

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 8**

St. Clair Civic Centre  
Council Chambers  
March 21, 2011  
7:00 p.m.

The 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 March 7, 2011 - Session #6  
Finance and Administration meeting minutes of March 14, 2011  
Public Works and Operations meeting minutes of March 14, 2011  
Council meeting minutes of March 14, 2011 – Session #7

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

7:15 pm – Cheryl Glover – height exemption  
7:30 pm – Turnbull Drain – Court of Revision  
7:45 pm – Corinne Nauta CBO – Property Standards cost recovery

**CORRESPONDENCE:**

- a) LCRGPA – April 20, 2011 annual meeting
- b) Brigden Community Decorating team – request
- c) City of Sarnia – resolution
- d) Bluewater Health – lottery
- e) Laverne Wray – resignation

**INFORMATION:**

- 1) Lambton Municipal Association – 2011 membership and annual meeting
- 2) Michelle Bruin – Gala Days
- 3) Minister Responsible for Seniors – nomination
- 4) VON – golf tournament
- 5) Union Gas – donation
- 6) SCRT – February 23, 2011 minutes and planning report
- 7) County of Lambton – budget news release
- 8) Carol Dedecker – support for fence

**REPORTS OF COMMITTEES AND OFFICERS:**

Committee of Adjustment application – B2/11

**DEPUTY TREASURER’S REPORT:**

2010 Council remuneration

**COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:**

Rental of Mooretown dock

**COORDINATOR OF PLANNING/DEPUTY CLERK REPORT:**

Property Standards cost recovery  
Zoning by-law amendment – 487 Polymore Drive

**DIRECTOR OF PUBLIC WORKS AND OPERATIONS REPORT:**

Concrete vs. asphalt paving

**DIRECTOR OF COMMUNITY SERVICES REPORT:**

Sombra Museum – tender results

**CLERK'S REPORT:**

In camera – legal

**CAO'S REPORT:**

In camera – property

**MOTIONS:**

**BY-LAWS:**

By-law #3 of 2011 Allingham Drain – amending  
By-law #14 of 2011 – Alert FM agreement  
By-law #1 of 2011 – Turnbull Drain – 3<sup>rd</sup> reading  
By-law #17 of 2011 – Operating and Capital budget  
By-law #4 of 2011 – Osborne Drain – 1<sup>st</sup> and 2<sup>nd</sup> reading  
By-law #5 of 2011 – Gray Drain – 1<sup>st</sup> and 2<sup>nd</sup> reading

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

Drainage Committee meeting Tuesday March 29, 2011 ~ 6:30 pm  
Regular meeting of Council Monday April 4, 2011 ~ 7:00 pm  
Committee of the Whole meeting Monday April 11, 2011 ~ 6:00 pm  
Regular meeting of Council Monday April 18, 2011 ~ 7:00 pm

**ADJOURNMENT:**

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Mayor Arnold called the meeting to order at 7:00 pm and asked members to declare any conflict of interest at the appropriate time.

**DECLARATION OF CONFLICT OF INTEREST:**

None declared.

At the request of the Mayor, members of Council and staff stood in a moment of silence to honor the two fallen firefighters and victims of the Japanese natural disaster.

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

**MINUTES:**

Moved by S. Miller

Seconded by D. Randell

**Motion #1** That the minutes of the Council meetings held March 7, 2011, Session #6 and March 14, 2011, Session #7 be adopted as printed and circulated.

**CARRIED**

Council reviewed the minutes of the March 7th meeting of the Finance and Administration Committee. Councillor Randell pointed out he was incorrectly identified as chair of the committee and also his motion relative to the physician recruitment, additional funding would be provided for physicians recruited to practice in St. Clair Township or Wallaceburg. Also the Clerk advised of the clarification provided by the Treasurer during the discussion during the draft of the 2011 budgets.

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

**Motion #2:** That the minutes of the Finance and Administration Meetings held March 7, 2011 be adopted as amended, printed and circulated.

**CARRIED**

Moved by D. Randell

Seconded by S. Miller

**Motion #3:** That the minutes of the Public Works and Operations Meeting held March 14, 2011 be adopted as printed and circulated.

