

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 22**

St. Clair Civic Centre
Council Chambers
September 6, 2011
6:00 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
Absent	J. Baranek	Deputy Clerk/Coordinator of Planning

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Regular Council – August 15, 2011 – Session #21
Finance & Administration Committee – Monday, August 15, 2011
Public Works and Operations – Monday, August 15, 2011
Moore Museum Committee – August 3, 2011
Drainage Committee – August 30, 2011

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:00 p.m. – Peter Pickford, James Stenton, Marlene Smith – MOE
6:30 p.m. – Jim Dunlop – Collins Barrow - 2010 Audit
7:00 p.m. – Jane Marsh – Moore Community Foundation
- Sombra Sports and Recreation
- Community Decoration Team
- Sombra Historical Society
- Moore Museum

CORRESPONDENCE:

- A) Moore Optimist – Santa Claus Parade
- B) Keith Rogers – Golf Tournament
- C) Byron Warwick – Tom Street
- D) London Health Sciences – Lottery
- E) St. Clair River Trail – Donation
- F) Lambton Upland Game Bird – Support
- G) Moore Line – Property Standards
- H) Main St. – Property Standards

INFORMATION:

- 1) County of Lambton – Woodlot Hearing

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- 2) Clean Harbors – Odour Release
- 3) Jeanette Ball – Guthrie Park
- 4) Ron Daye – Thank You
- 5) Sarnia-Lambton Chamber – Invitation
- 6) Chippewas of the Thames – Consultation
- 7) Ministry of Tourism – Heritage Churches
- 8) S.C.R.T. – April 28, 2011
- 9) Town of Petrolia - Donation

DRAINS:

- Bylaw 8 of 2011 – Sinclair Drain Outlet – 1st and 2nd readings
- Bylaw 9 of 2011 – South Courtright Drains – 1st and 2nd readings

REPORTS OF COMMITTEES AND OFFICERS:

COORDINATOR OF WORKS (ROAD/DRAINAGE)

- Crossing Guard Rate of Pay
- White Line Gate

COORDINATOR OF ENGINEERING

- Milton Street Traffic
- Beckwith Street Reconstruction
- Brigden Lagoon - Tenders

DRAINAGE SUPERINTENDENT

- Barnes Drain Maintenance Request

TREASURER'S REPORT:

CLERK'S REPORT:

CAO'S REPORT:

MOTIONS:

BY-LAWS:

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Committee of the Whole – Monday, September 19, 2011 - 6:00 p.m.
- Regular Council – Monday, September 19, 2011 – Following Committee of the Whole meeting

ADJOURNMENT:

The Mayor called the meeting to order at 6:00 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 D. Randell

Motion #1 That the minutes of the Council meeting held August 15, 2011 – Session #21 be adopted as printed and circulated

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #2: That the minutes of the Finance and Administration Meetings held August 15, 2011 be adopted as printed and circulated.

CARRIED

In discussion of the Public Works & Operations meeting, it was noticed that an error was recorded in a motion relative to speed limits on the St. Clair Parkway was moved by Councillor Miller not Mayor Arnold.

Moved by P. Gilliland

Seconded by D. Randell

Motion #3: That the minutes of the Public Works and Operations Meeting held August 15, 2011 be adopted as amended printed and circulated.

CARRIED

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

Motion #4: That the minutes of the Moore Museum meeting held August 3, 2011 be adopted as printed and circulated.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #5: That the minutes of the Drainage Committee meeting held August 30, 2011 be adopted as printed and circulated and that the recommendations contained therein be approved.

CARRIED

At the appointed time Council welcomed several rate payers, neighbors of the Clean Harbors facility in St. Clair Township. The main spokesman for the group was Mr. Jim Stenton resident of 2621 Petrolia Line. Council was advised that the Ministry of the Environment representative that was invited to this meeting has declined her attendance this afternoon and Township environmental solicitor Peter Pickfield was asked not to attend. Mr. Stenton made a presentation to Council regarding upset incidents at the Clean Harbors facilities on August 10th, 15th, 29th and September 2nd at which time large group of residents suffered negative medical symptoms due to an apparent upset at the facility that was later confirmed by Clean Harbors representatives. Clean Harbors and the MOE have identified the issue as the upset in the leachate system, however many of the residents blame the relative sever offsite impacts on an upset at the unit known as the TDU unit. Mr. Stenton on behalf of the group expressed frustrations with attempts to report such incidences to the MOE unsuccessful. Mr. Stenton did however say that calls to Clean Harbors were responded to in a relatively timely fashion. At the conclusion of the discussion, the residents are asking the Township's assistance in securing an alert system for the area residents in case of upsets, a public statement from the Township asking for fulltime MOE site supervision at the Clean Harbors facility, suspension of the operation at the TDU unit until it can be operated in such a fashion to eliminate off site impacts perhaps the use of Township legal council in a class action suit against Clean Harbors and the MOE. Mr. Stenton, in conclusion, stated that the area residents affected by the August and early September upsets had their life negatively impacted to the point that they have had to vacate their homes for physical health reasons at all times of the day and night. It was;

