

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 14**

St. Clair Civic Centre
Council Chambers
July 9, 2012
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
	J. Baranek	Deputy Clerk/Coordinator of Planning

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Regular committee June 19th, 2012 Session #13
Finance and Administration –June 19th, 2012 - minutes
Public Works Operation – June 19th, 2012 - minutes
Drainage Committee – July 4th, 2012 – minutes

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:15 pm Enbridge rezoning
6:30 pm Glen Nantais request
6:45 pm Fire Chief –Succession plan

CORRESPONDENCE:

- a) Glen Nantais-request
- b) Brigden Optimist Club-request
- c) Brigden Legion-Community Fest

INFORMATION:

- 1) Children Safety village-June 5 minutes
- 2) Children Safety County Council presentation
- 3) S.C.R.T- May 23 minutes
- 4) Heritage St. Clair –June 5 Minutes
- 5) Spectra Energy- Blue water crossing
- 6) MOE- letter to P Pickfield-June 15
- 7) Lambton Historical-constitution
- 8) Lambton Historical – June minutes
- 9) William and Sandra Wheeler – Seward rezoning
- 10) Terry Little - Seward rezoning
- 11) Jeff, Erin and Emily Moore – Seward rezoning
- 12) Reg and Elsie Metcalf – Seward rezoning
- 13) George Seward – Seward rezoning
- 14) Reg and Elsie Metcalf – Seward rezoning
- 15) D’arcy Bell – Seward rezoning

DRAINS:

By-law #16 of 2012 Vandendool – 3rd reading
By-law #20 of 2012 McLaughlin Dr 1st and 2nd reading

REPORTS OF COMMITTEES AND OFFICERS:

EMERGENCY SERVICES REPORTS

FM Alert - Suncor

BARRY UITVLUGT – PLANNERS REPORT

Rezone Part Lot 23, Con 13 geographic, Township of St. Clair

DIRECTOR OF PUBLIC WORKS AND OPERATION REPORT

Brigden rd. reconstruction
Re-organization – in camera

CO-ORDINATOR OF EMERGENCY SERVICES

Nantais subdivision

DEP CLERK /CO-ORDINATOR OF OF PLANNING

Nantais subdivision

DRAINAGE SUPERINTENDENTS REPORT

Reid-Becher – Drain quotes

TREASURER’S REPORT:

in camera legal

CLERK’S REPORT:

Pembina – Austin Drain crossing agreements

CAO’S REPORT:

MOTIONS:

Appointments – Kim Shepley Commissioner of Oaths

BY-LAWS:

By-Law #25 of 2012 – Final tax levy 2012

By-Law #27 2012- Pembina (Provident) removal of holding symbol

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

Seward rezoning

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole - Monday July 23, 2012 - 6:00 pm

Regular Council – Monday July 23 2012 – 7:30pm (after Committee)

Committee of the Whole - Monday Aug 13, 2012 - 6:00pm

Regular Council - Monday Aug 13, 2012 - 7:30pm (after Committee)

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.

Moved by D. Randell

Seconded by S. Miller

Motion #1 That the minutes from the Council meeting held, June 19, 2012 – Session #13 be received and accepted as printed.

CARRIED

Moved by J. Agar

Seconded by J. Degurse

Motion #2 That the minutes from the Finance and Administration Committee meeting held, June 19, 2012 – Session # 13 be received and accepted as information.

CARRIED

Moved by D Randell

Seconded by P. Gilliland

Motion #3 That the minutes from the Public Works meeting held, June 19, 2012 – Session # 13 be received and accepted as printed.

CARRIED

Moved by J. Degurse

Seconded by P. Carswell Alexander

Motion #4 That the minutes from the Drainage meeting held, June 19, 2012 be received and accepted as printed a circulated and that the recommendations contained therein be approved.

CARRIED

DEPUTATIONS AND APPOINTMENTS:

CORRESPONDENCE:

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

Moved by P. Carswell-Alexander

Seconded by J Degurse

Motion #5 That permission be granted for the establishment of a licensed refreshment tent during the annual two-pitch tournament to be hosted in Brigden on July 20, 21, 22, 2012

CARRIED

Correspondence on Glen Nantais was tabled for further discussion later in the meeting

Moved by D Randell

Seconded by S. Miller

Motion #6 That the seventh annual Brigden Community Fest be declared as a community festival and that permission be granted for the establishment of a licensed refreshment tent On August 8, 2012 and the permission be granted for the closing of streets. As requested by the legion.

CARRIED

INFORMATION:

It was pointed out by the Clerk that information items 9 through 15 inclusive regarding the Seward rezoning were received after the public meeting the council should consider them as such.

