

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 13**

St. Clair Civic Centre
Council Chambers
May 16, 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
	P. Brown,	“
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO
	R. Dewhirst	Director of Emergency Services
	J. Baranek	Deputy Clerk/Coordinator of Planning

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Regular meeting of Council minutes May 2, 2011 – Session #11

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:30 pm Gray Drain – Court of Revision (adjourned)

7:40 pm Walton Drain – Court of Revision

7:45 pm Kelly Bedard - Property Standards Officer

CORRESPONDENCE:

- a) Josh Daye – water and sewer usage
- b) Dave Leach – permission
- c) Town of Petrolia – resolution
- d) Property Standards – Murray Street

INFORMATION:

- 1) Enbridge – pipeline construction
- 2) Christine Heffer – Lyme disease
- 3) County of Lambton - Council highlights
- 4) CCPC – May 3rd minutes
- 5) 4-H – thank you
- 6) Lambton Historical Society – report
- 7) Roland Nantais – St. Clair River Trail
- 8) MOE – PCB storage

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

PROPERTY STANDARDS OFFICER REPORT:

Property standards update

PLANNER'S REPORT:

Barry Uitvlugt – Stag Island

DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:

Property Standards
Planning project status report
Committee of Adjustment applications

DIRECTOR OF EMERGENCY SERVICES REPORT:

Fire equipment maintenance

DIRECTOR OF COMMUNITY SERVICES REPORT:

Accessibility Grant application

CAO'S REPORT:

MOTIONS:

BY-LAWS:

By-law #28 of 2011 – Confirming by-law

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

In-camera - personnel

UPCOMING MEETINGS:

Regular meeting of Council - Monday June 6, 2011 – 7:00 pm
Committee of the Whole – Monday June 13, 2011 – 6:00 pm
Council meeting Monday June 13, 2011 – following Committee of the Whole
Regular meeting of Council - Monday July 4, 2011 – 7:00 pm
Committee of the Whole Monday July 18, 2011 – 6:00 pm
Council meeting Monday July 18, 2011 – following Committee of the Whole
Regular meeting of Council - Tuesday August 2, 2011 – 7:00 pm
Committee of the Whole – Monday August 15, 2011 – 6:00 pm
Council meeting Monday August 15, 2011 – following Committee of the Whole
Regular meeting Council – Tuesday September 6, 2011 – 7:00 pm
Committee of the Whole – Monday September 19, 2011 – 6:00 pm
Council meeting Monday September 19, 2011 – following Committee of the Whole

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 S. Miller

Seconded by P. Gilliland

Motion #1: That the minutes of the Council meeting held May 2, 2011 – Session #11 be adopted as printed and circulated.

CARRIED

In response to the Deputy Mayor's questions, Council was advised that the developer of the Youseff subdivision has been requested to proceed with the appropriate fence construction.

CORRESPONDENCE:

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

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #2: That the request for relief from the sanitary sewer usage bill for property known as 537 Parkdale Crescent in Corunna be accepted and that the full water usage charge be imposed and that the extra ordinary sanitary sewer charge be written off.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #3: That permission be granted to the Sombra Optimist Club for the establishment of an outdoor refreshment tent during the Optimist Club July 18th 2011 car show at Brander Park.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #4: That the property standards complaint on property known as 376 Murray Street be accepted and forwarded to the Property Standards Officer for investigation and report.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #5: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Josh Daye – water and sewer usage
Inst. See motion #2
- b. Dave Leach - permission
Inst. See motion #3
- c. Town of Petrolia - resolution
Inst. Received as information
- d. Property Standards – Murray Street
Inst. See motion #4

CARRIED

Council instructed that the letter from Christine Heffer regarding lime disease be forwarded to the Lambton County Community Health Services. Council pointed out that the Roland Nantais letter regarding the St. Clair River Trail south of Sombra has been dealt with by the Public Works Committee.

Council Meeting Minutes
Of May 16, 2011

Council reviewed the information received from the Ministry of the Environment regarding PCB storage on property owned by Praxair.