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Moved by P. Carswell-Alexander

Seconded by P. Gilliland

Motion #6: That the Ministry of the Environment be requested to provide site inspections 24 hours per day, 7 days per week basis for the Clean Harbors Hazardous Waste facility, with the inspector to be given the authority to effect operations if any negative off-site impacts are detected or suspected.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #7: That due to serious off-site impacts reported by many neighbors of Clean Harbors, and the slow responses from Clean Harbors and MOE in addressing concerns and complaints, St. Clair Township demands that the TDU operations cease until both those parties are prepared to guarantee that neighboring properties will no longer be subjected to these emissions.

CARRIED

Residents in attendance thanked Council for their support on these issues.

Mr. Jim Dunlop of Collin Barrow, Township auditors were present to present to Council the results of the 2010 fiscal year audit. After his presentation, Mr. Dunlop responded to several questions posed by members of Council, in general the audit statement showed the Township in relatively sound financial position. At the conclusion of the presentation, it was;

Moved by S. Miller

Seconded by P. Gilliland

Motion #8: That the independent letter of representation with Collins and Barrow, the Township auditors be approved.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #9: That the 2010 Final Audit Consolidated Financial Statements for St. Clair Township be received and approved. That the 2010 Final Audit Trust Fund Financial Statement for St. Clair Township be received and approved. That the 2010 Final Audit Financial Statements for St. Clair River Trail be received and approved and that the 2010 Final Audit Financial Statements for the Moore Township Community and Recreational Foundation be received and approved.

CARRIED

Ms. Jane Marsh was present on behalf of the Moore Community Foundation to present 4 financial donations in the amount of \$750 each to Sombra Sports and Recreation, the Community Decorating Committee of Brigden, Sombra Historical Society and the Moore Museum. Ms. Marsh called upon representatives from all 4 groups to receive the financial contribution to their efforts and to provide to the meeting a brief description on how the funds allocated by the Foundation would be used to improve the St. Clair Township community.

CORRESPONDENCE:

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

Moved by P. Gilliland

Seconded by S. Miller

Motion #10: That the Township sponsor the 2011 Santa Claus parade to be held Saturday November 26th in the amount of \$250.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #11: That St. Clair Township sponsor a hole in the financial amount of \$200 for the Keith Rogers memorial golf tournament to be held at the St. Clair Parkway Golf Course on September 24th, 2011.

CARRIED

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Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #12: That the letter of request regarding the improvement of Tom Street be forwarded to the Public Works & Operations department for consideration in the draft 2012 capital budget.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #13: That permission be granted to the London Health Sciences Foundation for the selling of lottery tickets in St. Clair Township under the benefit of a Provincial license.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #14: That a grant be given to the St. Clair River Trail in the equivalent amount of the building permit for the placement of a tent on the Moore Sports Complex grounds for the social event being hosted on September 10th, 2011.

CARRIED

Moved by J. DeGurse

Seconded by D. Randell

Motion #15: That a letter of support be provided to the Lambton Upland Game Bird Chapter for the reintroduction of northern bob white quail into Lambton County.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #16: That the property standards complaint received from property relative to 83 Moore Line be referred to the Property Standards Officer for investigation and report.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #17: That the property standards complaint received from property relative to 74 Main Street Courtright be referred to the Property Standards Officer for investigation and report.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #18: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Moore Optimist – Santa Claus parade
Inst. See motion #10
- b. Keith Rogers – golf tournament
Inst. See motion #11
- c. Byron Warwick – Tom Street
Inst. See motion #12
- d. London Health Sciences – Lottery
Inst. See motion #13
- e. St. Clair River Trail – donation
Inst. See motion #14
- f. Lambton Upland Game Bird – support
Inst. See motion #15
- g. Moore Line – property standards
Inst. See motion #16
- h. Main Street – property standards
Inst. See motion #17

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Council proceeded to review the Chamber of Commerce invitation and the Mayor advised that he would attend September 27th All Candidates Forum luncheon sponsored by the Sarnia Lambton Chamber of Commerce and the clerk is to be advised of any other interested attendees.