Moved by P Gilliland

Seconded by J. Agar

Motion #7 That the items of information Correspondence be received as information

CARRIED

DRAINS:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #8 That the Drainage By-Law #16 of 2012, being a by-law to raise the sum of \$146,122.00 being money expended out of General Funds of the Township of St. Clair for construction of the Vandendool Drain be given the third and final reading and be signed by the Mayor and Clerk, and the Corporate Seal be affixed.

CARRIED

Moved by S. Miller

Seconded by D. Randall

Motion #9 That Drainage by-law #20 of 2012, being a by-law to raise the sum of \$8,994.00 being money expended out of General Funds of the Township of St. Clair for construction of the McLaughlin Drain be given first and second readings and be provisionally adopted.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Emergency Services Report

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #10 That the report of the Emergency Services dated July 6, 2012. It is the recommendation of the Fire Department to enter into the discussion to develop an agreement with Suncor regarding the BCAN system and the Aamiwnaang First Nation. Any such resulting agreements would be brought to Council for ratification. The township to be held harmless in the event of a miscommunication.

CARRIED

Planners Report:

Moved by D. Randell

Seconded by P. Gilliland

Motion # 11 That the report submitted by the Planner, Barry Uitvlugt dated June 26, 2012 the Enbridge proposal to be rezoned be accepted a information.

CARRIED

DIRECTOR OF PUBLIC WORKS AND OPERATIONS:

Moved by P. Carswell-Alexander

Seconded by J. Degurse

Motion # 12 That the report from the director of Public Works and Operations dated July 4, 2012 regarding Brigden Road construction be received and accepted as information.

CARRIED

In discussion of Mr. Burnham's report regarding Brigden Road reconstruction council asked for a price estimate for the inclusion of a turning lane for the Bridgen fair grounds and St. Clair Mechanical.

At the appointed time Mayor Arnold called to order the public meeting called to consider the application file by Enbridge to rezone their property known as part lot 23, Concession13 geographic Township of Sombra, Township of St. Clair. The Mayor then called upon planner Barry Uitvlugt who presented his planners merrit report on his application dated June 26, 2012. In his report Mr. Uitvlugt stated the proposed zoning is consistent with the township official plan and as well provincial policy statements, Mr. Uitvlugt at the conclusion of his report is recommending approval for the rezoning application. The meeting was advised by the clerk that no written submissions were received. No one at the hearing wished to speak either in opposition or in support of the application. Mr. Harald Brecht was present on behalf of Enbridge and did not wish to address the meeting. Hearing no comments the mayor declared the meeting closed.

Moved by D. Randell

Seconded by J Agar

Motion#13 That the application file by Enbridge Gas to rezone the portion of their property known as part of lot 23, concession 13 geographic township of Sombra township of St. Clair. be accepted and that by-law 28 of 2012 being a by-law to provided for the rezoning of the subject property A1 to M5-3 be giving the necessary three readings and be signed by the mayor and Clerk the corporate seal affixed their to and finally passed.

CARRIED

COORDINATOR OF ENGINEERING SERVICE:

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion#14 That the Coordinator of Engineering report dated July 9, 2012 regarding the sanitary sewer located on the Nantais subdivision be received as information

CARRIED

DEPUTY CLERK COORDINATOR OF PLANNING:

Moved by P. Gilliland

Seconded by P. Carswell-Alexander

Motion#15 That the report of the Deputy Clerk/Coordinator of Planning regarding the Nantais request for planning fee and letters credit reduction be received as information.

CARRIED

DRAINAGE SUPERINTENDANTS REPORT:

Moved by D. Randell

Seconded by S. Miller

Motion #16 That the report received for the Drainage Superintendent dated, June 27, 2012. Recommending that the lowest quote of \$10532.16 (including net HST) from Murray Mills Excavating (contractor) and \$6,754.12 (including net HST) from Armtec Limited (pipe supplier), for the replacement of the culvert enclosure within the Reid Becher Drain as a maintenance expense to the drain (Total = \$17,286.28)

CARRIED

CLERKS REPORT:

The Clerk provides to Council information as to a request from Pembina Energy to enter into a pipeline crossing agreement to accommodate pipelines under the Austin Drain on the west side of HWY 40. It was pointed out that the township has standing policies as to pipeline crossing protocols and costs.

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #17 That the request from MIG Engineering dated May 18 2012 on of behalf of Pembina Pipeline is proposing to construct several pipelines on their property on lot 25, Concession 11 and 12 and crossing hwy 40 to their property located on lot 24 Concession 12 in St. Clair Township and crossing the Austin Drain be approved as per current policy and corresponding crossing agreement be approved and endorsed.