Moved by S. Miller

Seconded by D. Randell

Motion #6: That the communications from the Ministry of the Environment regarding PCB storage be tabled pending information as to the location of the house property.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #7: That the correspondence items of information be received and filed.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

PLANNER'S REPORT:

Council reviewed Mr. Uitvlugt's report regarding the possibility of a deeming by-law for Plan 27 for property on Stag Island. After considerable discussion, it was

Moved by P. Gilliland

Seconded by J. Agar

Motion #8: That the report submitted by the Barry Uitvlugt, Planner dated May 4, 2011 recommending that Council pass a deeming by-law to designate Registered Plan 27 not to be a plan of subdivision under Subsection 50(3) the Planning Act as drafted be received and tabled pending a further report on future development on Stag Island.

CARRIED

DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:

In review of Mr. Baranek's report on the property standards issues on a Center Street, Courtright property, Mr. Baranek advised Council of his conversation with the property owner and the owner's plans to voluntarily improve his property with the work to be done when the ground conditions permit.

Moved by J. DeGurse

Seconded by J. Agar

Motion #9: That the report submitted by the Deputy Clerk/Coordinator of Planning dated May 12, 2011 regarding the monthly status of all planning applications be received as information.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #10: That applications A7/11, A8/11, A9/11, and A10/11 submitted by the Coordinator of Planning for the month of May be received and accepted as information.

CARRIED

DIRECTOR OF EMERGENCY SERVICES REPORT:

Moved by p. Gilliland

Seconded by S. Miller

Motion #11: That the report submitted by the Director of Emergency Services dated April 25, 2011 recommending that the tender submitted by Sentry Fire Protection Services (Sarnia) in the amount of \$1386.65 (excluding taxes) for the service, inspection and maintenance of fire extinguishers for all St. Clair Township owned equipment be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents be received and accepted as information.

CARRIED

DIRECTOR OF COMMUNITY SERVICES REPORT:

Moved by J. Agar

Seconded by D. Randell

Motion #12: That the report submitted by the Director of Community Services dated May 12, 2011 regarding the resolution of a Township commitment for the Sports Complex enabling accessibility grant application be received and accepted.

CARRIED

COORDINATOR OF ENGINEERING REPORT:

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #13: That the Township procurement policy be waived and the quotation submitted by Burgess Engineering Inc. in the amount of \$23,520.00 plus HST for detailed re-inspection of our bridges and culverts greater than 3.0 meters in span (48 structures for 2011), as recommended in the last bridge inspection report, be accepted and that the Mayor and Clerk be authorized to sign the contract and other related documents be received and accepted.

CARRIED

Council reviewed Barry Uitvlugt's report and his recommendation for the acceptance of the draft development agreement between the Municipality and First Solar Inc. for First Solar's proposed solar farm facility between the Bentpath Line and the Smith Line in former Sombra Township.

Moved by J. Agar

Seconded by P. Gilliland

Motion #14: That First Solar be asked to make a voluntary contribution in the amount of \$25,000 to the Township's Environment and Education Fund to finance various possible community projects.

CARRIED

Moved by J. DeGurse

Seconded by P. Gilliland

Motion #15: That Council accept the draft development agreement with First Solar for the solar farm development between Bentpath Line and the Smith Line in former Sombra Township with the provision is that no access is to be provided to the First Solar property off the Baseline Road.

CARRIED

At the appointed time, the Court of Revision on the Gray Drain was reconvened. The Court reviewed a letter received from the County of Lambton objecting to the increase assessment imposed on the Kimball Road assessment at the last sitting of the Court. The County is also requesting the Court of Revision commission a report from the consulting engineer as to his professional opinion as to the condition of the culvert in question. No verbal appeals were heard.

Moved by D. Randell

Seconded by P. Gilliland

Motion #16: That the assessment as amended by the Court of Revision on the Gray Drain at its April 18th 2011 session be confirmed and that the Court of Revision on the Gray Drain be closed.

CARRIED

At the appointed time, Court of Revision on the Walton Drain was convened. The Clerk advised that there were no written submissions received for consideration by the Court and no verbal submissions were offered.