In discussion of the correspondence received from the Town of Petrolia regarding financial assistance to the Town of Goderich, Mayor Arnold advised that shortly after the tornado disaster in Goderich, he offered to the Mayor of Goderich any manpower or equipment resources that may be helpful to the town on behalf of St. Clair Township. No such assistance was requested.

Moved by P. Gilliland

Seconded by D. Randell

Motion #19: That the information correspondence be received as information.

CARRIED

DRAINS:

Moved by P. Carswell-Alexander

Seconded by D. Randell

Motion #20: That Drainage By-law #8 of 2011 being a by-law to authorize the construction and financing of the Sinclair Drains outlet be read the first and second time and provisionally adopted.

CARRIED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #21: That Drainage By-law #9 of 2011 being a by-law to authorize the construction and financing of the South Courtright Drains be read the first and second time and provisionally adopted.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

COORDINATOR OF WORKS (ROADS/DRAINAGE) REPORT:

Moved by P. Gilliland

Seconded by D. Randell

Motion #22: That the rate of pay for crossing guards in St. Clair Township be increased from \$26 per day to \$26.52 per day.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #23: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated August 29, 2011 recommending that Council approve Public works staff to install a gate at the intersection of White Line and Baby Road at an estimated cost of \$5,000 to be paid as a "Roads" expense from the operation budget be received and accepted.

CARRIED

COORDINATOR OF ENGINEERING REPORT:

Council reviewed Mr. Deline's report on the results of the traffic investigation on Milton Street. Council requested that the report be expanded to include information on the minimum and maximum speeds on the street.

Moved by J. Agar

Seconded by J. DeGurse

Motion #24: That the report submitted by the Coordinator of Engineering dated August 31, 2011 regarding Milton Street traffic investigation be received and accepted as information.

CARRIED

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #25: That the report submitted by the Coordinator of Engineering dated August 22, 2011 recommending that the estimated costs of \$49,000 to finance the Township portion of the ditch enclosure and watermain looping on Beckwith Street from Colborne Street to Nantais Court be granted pre-budget approval and included in the 2012 Capital

budget with the financing of approximately \$25,000 to be obtained from the Water Reserves and \$24,000 from General Tax base be received and accepted.

CARRIED

DIRECTOR OF PUBLIC WORKS & OPERATIONS REPORT:

Council reviewed the director of Public Works & Operations report and the recent tender results for the development of the alum station for the Brigden Lagoon. The tenders were as follows:

TRIAD Contracting	\$205,800.00
C&C Construction Group	231,003.73
Bill Hoekstra General Contracting	263,423.00
Henderson Builders Limited	478,725.75

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #26: That the tender submitted by Triad Contracting in the amount of \$205,800 (excluding HST) for the construction of the Brigden Alum Station be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents be received and accepted.

CARRIED

Council asked for a report from the Public Works & Operations department as to the wide spread diversity of the tenders received.

DRAINAGE SUPERINTENDANT'S REPORT:

Moved by J. Agar

Seconded by J. DeGurse

Motion #27:

That the report submitted by the Drainage Superintendent dated August 31, 2011 recommending that Council approve the maintenance of the Barnes Drain at an estimated cost of \$25,000 by a suitable and qualified contractor as a maintenance expense to the drain received and accepted with the drain to be done from the east side.

CARRIED

Council instructed that the excavation of the Barnes Drain be done from the east or private side in an attempt to protect the integrity of the road side shoulder.

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised of receiving a letter from Mr. Jerry McDonald, a resident on the east side of Colborne Street asking for a cancellation or delay of the construction of the residential sidewalk. Council was advised that the necessity for a sidewalk and the construction responsibility of the sidewalk was provided for in the development agreement between the Township and the developer. Council supported the construction of the sidewalk as per the agreement. Council also asked staff to provide information as to the completion of the second course of asphalt in that area.

Steve Miller

Councillor Miller advised of a contact with the Sombra Athletic Association requesting Council consideration of the development of a community dock at Sombra Park in Sombra Village. It was felt that the formal request would come to the Township in late winter or spring of 2012. Councillor Miller asked the appropriate staff to replace as required, the flags in Brander Park.