CARRIED

At the appointed time council welcomed Mr. Glen Nantais present to discuss with council his request relative to planning fees and letters of credit and his cost incurred in providing sanitary sewer service for his new subdivision in Corunna. Mr. Glen Nantais stated that he has and will incur costs of approximately \$78,000.00 to provide the guarantees and letters of credit as requested by the township Mr. Nantais further stated as a 40 year resident of the community and 15 year employee he should have such obligations reduced to \$0.00

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion#18 That the request submitted by Mr. Glen Nanatais for reduction in certain planning fees and letters of credit be denied.

CARRIED

Mr. Nantais asked council to consider his request for relief from the sanitary sewer costs due to the relatively poor condition of the portion of sewer line that was replaced. Council was of the opinion that it needed further information from the engineering coordinator.

Moved by P Gilliland

Seconded by J. Agar

Motion#19 That the issue of the Glen Nantais request for reconsideration of sanitary sewer costs for his subdivision in Corunna be tabled until the July 23, 2012 meeting of the Public Works and Operations committee to allow an opportunity for further information from staff.

CARRIED

Moved by D. Randell

Seconded by S. Miller

- a) Glen Nantais-request-Motions #17 and #18
- b) Brigden Optimist Club-request-Motion #5
- c) Brigden Legion-Community Fest-Motion#6

Motion#20 That the following correspondence be received and dealt with as per Council's instructions as noted:

CARRIED

MOTIONS:

Moved by S. Miller

Seconded by D. Randall

Motion #21 That the application be made for the appointment as a Commissioner of Oaths for Kim Shepley

CARRIED

BY-LAWS:

Moved by J. Degurse

Seconded by J. Agar

Motion #22 That by-law 25 of 2012, being by-law to levy taxes for the year 2012 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 S. Miller

Seconded by D. Randell

Motion#23 That by-law #27 of 2012 being a by-law to remove the holding symbol of property known as parts lot 25, and 26 Concession 11 geographic township of Moore Township of St Clair own by Pembina Energy be given the necessary three readings be signed by the Mayor and Clerk the corporate seal affixed thereto and finally passed.

CARRIED

COUNCILORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised of receiving complaints from residents with the FM alerts system regarding repeated weather warnings in the early morning hours. The Fire Chief would be asked to provide an explanation later in the meeting. Deputy Mayor Gilliland also had a legal issue to be discuss in camera.

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Steve Miller

Councilor Miller attended on behalf of the Mayor the Best Start graduation and the Sombra Days parade.

Darrell Randell

Councilor Randall also attended the Sombra Days parade.

Jeff Agar

Councilor Agar suggested some type of Municipal recognition for Derek Druin who has been selected to represent Canada on its track and field team during the upcoming 2012 Olympic games in London.

Pat Carswell-Alexander

Councilor Carswell-Alexander thanked Mayor Arnold for making Victims Services the charity of choice for the annual Warden Picnic. The Councilor also advised that the work on the Brigden splash pad has started.

Mayor Arnold asked staff to investigate one of the features at the splash pad that could be vandalized and cause injuries.

Jim Degurse

Councilor Degurse questioned the grass cutting protocols at the Corunna sewage treatment plant. This issue was referred to staff.

Steve Arnold

Mayor Arnold attended a recent meeting of the Sarnia Lambton Industrial Alliance Great Lakes Mayors conference in Quebec City, meeting in Toronto regarding Shale gas opportunities and numerous Canada Day events. Mayor Arnold also advised that he has invited representative from the St. Joseph hospice who are looking for operating funds to attend a future meeting of council. Mayor Arnold also advised council of an invitation received from Clean Harbours for the Mayor and senior Township staff to tour the Clean Harbours facility to demonstrate improvements that have been made to the site. Mayor Arnold stated his opinion that the Clean Harbours representative should make the presentation at a future meeting of council, that is advertised as being open to the public.

UNFINISHED BUSINESS:

Moved by P. Gilliland

Seconded by D. Randell

Motion#24 That the issue of Seward rezoning request be lifted from the table

CARRIED

Moved by J. Agar

Seconded by P Carswell Alexander

Motion#25 The application for rezoning submitted by Mr. James Seward for property known as part of lot 26 Concession 4 Geographic Township of Moore Township St Clair be denied.

A recorded vote was requested

Councilor Randell-No

Councilor Miller- No

Councilor Gilliland-No

Councilor Agar-Yes

Councilor Carswell-Alexander Yes

Councilor Degurse-Yes

Mayor Arnold -Yes

Motion declared **CARRIED**

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Council discussed the application for possible delegations with provincial ministries at the August AMO conference in Ottawa. Council was asked to further consider delegation request.

Moved by J. Agar

Seconded by J. Degurse

Motion#26 that the meeting enter an in camera session to discuss legal and personnel issues.

CARRIED

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole – July 23, 2012 at 6:00pm

Regular Council – July 23, 2012 at approximately 7:30 (after Committee of the Whole meeting)

ADJOURNMENT:

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 8:00p.m.

MAYOR

CLERK