

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

St. Clair Civic Centre
Council Chambers
February 22, 2011
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
	J. DeGurse,	“
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO
	J. Baranek	Deputy Clerk/Coordinator of Planning

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Finance and Administration meeting minutes of February 14, 2011
Public Works and Operations meeting minutes of February 14, 2011
Council meeting minutes of February 14, 2011 ~ Session #4
Moore Museum meeting minutes of February 9, 2011

Business Arising from the Minutes:

Public meeting - Development Charges

DEPUTATIONS AND APPOINTMENTS:

7:00pm – Jason Bevan – Hemson Consultants

CORRESPONDENCE:

- a) Doug Chuhuran - land claim
- b) Lambton Municipal Association – 2011 Membership
- c) Allerion – temporary trailer

INFORMATION:

- 1) Ministry of Citizenship – The Order of Ontario
- 2) County of Lambton – 2011 draft budget
- 3) Taskforce on Health Care Recruitment – amended request
- 4) SCRCA – proposed severance
- 5) OMAFRA –workshop
- 6) St. Joseph’s Hospice – thank you
- 7) Moore Museum – Sampler

REPORTS OF COMMITTEES AND OFFICERS:

PROPERTY STANDARDS REPORT:

Update

PLANNER'S REPORT:

Extension of agreement

COORDINATOR OF OPERATIONS (WORKS) REPORT:

LaSalle Line Boundary Agreement

CLERK'S REPORT:

Rural broadband – project status

MOTIONS:

BY-LAWS:

By-law #7 of 2011 ~ Development Charges
By-law #10 of 2011 ~ Repeal of By-law #78 of 1985
By-law #12 of 2011 ~ LaSalle Line Maintenance Agreement (Sarnia)

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Finance Committee budget meeting - February 24, 2011 ~ 9:00am
Regular meeting of Council - Monday March 7, 2011 ~ 7:00pm
Drainage Committee meeting – Tuesday March 8, 2011 ~ 6:30 pm?
Committee of the Whole – Monday March 14, 2011 ~ 6:00pm
Regular meeting of Council – Following the Committee meeting?
Regular Council – Monday March 21, 2011 ~ 7:00pm
Drainage Committee meeting – Tuesday March 29, 2011 ~ 6:30pm

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. In the review of the February 14th Finance and Administration Committee minutes it was noticed that there was an error in the attendance.

Moved by J. Agar

Seconded by J. DeGurse

Motion #1 That the minutes of the Finance and Administration Committee meeting held February 14, 2011 be corrected and adopted as printed.

CARRIED

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Moved by D. Randell

Seconded by S. Miller

Motion #2: That the minutes of the Public Works and Operations meeting held February 14, 21011 be adopted as printed and circulated.

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #3: That the minutes of the Council meetings held February 14, 2011, Session #4 be adopted as printed and circulated.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #4: That the minutes of the Moore Museum meeting held February 9, 2011 be adopted as printed and circulated.

CARRIED

At the appointed time, Mayor Arnold called to order the public meeting called to consider the Township draft development charges act by-law. The Mayor then called upon Mr. Jason Bevan of Hemson Consultants, author of the Development Charges Act study to present the study and its results. Mr. Bevan briefly explained the purpose of the development charges act provisions and that the intent of the Provincial Legislation is to allow a municipality to raise funds by way of a development charge on new development to assist in future infrastructure and soft service improvements necessitated by increased facility uses generated by additional residential development. In summary of his report, Mr. Bevan explained that Council had chose to raise the current development charges act fee in the traditional Mooretown, Courtright and Corunna service area from the current level of \$1750 to \$3500 and to impose development charge in the amount of \$1828 on the balance of the Township with non-residential development be established at the rate of \$3.97 per square meter of construction. It was pointed out that this level chosen by Council is considerably less than the maximum determined in the study calculation. Mr. Bevan responded to the Mayor's questions regarding the possible development charges applicable to a single family dwelling relocated either within the municipality or from outside into the municipality. Mr. Bevan also explained the concept of the demolition credit. The Mayor then called upon comments from those in attendance at the public hearing.

Matt McEachran, 968 St. Clair Parkway – Mr. McEachran questioned Mr. Bevan as to the accuracy of projections and assumptions made in the Township's development charges act study 5 years ago. Mr. Bevan advised that the study has revealed that the assumptions made 5 years ago as to growth within the municipality are quite accurate. Mr. McEachran later asked Council to consider a possible phasing of the full impact of the development of the charges act or at least the postponement to allow contractors and developers to maintain the integrity of quotes they may have given on houses proposed to be constructed this spring.

Joe Vye, 1600 Courtright Line – Mr. Vye questioned the justification of development charges fee in the rural area when those rural owners are responsible for relatively high servicing costs for such things as private septic tank system.

