

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 6**

St. Clair Civic Centre
Council Chambers
March 7, 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:

Council meeting minutes of February 23, 2011 – Session #5
Finance and Administration meeting minutes of February 24, 2011
Sombra Museum minutes of February 17, 2011

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

CORRESPONDENCE:

- a) Sombra Sports and Recreation – request
- b) Courtright Friendship Club – request
- c) Lambton 4-F – grant request

INFORMATION:

- 1) Catherine McKenna – Lambton Historical report
- 2) Lambton Farm Safety – minutes
- 3) OMB – withdrawal of appeal
- 4) Ministry of Municipal Affairs & Housing – Ontario Building Code
- 5) Arnold Pole – thank you
- 6) St. Clair River Trail – minutes
- 7) County of Lambton – Lambton’s cultural plan
- 8) Corunna Community Policing Committee – minutes
- 9) County of Lambton – Council highlights
- 10) Ministry of Community Safety & Correctional Services - seminar

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

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PLANNER'S REPORT:

Barry Uitvlugt – Stag Island Plan 27
Jeff Baranek – Provident Energy site plan

TREASURER'S REPORT:

Development Charges

MOTIONS:

BY-LAWS:

By-law #14 of 2011 – Agreement with Blackburn Radio
By-law #15 of 2011 – Provident Energy Site Plan

COUNCILLORS REPORTS:

UPCOMING MEETINGS:

Drainage Committee meeting – Tuesday March 8, 2011
Committee of the Whole – Monday March 14, 2011 ~ 6:00pm
Regular meeting of Council – Monday March 14, 2011 ~ following Committee
Regular meeting of Council – Monday March 21, 2011 ~ 7:00 pm

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 D. Randell

Seconded by S. Miller

Motion #1 That the minutes of the Council meeting held February 22, 2011 – Session # 5 be adopted as printed and circulated

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #2: That the minutes of the Finance and Administration Meetings held February 24, 2011 be adopted as printed and circulated.

CARRIED

Moved by D. Randell

Seconded by P. Gilliland

Motion #3: That the minutes of the Sombra Museum meeting held February 17, 2011 be adopted as printed and circulated.

CARRIED

In discussion of the Sombra Museum report, Deputy Mayor Gilliland asked for a report on the session attended by the Sombra Museum curator hosted by Tourism Sarnia Lambton.

CORRESPONDENCE:

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

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Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #4: That Sombra Days sponsored by the Sombra Sports and Recreation scheduled for July 1, 2 and 3 2011 be declared a community festival and that permission be granted for the appropriate refreshment tent license.

CARRIED

Moved by P. Gilliland

Seconded by J. Agar

Motion #5: That the request of the Courtright Friendship Club for facility improvements be referred to the Director of Community Services for a report and costing.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #6: That the request from Lambton 4-H for a 2011 grant be referred to budget deliberations.

CARRIED

Council reviewed the request received from Mr. Chad Anderson regarding the possibility of harvesting hay from various vacant Township owned properties in the Industrial Park.

Moved by D. Randell

Seconded by J. Agar

Motion #7: That the request of Mr. Chad Anderson to harvest hay from vacant Township owned properties in the Industrial Park be referred to staff for a report to Council.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #:

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

- a. Sombra Sports and Rec – request
Inst. See motion #4
- b. Courtright Friendship Club –request
Inst. See motion #5
- c. Lambton 4-H – grant request
Inst. See motion #6

CARRIED

Councillor DeGurse advised of his conversation with Mr. Lavern Wray, current Township representative on the Lambton Farm Safety and also with Mr. Jim Maw who volunteered to assume the vacated position. Council suggested that Councillor DeGurse contact both Mr. Wray and Mr. Maw with the request to put their intentions in writing to Council.

DRAINS:

Council was reminded of the March 8th meeting of the Drainage Committee. Also Councillor Carswell-Alexander brought to Council's attention, a concern received from owners of property know as 265 Hill Street who suspects grading issues on the newly constructed house in the neighborhood that has contributed to drainage problems in their area. Staff was requested to consult with the building inspectors to determine the appropriateness of the final grading to the adjacent lot. Also, Mayor Arnold brought up concerns received regarding flooding at property known as 1450 St. Clair Parkway. The Drainage Superintendent and Coordinator of Works have investigated the property and determined several causes for the weekend flooding.

REPORTS OF COMMITTEES AND OFFICERS:

PLANNER'S REPORT:

Council discussed in length with the staff Mr. Uitvlugt's report on the possible deeming on Plan 27 on Stag Island. Following the discussion and explanation it was;

Moved by S. Miller

Seconded by P. Gilliland

Motion #8: That the report submitted by the Barry Uitvlugt, Planner dated March 2, 2011 recommending that Council pass a deeming by-law to designate Registered Plan 27 not to be a plan of subdivision under the Planning Act as drafted after the Township obtain legal advice on the matter with the potential to discuss the matter with landowners be received and accepted.

