reviewed the letter received from Mr. Steve Moran regarding lawn maintenance on property owned by the Municipality on behalf of the Sombra Museum.

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #9 That the letter received from Mr. Steve Moran regarding lawn maintenance be referred to the Sombra Museum Board for the appropriate action.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #10 That the letter of request received from Jill Cain regarding additional traffic control at the Albert and Paget Street intersection in Corunna be referred to staff for a report and recommendation.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #11 That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Alan Hunter and Ginette Plante – fence

Inst. Motion #8

- b. Steve Moran – grass cutting

Inst. Motion #9

- c. Ryan Wilson – donation request

Inst. Motion #6

- d. Jill Cain – stop sign request for Albert and Paget Streets

Inst. Motion #10

CARRIED

At the appointed time Mayor Arnold called to order the Public Meeting called to consider Official Plan Amendment #12 and a Rezoning By-law to establish policies relative to renewable energy facilities within the Township. Mr. Barry Uitvlugt of the Lambton County Planning Department presented to the meeting his Planner's Report dated January 15, 2009. It was pointed out that the draft documents provided for regulations relative to wind generation power, solar generated power and biomass generated power. The three energy generation types were broken into two sub categories, one being small scale and the other being larger scale developments. Mr. Uitvlugt pointed out that it is proposed that any proposed projects would be subject to a site specific rezoning process to allow for public participation. At the conclusion of Mr. Uitvlugt's presentation and response to the Mayor's question, the Clerk advised that three written submissions had been received on the issue, being correspondence from Lakeshore Group dated January 7, 2009. A further submission by the Lakeshore Group received January 19, 2009 and correspondence from

Mr. Andrew Cromarty and Joe and Karen Fournie. Mayor Arnold then called for any questions on the issue. Councillor Carswell-Alexander asked Mr. Uitvlugt if the issue of stray voltage was part of his research in the draft documents. Mayor Arnold advised that it was his understanding that stray voltage could be reduced considerably if the transmission lines are buried to a sufficient depth. Mayor Arnold advised the meeting of his concerns after studying Mr. Uitvlugt's documentation on the issue of renewable energy. Mayor Arnold is concerned that Class 1 farmlands could be lost on the solar energy development and wondered if in such a development if the panel height could be adjusted to the point where the lands still could be used for pasturing and grazing and was curious if Mr. Uitvlugt had any input from farmers or farm organizations relative to the potential loss of Class 1 farmlands. Mayor Arnold is also concerned about the distance separation between the rows of solar panels and the height of small scale wind turbines. In the Mayor's opinion the height should be restricted to a maximum of 75 or 100 feet. Mayor Arnold is also of the opinion that solar facilities should be targeted on existing brown field lands and was also concerned if the Township's planning documents could provide for security for future decommissioning of these facilities. Mayor Arnold also stated he hoped that the community would receive an economic benefit from such renewable energy sources such as local manufacturer of the components. In response to Mayor Arnold's questions, Mr. Uitvlugt advised that the proposal for 2% cash in lieu was based on the value of the host lands prior to the development. The Mayor then called upon anyone in attendance wishing to address the meeting.

Mr. Tom Lewis of IPC Energy explained to Council that the current draft documents seemed to meet the provincial policy on the issue of renewable energy but that the site provisions may limit or even prohibit sightings of wind turbines. Mr. Lewis specifically questioned the provision noted in Section 4.3.7 regarding visual concerns. Mr. Uitvlugt explained that the intent of that section was directed towards the idea of clustering turbine facilities. Mr. Lewis stated that there is a scientific modeling used by companies such as his for the spacing setback and noise concern and that the process involves a somewhat scientific and detailed analysis. Mr. Lewis also pointed out that he is familiar with similar policies and other Lambton County Municipalities and he noted that the draft policies proposed by St. Clair Township are considerably different from other neighboring jurisdictions. Mr. Lewis questioned how the 65 hectare minimum sized site was determined. Mayor Arnold advised that regard was given to American sighting protocols. In response to Mr. Lewis' question Mayor Arnold advised that European protocols were not considered. In response to Mr. Lewis' question regarding the Township's willingness for input industry and developers as well as local residents Mayor Arnold advised that the Township conducted two public open houses and all interested persons were invited to participate. In the conclusion of his presentation Mr. Lewis stated his opinion that based on the material he has reviewed it would seem that St. Clair Township does not welcome wind turbine facilities. In response Mayor Arnold said that the Township is making every attempt to protect natural environment and areas of significance in the Township such as the Petro Chemical facilities, the St. Clair River and the forested areas. It was his opinion that alternative energy facilities should complement these features and not detract from them.

Mr. Tom Wilson, resident at 894 Petrolia Line advised the meeting that he had concerns similar to those of Mayor Arnold and Councillor Carswell-Alexander. Mr. Wilson provided to the meeting examples of health problems in the Ripley Ontario area of neighbours to wind turbine facilities. Mr. Wilson also suggested that compensation such as a pooling idea should be developed for neighbours of wind turbine facilities. Mr. Uitvlugt advised that he would take Mr. Wilson's concern into consideration in preparing the next draft of the documents. Mr. Wilson was also concerned about who would assume responsibility for mechanical failure of a wind turbine facility that caused damage to a neighbour's property and he also shared the Mayor's concern about security for future decommissioning.

Mr. Dennis Van Decker of 261 Ross Ave., Sarnia asked to speak to the hearing. Mr. Van Decker identified himself as an employee of the Sarnia-Lambton Economic Partnership and stated he shared Mayor Arnold's concept that the renewable energy facilities in the community should have a manufacturing component within the community as an employment creator. Mr. Van Decker also shared comments made earlier in the meeting

that such developments should be encouraged to go to less desirable lands such as brown field sites or relatively poor agricultural lands.