Jim Joyce, 2338 Sydenham Ave – Mr. Joyce's request to obtain a copy of the Hemson report was granted.

Steve Clark, Emily Street – Mr. Clark asked Council to consider the premise that the charges be increased gradually over the 5 year life of the study by perhaps raising the fees 20% per year to achieve 100% in the fifth and final year of the study. In response, Mr. Bevan stated that Council could chose a protocol by which the fee increases could either be phased or delayed for an initial period.

At the conclusion of the discussion, Mayor Arnold declared the public hearing closed.

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Moved by S. Miller

Seconded by P. Gilliland

Motion #5: That By-law Number 7 of 2011, being a by-law to establish development charges for the Township of St. Clair, having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed with the new charges to take effect May 1, 2011.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #6: That the Growth Related Capital Forecast, set out in the Development Charges Background study prepared by Hemson Consulting Ltd. and dated January, 2011 is hereby approved and that Development Charges Background Study prepared by Hemson Consulting Ltd. and dated January 2011 is hereby approved and that the increasing the need for services attributable to the anticipated development as contemplated in the Development Charges Background Study dated January 2011 including any capital costs, will be met by updating the capital budget and forecast for the Township where appropriate and that future excess capacity identified in the Development Charges Background Study dated January 2011 shall be paid for by the development charges contemplated in the said Development Charges Background Study, or other similar charges, and that having considered the submissions received at the public meeting held on February 22, 2011 in connection with the Development Charges Background Study dated January 2011, and the proposed Development Charge By-law, Council hereby determines that no further public meeting under Section 12 of the Development Charges Act, 1997, S.O. 1997, c.27 is necessary with respect to the said Development Charges Background Study or the Development Charge By-law.

CARRIED

CORRESPONDENCE:

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

Council reviewed the communication received from Mr. Doug Chuhuran regarding a possible land claim on property adjacent to and to the north of the property occupied by the Sombra stone dock. The Clerk provided to the meeting, background information as to the legal opinion attained several years ago as to the ownership of the property in question.

Moved by D. Randell

Seconded by S. Miller

Motion #7: That the letter of claim submitted by Mr. Douglas Chuhuran be referred to the Township's solicitor for an opinion as to the validity of Crown patents.

CARRIED

Moved by D. Randell

Seconded by J. DeGurse

Motion #8: That the annual membership fee to the Lambton Municipal Association for the year 2011 in the amount of \$125 be accepted and approved for payment.

CARRIED

Council reviewed the request from Allerion regarding permission to establish a temporary trailer on the company's property in the Township industrial park.

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #9: That the report submitted by the Deputy Clerk/Coordinator of Planning dated February 17, 2011 recommending that Council approve the draft development agreement with Allerion Oilfield Services to permit the placement of a temporary trailer for a one year extension in the location identified on the site plan be received and accepted subject to the appropriate fees.

CARRIED

Council reviewed the communication from the Ministry of Citizenship and Immigration regarding the unsuccessful nomination of Katelyn Anderson to the Porter of Ontario.

Moved by P. Gilliland

Seconded by S. Miller

Motion #10: That Ms. Katelyn Anderson be re-nominated for the order of Ontario award.

CARRIED

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Councillor Carswell-Alexander brought forward a request received from a rate payer in Brigden to have the SCRCA clean up a portion of the river through Brigden. Mayor Arnold advised that the request has been considered by the Conservation Authority and the work has not been carried out due to difficulties gaining access to the affected area. The Mayor offered to bring the request forward to the appropriate Conservation Authority staff.

Moved by P. Carswell-Alexander

Seconded by J. Agar

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

- a. Doug Chuhran – land claim
Inst. See motion #7
- b. Lambton Municipal Association – 2011 membership
Inst. See motion #8
- c. Allerion – temporary trailer
Inst. See motion #9

CARRIED

DRAINS:

Mr. Ken Taylor a resident of North Street in Sombra was present to discuss with Council the recent flooding issues at his property on February 18, 2011. It was pointed out that there was a brief power outage that affected the Sombra main sanitary sewer pump and the pump had to be manually operated later that morning by Township staff. In response to questions, Mr. Taylor advised that his basement had no floor drain and that his sump pump discharge flows onto his driveway. He also stated that February 18th incident is the third time in the last 10 years that his property has been flooded. Council suggested that the issue raised by Mr. Taylor be referred to the appropriate staff for review, recommendation and report and that Mr. Taylor be invited to attend the March 14th meeting of the Public Works and Operations Committee.

Moved by D. Randell

Seconded by P. Gilliland

Motion #12: That Drainage By-law # 2 f 2011, being a by-law to raise the sum of \$4,610.92 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

REPORTS OF COMMITTEES AND OFFICERS:

PROPERTY STANDARDS REPORT:

Council reviewed the February 16th report of the Property Standards Officer.