**CARRIED**

**DIRECTOR OF COMMUNITY SERVICES REPORT:**

Council reviewed Mr. Hackett's report dated March 21<sup>st</sup>, 2011 regarding the financial project status of the proposed Sombra Museum building as well as the results of the recently called tender.

Tender Results:	Agri Urban	\$372,335.00
	Westhoek	375,047.00
	Wicks	484,777.91
	Hoekstra	485,686.43
	Maaten	568,616.00
	Tay Inc	610,249.72

All prices quoted include HST

Mr. Hackett responded to several questions as to the concept of the design build proposal and the time line for building completion and opening. Mr. Hackett advised that it was hoped the facility could be completed by the end of August but a completion by the end of September would be acceptable. Council asked Mr. Hackett to investigate a late completion penalty clause.

Moved by D. Randell

Seconded by S. Miller

**Motion #4:** That Council of the Township of St. Clair accept the tender of Agri Urban in the amount of \$329,500.00 excluding HST for the demolition and disposal of the existing building and the design and construction of the new building for the Sombra Museum.

**CARRIED**

**CORRESPONDENCE:**

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

Moved by J. DeGurse

Seconded by J. Agar

**Motion #5:** That the 2011 annual membership to the Lambton County Rural Game Protective Association in the amount of \$225 be accepted and approved for payment.

**CARRIED**

It was noted that the Association's annual meeting will be held Wednesday April 20<sup>th</sup>, 2011 at the Inwood Fireman's Hall.

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

**Motion #6:** That the request from the Brigden Community Decorating Committee be referred to the Director of Community for review and a report.

**CARRIED**

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

**Motion #7:** That the resolution of the City of Sarnia regarding food allowance in social assistance payments be supported and endorsed.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

**Motion #8:** That permission be given to the Bluewater Health Foundation to sell Dream Home Lottery tickets for 2012 in St. Clair Township.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #9:** That the retirement of Mr. Laverne Wray as Township representative on the Lambton Farm Safety Association be received with regret and that an appropriate presentation be made to Mr. Wray in appreciation of his service to the Municipality at a future meeting of Council.

**CARRIED**

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #10:** That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. LCRGPA – April 20, 2011 annual meeting  
**Inst.** See motion #5
- b. Brigden Community Decorating team – request  
**Inst.** See motion #6
- c. City of Sarnia – resolution  
**Inst.** See motion #7
- d. Bluewater Health – lottery  
**Inst.** See motion #8
- e. Laverne Wray – resignation  
**Inst.** See motion #9

**CARRIED**

Council was advised that the annual meeting of the Lambton County Municipal Association will be held Thursday April 14<sup>th</sup>, 2011 at the Camalachie Community Center. Council reviewed the correspondence received from Michelle Bruin regarding Port Lambton Gala Days and it was suggested that the meeting of the Gala Days organization committee, the Captain Kids organization committee and the local OPP be convened perhaps in the second week in May to discuss these two summer festivals. Council reviewed the invitation received from the Ministry responsible for seniors, the nomination

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of 2011 senior of the year be circulated to the various Township boards and committees for possible nominees.

Moved by P. Gilliland

Seconded by J. Agar

**Motion #11:** That St. Clair Township participate as a sponsor in the 2011 VON charity golf tournament to be held Friday June 10, 2011 at the Huron Oaks Golf Course at a sponsor level of \$1000.

**CARRIED**

Council acknowledged the donation from Union Gas received for improvements at the Sports Complex and directed staff to prepare a letter of thanks for the Mayor's signature.

At the appointed time, Council discussed the fence height exemption requested by Cheryl Glover for her St. Clair Parkway property in Port Lambton. It was pointed out that the fence had been constructed on the Glover property and was 7 feet in height as opposed to the 6 foot maximum prescribed in the Townships' current fencing by-law. Mr. and Mrs. Len Howlett, owners of property known as 4324 St. Clair Parkway opposed the height of the fence.. Mr. Howlett was of the opinion that the fence was basically constructed using 6 foot solid boards with a 1 foot lattice being placed on top. The height of the fence was supported by a letter received from Carol Dedecker an nearby property owner. Mrs. Glover or her representative was not present to present her exemption request in person.

