

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION #12**

St. Clair Civic Centre  
Committee Room 1  
June 7, 2010  
8:00 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. Baranek,	Deputy Clerk

**AGENDA:**

**Declaration of Conflict of Interest:**

**Adopt Minutes:**

No minutes to review for this meeting.

**CORRESPONDENCE:**

a) Krista O’Leary – permission to close Middle Street – July 3, 2010

**DEPUTATIONS AND APPOINTMENTS:**

**DRAINS**

Drainage By-law #44 of 2010 – Parr Drain North - amending  
 Drainage By-law #45 of 2010 – Chapple Drain – amending  
 Drainage By-law #46 of 2010 – Hair Drain – amending  
 Drainage By-law #47 of 2010 – Walton Drain – amending  
 Drainage By-law #48 of 2010 – Becher Drain – amending  
 Drainage By-law #49 of 2010 – Lapier Drain – amending  
 Drainage By-law #50 of 2010 – Lapier Drain – amending  
 Drainage By-law #51 of 2010 – Munday Drain #2 – amending  
 Drainage By-law #52 of 2010 – Hale Drain – amending  
 Drainage By-law #53 of 2010 – Burton Creek Drain – amending  
 Drainage By-law #54 of 2010 – Noble Drain – amending  
 Drainage By-law #55 of 2010 – Payne Dr. West Br. – amending  
 Drainage By-law #56 of 2010 – Tucker Drain – amending  
 Drainage By-law #57 of 2010 – Andrews Drain – amending  
 Drainage By-law #58 of 2010 – Andrews Drain – amending  
 Drainage By-law #59 of 2010 – Howe Drain East – amending  
 Drainage By-law #60 of 2010 – Bolton Drain – amending  
 Drainage By-law #61 of 2010 – Jarvis Drain – amending  
 Drainage By-law #62 of 2010 – Jarvis Drain – amending  
 Drainage By-law #63 of 2010 – Burman Drain – amending  
 Drainage By-law #64 of 2010 – Baxter Drain – amending  
 Drainage By-law #65 of 2010 – Baxter Drain – amending  
 Drainage By-law #66 of 2010 – Baxter Drain – amending  
 Drainage By-law #67 of 2010 – McKenzie Drain - amending

**REPORTS OF COMMITTEES AND OFFICERS:**

**CLERK'S REPORT:**

OMAFRA – Rural Broadband fundraising

**COORDINATOR OF PLANNING REPORT**

OMB Appeal of By-law #21 of 2010 – St. Clair Mechanical

**CHIEF ADMINISTRATIVE OFFICER'S REPORT:**

In camera - Legal

**MOTIONS:**

Recommendation from Finance and Administration and Public Works

**BY-LAWS:**

By-law 29 of 2010 – MNR Agreement – Species at risk  
By-law 30 of 2010 – Appointment – Tax Collector  
By-law 31 of 2010 – Union Gas – Franchise Agreement

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

Regular Council – Monday June 21, 2010 ~7:00 pm  
Committee of the Whole – Monday July 5, 2010 ~ 6:00 pm  
Regular Council – Monday, July 26, 2010 ~ 7:00 pm

**ADJOURNMENT:**

The Mayor called the meeting to order at 8:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

**CONFLICT OF INTEREST:**

None declared

**CORRESPONDANCE:**

Moved By: S. Miller

Seconded By: P. Brown

**Motion #1:** That the letter received from Krista O'Leary dated June 2, 2010 asking permission to close Middle Street from Duke to East Street from 11:00 am to 2:30 pm on July 3<sup>rd</sup> for the Sombra Days bed races and 8:00 am to 5:00 pm on July 4<sup>th</sup> for the annual Sombra Optimist Club Soapbox Race be granted and the information be passed onto the Public Works Department.

**CARRIED**

**DRAINS:**

Moved By: D. Randell

Seconded By: P. Gilliland

**Motion #2:** That drainage By-law #44 of 2010 being a by-law to raise the sum of \$487.61 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Parr Drain North be given the necessary readings and be 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 #3:** That Drainage By-law #45 of 2010, being a by-law to raise the sum of \$623.47 being money expended out of General Funds of the Township of St. Clair for the maintenance to the Chapple Drain be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: D. Randell

Seconded By: P. Gilliland

**Motion #4:** That Drainage By-law #46 of 2010, being a by-law to raise the sum of \$2900.02 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Hair Drain be given necessary readings and be 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 #5:** That the Drainage By-law #47 of 2010, being a by-law to raise the sum of \$503.93 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Walton Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: D. Randell

Seconded By: P. Gilliland

**Motion #6:** That the Drainage By-law #48 of 2010, being a by-law to raise the sum of \$830.55 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Becher Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: S. Miller

Seconded By: P. Gilliland

**Motion #7:** That the Drainage By-law #49 of 2010, being a by-law to raise the sum of \$3,528.39 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Lapier Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: D. Carswell-Alexander

Seconded By: S. Miller

**Motion #8:** That the Drainage By-law #50 of 2010, being a by-law to raise the sum of \$2,187.10 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Lapier Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: S. Miller

Seconded By: P. Gilliland

**Motion #9:** That the Drainage By-law #51 of 2010, being a by-law to raise the sum of \$5,604.29 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Munday Drain #2 be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

