

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #5**

St. Clair Civic Centre
Council Chambers
March 4, 2013
6:30 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:

Finance and Administration – February 19, 2013
Public Works and Operation – February 19, 2013
Regular Council – February 19, 2013 - Session #4

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:45 pm- Rezoning –public meeting- second unit policy
7:00 pm- Allingham Drain – Court of Revision
7:10 pm- Burgess Drain – Court of Revision
7:20 pm- Bennett Drain – Court of Revision
7:30 pm- Nova Chemical future projects proposal

CORRESPONDENCE:

- a) London Health Science – lottery permission
- b) Moore Agricultural society permission

INFORMATION:

- 1) S.C.R.C.A – 2013 budget
- 2) MP Pat Davidson – F.C.C. Agrispirit Fund
- 3) Heritage St. Clair – Jan 14, 2013 minutes
- 4) Heritage St. Clair – library opinion
- 5) County of Lambton – Strategic Plan
- 6) County of Lambton – Spotlight on Women
- 7) Clean Harbours – Feb 5th minutes
- 8) Canadian Cancer Society-declaration
- 9) D’Arcy Bell – Emergency Services agreement - opinion

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

Property Standards Officer:

Status Report

CO-ORDINATOR OF COMMUNITY SERVICES:

Tractor tender

PLANNING REPORT:

Barry Uitvlugt - Second unit policy

DEPUTY CLERK /COORDINATOR OF PLANNING:

CLERK'S REPORT:

Lambton Historical – March 28 meeting request (verbal)

CAO'S REPORT:

In camera - property

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

April Meeting dates

UPCOMING MEETINGS:

Finance and Administration Committee-budget-Thursday March 7, 2013 5:30 pm
Committee of the Whole – Monday March 18, 2013 – 3:00 pm
Regular Council – Monday March 18, 2013 ~ 4:30 pm (following Committee)
Drainage Committee – Wednesday March 27, 2013

ADJOURNMENT:

The Mayor called the meeting to order at 6:25 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

Moved by D. Randell

Seconded by P. Gilliland

Motion #1 That this meeting of Council commence at 6:25 pm.

CARRIED

DECLARATION OF CONFLICT OF INTEREST:

None declared.

ADOPT MINUTES:

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

Moved by S. Miller

Seconded by D. Randell

Motion #2 That the minutes of the Finance and Administration Committee meeting held on Feb 19, 2013 be received and accepted as printed.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #3 That the minutes of the Public Works and Operations Committee meeting held on Feb 19, 2013 be received and accepted as printed.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #4 That the minutes from the Council meeting held Feb 19, 2013 – Session #4 be received and accepted as printed.

CARRIED

DEPUTATIONS AND APPOINTMENTS:

CORRESPONDENCE:

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

Moved by P. Gilliland

Seconded by S. Miller

Motion #5 That permission be granted to the London Health Sciences Centre Foundation for the sale of dream home lottery tickets in St. Clair Township under the authority of a Provincial license

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #6 That permission be granted to the Moore Agricultural Society to use the Township flag and logo in Brigden fair advertising.

CARRIED

INFORMATION:

Council requested that the information received from Farm Credit Corporation regarding its Agri Sprit Grant program be forwarded to all Township Community Centre groups and the Moore Agricultural Society.

Council review the communications received from the Heritage St. Clair Committee regarding its opinion on renovations to the Wilkesport library.

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #7 That the Heritage St. Clair Committee be thanked for their input as to proposed renovations to the Wilkesport Library and that the Director of Community Services be directed to proceed with the internal and external renovations as originally planed.

CARRIED

Council directed that the communication from the County of Lambton regarding its Spot Light on Women campaign be forwarded to the Heritage St. Clair Committee.

Council reviewed the minutes of a recent Clean Harbours Community liaison Committee and asked staff to investigate item #4 which cited a current policy of a 100 000 ton minimum in the calculation of compensation paid to the Clean Harbours Good Neighbors Group.

Moved by J. Agar

Seconded by J. DeGurse

Motion #8 That the following items of correspondence be dealt with as per Councils instructions.

- a) London Health Science – lottery permission-Motion # 5
- b) Moore Agricultural society permission-Motion # 6

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #9 That the following items of information be dealt with as per Councils instructions.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

PROPERTY STANDARDS OFFICER:

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #10 That the status report of the Property Standards Officer be received and that:

984 Bickford Line

That the file be closed

457 Murray St. That in the event the Order is not complied with or appealed, the Property Standards Officer be directed to obtain quotes and choose the lowest quote to have the work completed.

1204 White Line That the property Standards Officer be directed to place an Order utilizing the Clearing of Land by-law with a 90 day firm deadline.

CARRIED

It was pointed out that the 30 day clean up period for Property known as 1204 White line has been extended to 90 days and that the Property Standards file on 984 Bickford line has been closed, with phase two the clean up not authorized at this time.

The Property Standards officer was also asked to investigate and report on the house across from the United Church in Wilkesport.

CO-ORDINATOR OF COMMUNITY SERVICES:

Moved by P. Gilliland

Seconded by S. Miller

Motion #11 That the report and recommendation of the Co-ordinator of Community Services regarding the purchase of a utility tractor be tabled until the next meeting of the Finance and Administration Committee to allow additional time for recirculation of the tender.