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #9: That the report submitted by the Jeff Baranek, Coordinator of Planning dated March 4, 2011 recommending that Council approves the site plan for the Provident site which is east of Highway 40 and accessed from LaSalle Line be received and accepted.

CARRIED

TREASURER'S REPORT:

Council discussed the Treasurer's report regarding development charges and the directions provided by Council following the public meeting on the issue. Council confirmed the direction given to staff by way of motion #11 from the January 20th Council meeting minutes.

Moved by d. Randell

Seconded by S. Miller

Motion #10: That the report submitted by the Treasurer dated March 4, 2011 regarding development charges clarification be received and accepted as information.

CARRIED

BY-LAWS:

Council was advised by the Clerk that By-law #14 of 2011 is being withdrawn at this time, pending final draft wording on the proposed agreement between St. Clair Township and Blackburn Radio Inc.

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #11: That By-law Number 15 of 2011, being a by-law to authorize the execution of an Agreement with Provident Energy Ltd. and the Township of St. Clair at Part of Lots 23 and 23, Concession 12, geographic Township of Moore and Lots 1 to 18, 37 to 127, 137 to 227 and 237 to 327 all inclusive, Part of Lots 128, 136, 228, 236, 328 and 336, Blocks A, B, C and D, Part of Seminole Street on Registered Plan 30 (MO) as closed by Corporation of the Township of Moore By-law Instrument Nos. L450257 & L262360 and Part of Seminole Street, Part of Multnomah Street, all of Smith Street, Cherokee Street, Oneida Street and Griggs Street and all of the 18 foot lane on Registered Plan 30 (MO) closed by Instrument No L262360; Township of St. Clair, County of Lambton, designated as Parts 1 to 111, all inclusive on Plan 25R-9686 and Part Lot 24 Concession 12 (MO) mineral rights only designated as Parts 2 to 13 all inclusive on Plan 25R-304., geographic Township of Moore, 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.

CARRIED

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland questioned the status of the Newalta facility on Paget Street that in Council's opinion is being operated in contravention of the Township Zoning By-Law.

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Moved by P. Gilliland

Seconded by S. Miller

Motion #12: That the Township proceed with legal action and a possible prosecution relative to the possible zoning by-law infraction with the current operations of the Newalta facility on Paget Street.

CARRIED

Deputy Mayor Gilliland provided information he received regarding various Brownfield information seminars to be hosted across Canada. Deputy Mayor Gilliland suggested that a member of Council could attend the one to be hosted in Toronto in April, however, it was pointed out that Warden Arnold will be in Halifax the same time the Brownfield information series will be hosted in that city.

Moved by P. Gilliland

Seconded by D. Randell

Motion #13: That Council authorizes one member of Council to attend one of the Brownfield information seminars.

CARRIED

Pat Carswell-Alexander

Councillor Carswell-Alexander advised of a meeting of the Clean Harbors Community Committee on Tuesday March 8th.

Jim DeGurse

Councillor DeGurse advised that he would be able to attend the Clean Harbors meeting and discuss with Council his possible conflict of interest in sitting as a Drainage Committee member in consideration of the South Courtright Drain since his son is a property owner in the affected area. In response to questions, the Clerk advised that in his opinion, the Drainage Act supersedes the Municipal Conflict of Interest Act and a conflict of interest would only be applicable if a member of Council was the property owner on a municipal drain and was perceived to receive special lower assessments due to his position on Council.

Steve Arnold

Mayor Arnold advised of communications with Clean Harbors at which time they advised that they were going to do a public information session on their intentions for their continuation of the environmental assessment process for the proposed expansion. Council was also advised that Clean Harbors is continuing to look for a host site for a transfer site and Mayor Arnold recommended several sites that were outside of the Municipality. He also attended a recent meeting of Conservation Ontario at which time an information package was obtained and will be left at the Township office for members' information. The Mayor also discussed an invitation received from Suncor for the grand opening of the second phase of the ethanol facility complex on Friday March 25th commencing at 9am. Several Councillors expressed interest in attending. The Mayor also cautioned staff to be mindful if a burning permit is sought for the disposal of the trees from the former Dow property. Council discussed a list of upcoming meetings and it was pointed out that the meeting of the drainage committee will be held Tuesday March 29th.

Hearing no further business, it was

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 7:45 p.m.

MAYOR

CLERK