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Moved By: S. Miller

Seconded By: P. Carswell-Alexander

**Motion #10:** That the Drainage By-law #52 of 2010, being a by-law to raise the sum of \$7,410.67 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Hale Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: P. Gilliland

Seconded By: S. Miller

**Motion #11:** That the Drainage By-law #53 of 2010, being a by-law to raise the sum of \$5,315.29 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Burton Creek Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: S. Miller

Seconded By: P. Gilliland

**Motion #12:** That the Drainage By-law #54 of 2010, being a by-law to raise the sum of \$3,445.67 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Noble Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: P. Brown

Seconded By: P. Gilliland

**Motion #13:** That the Drainage By-law #55 of 2010, being a by-law to raise the sum of \$2,377.83 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Payne Drain West Branch be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: P. Gilliland

Seconded By: P. Brown

**Motion #14:** That the Drainage By-law #56 of 2010, being a by-law to raise the sum of \$8,206.50 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Tucker Drain be given necessary readings and be 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 #15:** That the Drainage By-law #57 of 2010, being a by-law to raise the sum of \$22,343.77 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Andrews Drain (Main Drain) be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: P. Gilliland

Seconded By: P. Brown

**Motion #16:** That the Drainage By-law #58 of 2010, being a by-law to raise the sum of \$2,433.33 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Andrews Drain (Branch Drain) be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: P. Gilliland

Seconded By: P. Brown

**Motion #17:** That the Drainage By-law #59 of 2010, being a by-law to raise the sum of \$3,763.30 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Howe Drain East be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

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Moved By: P. Gilliland

Seconded By: P. Brown

**Motion #18:** That the Drainage By-law #60 of 2010, being a by-law to raise the sum of \$2,869.45 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Bolton Drain be given necessary readings and be 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 #19:** That the Drainage By-law #61 of 2010, being a by-law to raise the sum of \$1,925.81 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Jarvis Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: D. Randell

Seconded By: P. Gilliland

**Motion #20:** That the Drainage By-law #62 of 2010, being a by-law to raise the sum of \$2,087.58 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Jarvis Drain be given necessary readings and be 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 #21:** That the Drainage By-law #63 of 2010, being a by-law to raise the sum of \$3,790.65 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Burman Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: S. Miller

Seconded By: P. Brown

**Motion #22:** That the Drainage By-law #64 of 2010, being a by-law to raise the sum of \$5,440.49 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Baxter Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: P. Brown

Seconded By: S. Miller

**Motion #23:** That the Drainage By-law #65 of 2010, being a by-law to raise the sum of \$1,942.78 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Baxter Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: P. Gilliland

Seconded By: P. Carswell-Alexander

**Motion #24:** That the Drainage By-law #66 of 2010, being a by-law to raise the sum of \$4,463.70 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the Baxter Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved By: P. Brown

Seconded By: S. Miller

**Motion #25:** That the Drainage By-law #67 of 2010, being a by-law to raise the sum of \$740.79 being money expended out of the General Funds of the Township of St. Clair for the maintenance to the McKenzie Drain be given necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

**COORDINATOR OF PLANNING REPORT**

Moved By: P. Brown

Seconded By: P. Carswell-Alexander

**Motion #26:** That the report submitted by the Coordinator of Planning dated June 2, 2010 recommending that the Council of the Township of St. Clair make a motion to undergo mediation with Todd Mayhead, Ryan Scott and St. Clair Mechanical and the OMB for an appeal on By-law #21 of 2010. If agreed, Council will direct staff prior to mediation on willingness to negotiate specific provisions of the By-law depending on which specific provisions Mr. Mayhead challenges be received as information.

**DEFEATED**

Moved By: S. Miller

Seconded By: D. Randell

**Motion #27:** That staff notify the Ontario Municipal Board of the position of Council being that the Township is not prepared to undergo mediation and would rather proceed directly to an OMB hearing for the Mayhead appeal of the Scott rezoning.

**CARRIED**

**CLERK'S REPORT**

Moved By: S. Miller

Seconded By: P. Gilliland

**Motion #28:** That the report received from the Clerk dated June 3, 2010 recommending that St. Clair Township agree to participate in a joint application for the OMAFRA rural broadband grant program, to commit to a financial cost share not to exceed \$5000 and agree to be the "lead" municipality only if this commitment is critical to the processing of the application be received and accepted.

**CARRIED**

Staff was instructed to forward the draft Union Gas franchise agreement to Peter Pickfield for comment.

**MOTIONS**

Moved By: P. Gilliland

Seconded By: S. Miller

**Motion #29:** That all the recommendations made to Council by the Finance and Administration Committee and Public Works and Operations Committee held June 7, 2010 be adopted and approved.

**CARRIED**

**BY-LAWS**

Moved By: D. Randell

Seconded By: J. Agar

**Motion #30:** That By-law Number 29 of 2010, being a by-law to authorize an agreement with the Ministry of Natural Resources relative to the Endangered Species Act, 2007 be given the necessary three readings, signed by the Mayor and Clerk, the Corporate Seal affixed hereto and finally passed.

**CARRIED**

Moved By: J. Agar

Seconded By: D. Randell

**Motion #31:** That By-law Number 30 of 2010, being a by-law to appoint a Tax Collector for the Corporation of the 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**

Moved by: S. Miller

Seconded by: D. Randell

**Motion #32:** That the meeting do hereby adjourn.

**CARRIED**

The meeting adjourned at 8:30 p.m.

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MAYOR

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CLERK