Moved by D. Randell

Seconded by J. DeGurse

Motion #17: That the Engineer's assessment on the Walton Drain as per the engineer's report dated January 26, 2011 be confirmed and the Court of Revision on the Walton Drain be closed.

CARRIED

Council returned to order.

CLERK'S REPORT:

The Clerk advised of a need to discuss a legal matter in camera.

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

Mr. Rodey advised of a need to discuss a property issue in camera. It was also pointed out that there is a personnel issue to discuss in camera.

BY-LAWS:

Moved by P. Gilliland

Seconded by S. Miller

Motion #18: That By-law Number 28 of 2011, being a by-law to confirm the resolutions and motion of St. Clair Township which were adopted up to and including May 16, 2011 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 #19: That By-law Number 27 of 2011, being a by-law to authorize the execution of a development agreement with First Solar for both the Moore and Sombra solar farms 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 advised that he attended on behalf of the recent Senior's Fair in Point Edward, the May 5th meeting of the health study and the May 6th emergency preparedness meeting.

Darrell Randell

Councillor Randell advised of a May 18th meeting of the planning committee for the Rick Hansen Man in Motion Tour in November.

Jeff Agar

Councillor Agar requested staff contact the County of Lambton regarding further remediation needed near the intersection of Hill Street and Brooktree following ditching work done by the County last year. He pointed out that the slope of the ditch created by the County makes it impossible for effective lawn mowing in the area. Also Councillor Agar asked staff to investigate a flooding and drainage problem on the residential property near the intersection of Murray and Fane Street in Corunna.

Pat Carswell-Alexander

Councillor Carswell-Alexander expressed to Council her opinion during the summer meeting schedule her preference would be to have both meetings of Council and the Committee of the Whole commence at 6:00 pm.

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #20: That during the observance of the summer meeting schedule, meetings of Council and the Committee of the Whole will commence at 6:00 pm.

CARRIED

Jim DeGurse:

Councillor DeGurse explained to Council the advertising protocol by the physician recruitment task force and as well asked staff to investigate the establishment of rumble strips at the intersection of County Road 80 and Mandaumin Road and Brigden Road and Bentpath Line.

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #21: That staff be instructed to investigate the establishment of singing rumble strips at the intersection of County Road 80 and Mandaumin Road and Brigden Road and Bentpath Line.

CARRIED

Council Meeting Minutes
Of May 16, 2011

Councillor DeGurse also advised of the upcoming Corunna Community Policing Committee bike rodeo and requested the donation of 25 township hats as door prizes.

Steve Arnold

Mayor Arnold advised of his attendance at a recent LAWSS meeting, the trip to Edmonton with the Sarnia Lambton Economic Partnerships which was very informative, the CEE Hospital garden opening, the children's award dinner and several other functions he has attended on behalf of the Township and the County of Lambton.

Ms. Kelly Bedard, the Township's property standards officer was present to discuss with Council her property standards report dated May 11, 2011. Ms. Bedard stated an order has been issued with a May 1st deadline for properties known as 2417 and 2421 Courtright Line with no clean up progress evident. Two quotes were received for the required clean up. The quotes were received from Brandon Contractors in the amount of \$3340 excluding tax and Bill Hoekstra General Contracting in the amount of \$3880 excluding tax. It was pointed out that probably OPP presence will be required during the clean up.

Moved by P. Gilliland

Seconded by J. Agar

Motion #22: That the quote of Brandon Contractors in the amount of \$3340 excluding tax be accepted for the clean up of property known as 2417 and 2421 Courtright Line with the Property Standards officer to arrange for an appropriate level of security.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #23: That the report submitted by the Property Standards Officer dated May11, 2011 be received and accepted as information.

CARRIED

Moved by J. DeGurse

Seconded by S. Miller

Motion #24: That the meeting enter an in-camera session to discuss a legal, property and personnel issue with the appropriate staff present.

CARRIED

Meeting returned to order.

Moved by D. Randell

Seconded by J. Agar

Motion #25: That the claim for flooding damage due to Township activities on a residential property in Port Lambton be processed through the normal insurance protocols.

CARRIED

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 8:30 p.m.

MAYOR

CLERK