Moved by S. Miller

Seconded by P. Carswell-Alexander

**Motion #12:** That the fence height exemption request by Cheryl Glover to allow a fence at the height of 7 feet be denied and that Mrs. Glover be requested to modify the fence to conform to the current Township by-law.

**CARRIED**

**REPORTS OF COMMITTEES AND OFFICERS:**

Moved by P. Gilliland

Seconded by S. Miller

**Motion #13:** That application B2/11 submitted by the Coordinator of Planning for the month of March be received and accepted as information.

**CARRIED**

**DEPUTY TREASURER'S REPORT:**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #14:** That the report received from the Deputy Treasurer/Coordinator of Accounting dated March 1, 2011 regarding the 2010 Council Remuneration be received and accepted.

**CARRIED**

**COORDINATOR OF OPERATIONS (ROAD/DRAINAGE) REPORT:**

Council reviewed Mr. DePooter's report regarding the request to use the former Mooretown stone dock by Kel Gor Ltd. to load pre-fabricated vessels onto a barge for transport to the United States. After considerable discussion, it was;

Moved by D. Randell

Seconded by P. Gilliland

**Motion #15:** That the report submitted by the Coordinator of Operations (Roads/Drainage)dated March 16, 2011 recommending that Council approve the use of the Mooretown stone dock by Kel Gor Ltd. in late May to mid June 2011 for 2 one week periods to accommodate the loading of equipment from the dock onto a barge be received and accepted with the following terms and conditions:

- \$5,000 per module for approximately 12 modules
- daytime loading only
- Township input into transportation plans
- Signage posted for any road closures and traffic disruptions  
At least 30 days in advance
- Any damage to the Township facility will be repaired by the lessee

**CARRIED**

At the appointed time the Mayor called to order the Court of Revision to hear any assessment appeals to the Turnbull Drain. The Clerk explained that the engineer's report on the Turnbull Drain is strictly a reassessment report to acknowledge a change in the drainage pattern in the Turnbull Drain due to the second phase of the Suncor Ethanol development on the Rokeby Line. No verbal appeals were received and the Clerk advised that no written appeals had been received.

Moved by P. Gilliland

Seconded by D. Randell

**Motion #16:** That the engineer's assessment as per his report dated December 20, 2010 on the Turnbull Drain be accepted and confirmed and the Court of Revision closed.

**CARRIED**

Meeting returned to order.

**COORDINATOR OF PLANNING/DEPUTY CLERK'S REPORT:**

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #17:** That the report submitted by the Deputy Clerk/Coordinator of Planning dated March 16, 2011 regarding property standards cost recovery be received as information.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #18:** That the report submitted by the Deputy Clerk/Coordinator of Planning dated March 15, 2011 regarding a zoning by-law amendment application at 487 Polymoore Drive be received as information.

**CARRIED**

In discussion of Mr. Baranek's report, relative to a zoning by-law amendment proposed for property known as 487 Polymoore Drive, Council agreed that circulation for this public hearing should be by way of a local newspaper having general circulation as well as the normal circulation protocols prescribed in the Planning Act.

**DIRECTOR OF PUBLIC WORKS AND OPERATIONS REPORT:**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #19:** That the report submitted by the Director of Public Works and Operations dated March 16, 2011 regarding concrete and asphalt roads received and accepted as information.

**CARRIED**

**CLERKS' REPORT:**

The Clerk requested an in-camera session on a legal issue.

**CAO'S REPORT:**

Mr. Rodey advised of a need for an in-camera session to discuss a property issue.

**BY-LAWS:**

Moved by D. Randell

Seconded by P. Gilliland

**Motion #20:** That Drainage By-law #3 of 2011, being a by-law to raise the sum of \$4,715.24 being money expended out of the General Funds of the Township of St. Clair for maintenance to the Allingham Drain (Brach C) having be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and be finally passed.