Ralph Eyre an owner of property on Kimball Road shared a lot of the comments that were already made at this meeting but requested the Township to keep its standards high in setting the regulation for such facilities and Mr. Eyre also stated that as an area farmer he would encourage such facilities to be put on less desirable lands such as brown field sites and that prime agricultural lands should be preserved.

Mr. Uitvlugt in response to comments regarding sighting at brown field locations stated that vegetation on brown field sites aids in the rehabilitation of such sites. Hearing no further discussion Mayor Arnold declared the public meeting closed.

Moved by D. Randell

Seconded by J. Agar

Motion #12 That the report submitted by Barry Uitvlugt, Planner dated January 15, 2009 recommending that Council direct staff to prepare the draft Official Plan and Zoning By-law Amendments taking into consideration the discussions and issues raised at the Public Meeting be received and accepted.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Moved by P. Brown

Seconded by P. Carswell-Alexander

Motion #13 That the report submitted by the Property Standards Officer dated January 6th, 2009 be received as information.

CARRIED

COORDINATOR OF OPERATIONS :

Moved by D. Randell

Seconded by J. Agar

Motion #14 That the report submitted by the Coordinator of Operations (Works) dated January 14, 2009 regarding snow plow procedures be received as information.

CARRIED

Council reviewed the Coordinator of Operations report on the tender results on the purchase of a 2009 Motor Grader. The tenders were as follows:

<u>John Deere 770G 2009</u> <u>Nortrax Canada</u>	<u>Volvo G940 2009</u> <u>Strongco Equipment</u>	<u>Caterpillar 140M 2009</u> <u>Totomount Caterpillar</u>
\$265,000	\$265,800	\$273,045
\$ 8,850	\$ 15,125	\$ 16,207
\$ 25,800	\$ 21,500	\$ 21,485

Councillor Carswell-Alexander questioned the fact that several pieces of optional equipment have been deleted from the tender. It was suggested that perhaps staff could report on the need and justification for optional equipment such as all wheel drive and front mounted blade.

Moved by P. Carswell-Alexander

Motion #15 That the tenders in consideration of purchase for 2009 Motor Grader be tabled pending a staff report on the optional equipment deleted.

The motion failed to get a seconder and was lost.

Moved by S. Miller

Seconded by P. Brown

Motion #16 That the report submitted by the Coordinator of Operations (Works) dated January 14, 2009 regarding motor grader 2009 tender results recommending that the tender from Nortrax Canada Inc. (John Deere) be approved for the purchase of a 2009 John Deere 770G motor grader complete with front mounted snow plow and rear mounted snow leveling wing, for the purchase price of \$291,222 (excluding GST) including the trade in

allowance of \$30,000.00 for a 1992 Champion Model 740 Motor Grader be received and accepted.

CARRIED

CLERK'S REPORT:

Council reviewed the Clerk's Report regarding the fact that the Council representatives on the Committee of Adjustment would not be available to attend the Committee's February 23rd meeting. A consensus of Council was that the acting Secretary of the Treasurer be asked to consider to rescheduling the February meeting to either 18th, 19th or 20th of February.

BY-LAWS:

Moved by S. Miller

Seconded by P. Gilliland

Motion #17 That By-law #3 of 2009, being a by-law to provide for interim tax levies for the year 2009 for the Township of St. Clair having been given the necessary readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLOR'S REPORTS:

Pete Gilliland

Councillor Gilliland advised of attending a recent construction meeting of the new Township Emergency Services building and his facility tour. Deputy Mayor Gilliland stated that the progress at the building is steady and construction has been carried out to a level with the construction of interior walls and he felt the progress is satisfactory.

Jeff Agar

Councillor Agar complimented the Works Staff on the excellent job done this past weekend on snow plowing and winter control activities. Councillor Agar also suggested a reminder in the St. Clair Beacon to ask property owners not to plow snow onto the roadways. Also, Councillor Agar asked Public Works Staff to investigate the possibility of snow removal at the appropriate intersections to improve vehicular visibility.

Pat Carswell-Alexander

Councillor Carswell-Alexander questioned the placement of demarcation signs on poles on Hill Street east of Nash Drive. Councillor Carswell-Alexander questioned if any member of Council or Staff were planning to attend the January 27th meeting of the Erie St. Clair LHIN in Chatham at which time the report on small rural hospital emergency rooms will be released. Council advised that the report would be released on the Lhin Website on January 30th which would give Council and Staff an opportunity to review the document in that format.

Moved by P. Carswell-Alexander

Motion #18 That Staff be instructed to prepare a report with a recommendation on future Township participation in Charity Golf Tournaments.

The resolution failed to get a seconder and was declared lost.

Pat Brown

Councillor Brown also shared Councillor Agar's concern about vehicular visibility at intersections due to a relatively unusual amount of snow.

Steve Arnold

Mayor Arnold briefed Council on activities he has attended since the last meeting of Council such as the Silver Stick Tournament at the Sports Complex and a meeting with other Mayors with Minister Smitherman in Toronto. Mayor Arnold also advised of his opinion on a Provincial policy to provide consistency for protocols relative to alternate energy generation. The Mayor also advised of a meeting this Thursday in Sombra of the St. Clair River Trail Committee.

In review of upcoming meetings, Council agreed with the suggestion that the regular meeting of Council normally scheduled for February 16th be rescheduled to Tuesday, February 17th in lieu of the Provincial Family Day Holiday. Council will discuss the commencement time for the March 2nd meeting to discuss the first draft of the operating budget.

Moved by D. Randell

Seconded by P. Brown

Motion #19 That the meeting enter an in camera session to discuss a personal issue.

CARRIED

Meeting returned to order.

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

Motion #20 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:45 p.m.

MAYOR

CLERK