Darrell Randell

Councillor Randell advised Council that he had a meeting with a representative of the Rick Hansen 25th anniversary Man in Motion in tour at which time the proposed route was

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driven and refined. Councillor Randell also expressed the need for a meeting of the organization committee for the Rick Hansen Man in Motion tour before the end of September.

Jeff Agar

Councillor Agar requested staff to attend to the weed mowing to the north of property known as 338 Brooktree Drive. Councillor Agar also asked staff to contact Mr. Steven Clark regarding his application to the Township for the extension of Elizabeth Street in Mooretown.

Pat Carswell-Alexander

Councillor Carswell-Alexander identified a local participant in the Provincial Lacrosse Championship. Councillor Carswell-Alexander is requesting Council recognition of this person and any other Township resident that might have participated in the championship at a future meeting of Council. Councillor Carswell-Alexander is to provide staff with further information. Councillor Carswell-Alexander also questioned at the request of a rate payer the Township's mailing protocol for such things as Committee of Adjustment notices during periods of mail strikes. In regards to the specific incident mentioned by the Councillor, it was pointed out that the neighbor should have reacted to the typical orange posted sign on the property subjected to the application to the Committee. Councillor Carswell-Alexander also led Council into a discussion with regards to the Township assisting any neighbors of Clean Harbors of any facility upsets. It was pointed out that such an alert could be carried out with the upcoming FM Alert system but would require Clean Harbors to provide the necessary information regarding the upset and possible offsite impacts to the system coordinators. Councillor Carswell-Alexander also asked staff to investigate the beehive hanging on a tree on Township road allowance property adjacent to 2439 Jane Street in Brigden. Councillor Carswell-Alexander also led Council into a discussion of a possibility of continuing the practice of commencing all committee and council meeting at 6pm and possible extending the summer meeting schedule protocol for the entire year with a meeting of the Committee of the Whole followed by a meeting of Council and a monthly regular meeting of Council.

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #28: That all meetings of Council and Committees of Council commence at 6 pm.
CARRIED

Moved by S. Miller

Seconded by J. Agar

Motion #29: That the Township's summer meeting schedule protocol be extended year round with meeting of Council and Committee of the Whole generally held the 3rd Monday of the month and regular meetings of Council generally held the 1st Monday of the month subject to factors such as statutory holidays and special meetings of Council called by the Mayor or members of Council on petition.

CARRIED

Jim DeGurse

Councillor DeGurse questioned Council if it had any interest in purchasing the former Baptist Church property in Corunna. Councillor DeGurse advised of receiving a letter from a citizen of Corunna requesting the Township consider purchasing the former church for the establishment of a Corunna seniors center. Council expressed no interest at this time. Councillor DeGurse also brought up a complaint received from a neighbor regarding apparent excessive noise from a dog kennel on the Mandaumin Road. Mr. Patterson, the complainant was present at the meeting to discuss the issue with Council. At the conclusion of the discussion, the Clerk advised that he would contact the By-Law Enforcement Officer with a request to contact Mr. Patterson with information as to the Township's typical by-law enforcement protocols. Councillor DeGurse also questioned janitorial service at the St. Clair Parkway Golf Course on Saturdays and Sundays and several other aspects related to golf course operations. Council directed that the golf course general manager be invited to the next Finance and Administration Committee. Councillor DeGurse requested members of Council to give some thought to possible

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vacant space that could be occupied for a short period in December to house the Operation Christmas Tree function.

Steve Arnold

In response to the Mayor's questions, Council was advised that Public Works & Engineering staff have advised that the milling on the St. Clair Parkway at the location of the new forcemain construction should start this week, weather permitting and that the paving should be completed next week. The Mayor briefed Council on an initiative carried on by the Upper Thames River Conservation Authority that could be extended to the SCRCA that would see a tree replanting program in an attempt to start a process to replace dead ash trees. The Mayor also requested staff to contact Mr. Bing Frye for a demonstration of machinery available to reduce the time and costs of dead tree removal. Also the Mayor is still looking for a report from staff regarding the removal of debris and dead trees from the St. Clair River as requested by Mr. Mike Hurley.

ADJOURNMENT:

Hearing no further business it was;

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

Seconded by D. Randell

CARRIED

The meeting adjourned at 8:30 p.m.

MAYOR

CLERK