**CARRIED**

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Moved by J. Agar

Seconded by J. DeGurse

**Motion #21:** That By-law #14 of 2011, being a by-law to authorize the execution of an Agreement with Blackburn Radio Incorporated to provide Alert FM Operation for the purpose of emergency public alerts having be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and be finally passed.

**CARRIED**

Moved by S. Miller

Seconded by D. Randell

**Motion #22:** That Drainage By-law #1 of 2011, being a by-law to raise the sum of \$1,000.00 being money expended out of the General Funds of the Township of St. Clair for the drainage reassessment to the drainage works to the Turnbull Drain be given the third and final reading and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved by J. DeGurse

Seconded by J. Agar

**Motion #23:** That By-law Number 17 of 2011, being a by-law to adopt the budget for 2011 for the Municipality of the Corporation of 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.

**CARRIED**

Moved by D. Randell

Seconded by S. Miller

**Motion #24:** That Drainage By-law #4 of 2011, being a by-law to raise the sum of \$95,973.00 being money expended out of the General Funds of the Township of St. Clair for the reconstruction and improvement to the Osborne Drain be given the first and second readings and be provisionally adopted by the Mayor and Clerk, and the Corporate Seal affixed thereto.

**CARRIED**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #25:** That Drainage By-law #5 of 2011, being a by-law to raise the sum of \$546,932.00 being money expended out of the General Funds of the Township of St. Clair for the reconstruction and improvement to the Gray Drain be given the first and second readings and be provisionally adopted by the Mayor and Clerk, and the Corporate Seal affixed thereto.

**CARRIED**

Corrine Nauta, Chief Building Official for the County of Lambton was present to discuss with Council recently developed protocols at other Lambton county Municipalities regarding cost recoveries for property standards cost. Ms. Nauta pointed out that the Town of Plympton Wyoming and the Township of Warwick have developed relatively new property standards by-laws that provide for recovery from the affected property owner of municipal and county administration costs as well as extends property standards provisions to property in all zones of the Township including residential, agricultural, commercial and industrial. Ms. Nauta stated that in some municipalities there is no warning provided to the property owner but on justified complaint, an order is placed immediately. However it is pointed out that any clean up costs estimates could require Council approval. After considerable discussion, it was;

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

**Motion #26:** That staff be instructed to draft a new comprehensive property standards by-law to provide for a provision for administrative cost recovery and to extend property standards requirements on all zoning classes of property within the municipality for Council review and discussion.

**CARRIED**

**COUNCILLOR'S REPORT:**

**Pete Gilliland**

In response to the Deputy Mayor's questions, the Clerk advised that a meeting has been set with the Township solicitor and Mr. Barry Uitvlugt of the County Planning Department to discuss zoning issues arising from the continued operation of the Newalta facility on Paget Street in Corunna.

**Darrel Randell**

Councillor Randell advised of receiving further information on the Rick Hansen 25<sup>th</sup> anniversary Man in Motion tour through St. Clair Township. It is anticipated that further information on the 25<sup>th</sup> anniversary tour would be available in April.

**Jeff Agar**

Councillor Agar acknowledged that athletic success of Mr. Derek Drouin, student from Corunna attending a major American University who recently tied a Canadian indoor high jump record. Council congratulated Mr. Drouin on his athletic accomplishment.

**Pat Carswell-Alexander**

Councillor Carswell-Alexander advised Council of receiving a concern from Mrs. Long regarding the MOE certificate of approval for the waste disposal facility in her area.

**Jim DeGurse**

Councillor DeGurse attended a recent meeting of the Taskforce on Healthcare Worker Recruitment and returned with a supply of information flyers.

**Steve Arnold**

Mayor Arnold advised of attending as Warden the recent County Cultural plan information sessions and discussed with Mr. Steve Repurgal of OPG, the Township's continuing concern and frustrations over the OPG assessment issues. He also attended the First Nation Health symposium in Toronto. The Mayor also advised of the contact from Provident Energy who wished to attend a future meeting of Council for a presentation.

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

**Motion #27:** That the meeting enter an in-camera session to discuss a legal and property issue.

**CARRIED**

Meeting returned to order.

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 8:50 p.m.

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MAYOR

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CLERK