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #13: That the report submitted by the Property Standards Officer dated February 16, 2011 be received and accepted as information with the exception of the recommendations relative to properties known as 3068 Kimball Road, 2465 Boswell Street and 510 French Line.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #14: That the Property Standards Officer be requested to do a monthly inspection on the property known as 3068 Kimball Road to determine the clean up progress and that if the progress continues in a progressive manner, additional time be allowed for the complete clean up of the property.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #15: That relative to property known as 2465 Boswell Street, the Property Standards Officer be requested to proceed with the required tree removal at the lowest quoted cost.

CARRIED

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion #16: That the Property Standards Officer be instructed to proceed with the issuance of an order with a 30 day deadline to require the clean up of property known as 510 French Line.

CARRIED

COORDINATOR OF OPERATIONS (WORKS) REPORT:

Moved by S. Miller

Seconded by D. Randell

Motion #17: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated February 17, 2011 recommending that the Maintenance agreement for the Boundary Highways between St. Clair Township and the City of Sarnia be extended for an additional five years be received and accepted.

CARRIED

CLERK'S REPORT:

The Clerk provided a verbal report as to the outcome of the recent meeting with representatives of Plympton-Wyoming and Warwick Townships and representatives of the Ontario Ministry of Agriculture, Food and Rural Affairs regarding the successful application for funding from the Ministry's rural broadband fund. It was hoped that the project proposed would fill gaps of service for rural broadband in the 3 municipalities. The Ministry officials advised that a new component of the grant program is a duty to consult to determine if aboriginal right would be offended in the proposed project. It was pointed out that the quest for proposals cannot be issued and the program cannot move on until at least 45 days into the consultation process.

Moved by S. Miller

Seconded by P. Gilliland

Motion #18: That the verbal report submitted by the Clerk with regards to the rural broadband status be received and accepted as information.

CARRIED

BY-LAWS:

Moved by P. Gilliland

Seconded by S. Miller

Motion #19: That By-law #10 of 2011 being a by-law to repeal Sombra Township By-law #78 of 1985 relative to a loan granted under the Shoreline Property Assistance Act, 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 J. DeGurse

Motion #20: That By-law Number 12 of 2011, being a by-law to authorize the execution of an Agreement with the City of Sarnia for the purpose of road maintenance, 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 S. Miller

Motion #21: That By-law Number 13 of 2011, being a by-law to authorize the execution of an Agreement with Allerion Oilfield Services for a temporary use of a mobile trailer on 469 Polymoore Drive, Corunna, 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:

Pete Gilliland

Deputy Mayor Gilliland made a comment relative to the CAO's report discussed at the last meeting of Council regarding the walkway from Sir John Moore School that if available for use would reduce the travel distance for students walking from the area of Sir John Moore School to St. Joseph's School. Deputy Mayor Gilliland questioned the protocol that the Township could use to encourage the school board to improve the condition and usability of the walkway.

Moved by P. Gilliland

Seconded by J. Agar

Motion #22: That a letter be sent to the LKDSB regarding possible improvements to the walkway on the Sir John Moore school property.

CARRIED

Darrell Randell

Councillor Randell advised of attending a recent meeting of the Wilkesport Community Center Board at which time a purchase order was authorized for the purchase and placement of a projector and screen at the hall. The Board felt that this additional equipment should improve the rental features of the hall.

Jeff Agar

Councillor Agar questioned if the County of Lambton had a similar mailbox damage replacement policy as the Township. Councillor Agar was advised that the County did have such a program and it was suggested that the interested party contact Mr. Jason Cole of the Lambton County Public Works Department.

Pat Carswell-Alexander

Councillor Carswell-Alexander requested an in-camera session to discuss a legal/personnel issue.

Jim DeGurse

Councillor DeGurse questioned transportation to Toronto this weekend for the OGRA/ROMA Conference. Councillor DeGurse advised that he would make his own travel arrangements.

Steve Arnold

As County Warden, Mayor Arnold extended an invitation to Township delegates to attend a luncheon on Monday at the upcoming convention. He also advised that the anticipated information on community sustainability for the British Columbia community of Whistler has been received and will be reformatted for presentation to County Council and St. Clair Township Council. Mayor Arnold also attended the recent Chinese New Year celebration in Sarnia and advised of meetings with the Ministers of Tourism and Culture and the Ministry of Transportation at next week's OGRA Conference.

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #23: That the meeting enter an in-camera session to discuss a legal and personnel issue.

CARRIED

Meeting returned to order.

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ADJOURNMENT:

Moved by S. Miller
That the meeting do hereby adjourn.

Seconded by D. Randell

CARRIED

The meeting adjourned at 8:50 p.m.

MAYOR

CLERK