CARRIED

At the appointed time the Mayor called to order the Public Meeting called to consider a draft official plan amendment and a zoning amendment that would be consistent with provincial policy to allow second dwellings in existing single family residence. Mayor Arnold explained to those present the procedure that would be followed at this Public hearing and that everyone wishing to do so would be given an opportunity to speak either in support or in opposition of the planning amendment. Mr. Uitvlugt provided to Council his planning merit report on the two amendments and advised that if approved these two documents would bring the Townships planning documents into conformity with recent provincial Planning Act amendments. No one spoke in support of or in opposition to the proposal. Mr. Uitvlugt responded to various question posed by members of Council. Hearing no further comment The Mayor declared the Public Meeting closed.

Moved by D. Randell

Seconded by P. Gilliland

Motion #12 That By-law #12 of 2013 being a By-law to adopt amendment #17 to the Township of St. Clair official Plan be 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 D. Randell

Motion #13 That By-law # 11 of 2013 being a By-law to amend the comprehensive zoning By-law to address second dwelling units required under the revised section 35 of the planning act be given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

PLANNING REPORT:

At the appointed time Mayor Arnold called to order the Courts of Revision on the Allingham, Burgess and Bennett Drains. Mayor Arnold called upon Mr. Ken Graham of MIG engineering author of the Allingham drain report to provide a brief back ground of the Allingham Drain and his assessment rationale. At the conclusion of the presentation it was

Moved by J. Agar

Seconded by P. Gilliland

Motion #14 That the assessment on the Allingham Drain as per the engineers report dated Nov 27, 2012 be accepted and confirmed and that the Court of Revision of the Allingham Drain be closed.

CARRIED

The Court proceeded to consider assessment issues relative to the Burgess Drain. Mr. Ray Dobbin author of the Burgess Drain report was present to present the back ground of the Burgess Drain report and his assessment calculations. Mr. Dobbin advised that his report on the Burgess Drain dated Dec 15, 2012 was a reassessment to more fairly distribute future maintenance costs. Mr. Dobbin did say that he, at the request of the rate payers at the consideration meeting, did reexamine the Burgess Drain water shed and included property in Lot 30 owned by Rene Fitzgerald. Mr. Dobbin advised that an amended schedule of the assessment had been provided to the Township and the owner of the Fitzgerald property. No written assessment appeals were received and no one offered a verbal appeal before the court.

Moved by D. Randell

Seconded by J. DeGurse

Motion #15 That the engineer's assessment on the Burgess Drain in accordance with his report dated Dec 15, 2012 as amended by the engineer be accepted and confirmed and the Court of Revision on the Burgess Drain be closed.

CARRIED

The court considered the assessment schedule of the Bennett Drain. Mayor Arnold called upon Mr. Ray Dobbin to provide a brief background on the Bennett Drain and his assessment calculations. Mr. Dobbin pointed out that the schedule of maintenance has been changed relative to the property known as the south half of Lot 26 Concession 8 to the point where the future maintenance assessment has been deleted. However Mr. Dobbin pointed out that the same property received an assessment representing a portion of the engineering cost to prepare this report. Mr. Joe Kerr owner of various properties on the Bennett drain and in particularly the South half of Lot 26 Concession 8 appealed his assessment by letter dated January 20, 2013. Mr. Kerr was duly sworn. Mr. Kerr stated that the Bennett drain had absolutely no benefit to his property and that his property drains directly into the East Otter Creek. If the Bennett Drain was not in its current location he would not need the relatively large access culvert and as such feels that it is unfair for him to pay any portion of the cost. Mr. Kerr stated that his earlier objection to the assessment resulted in Mr. Dobbin deleting the future maintenance provisions for his property. The court discussed with Mr. Dobbin and Mr. Kerr recent information indicating that the Harris property known as part of the north half of lot 26 concession 7 actually drains into the Bennett drain but did not attract an assessment for the work proposed. Mr. Dobbin estimate that the assessment for the Harris property would be in the range of \$79.00 and the consensus was that the \$79.00 assessment for the Harris property spread out as cost saving amongst the current rate payers would not generate a justifiable expense in referring the report back for recalculation of the assessment and the need for a second Court of Revision of the Bennett Drain.

Moved by P. Gilliland

Seconded by J. DeGurse

Motion #16 That the assessment for the Bennett Drain for property known as the south half of Lot 26 concession 8 be reduced by \$800.00 to \$324.00 and that the subsequent \$800.00 be added to the assessment for the Township of St. Clair road authority for the Kerr line and the assessment on the Bennett Drain be confirmed as amended and the Court of Revision closed.

CARRIED

At the conclusion of the Court Mr. Joe Kerr and Mr. Paul Kerr discussed with Council and Mr. Dobbin the possibility of extending the length of the access culverts. Mr. Dobbin advised that this could be done under the supervision of the Drainage Superintendent and expensed to the benefit of the land owner who would pay the additional cost incurred for the culvert extension as well as the maintenance of the extended portion of the culvert in the future since these extensions would not form part of the engineers report. Mr. Kerr agreed with this conclusion.

Council welcomed representatives from Nova Chemical as well as their consulting engineer Stantec, present to present to Council plan for the proposed Nova project known as project 2020. The project calls for the completion, later this year, of the Genesis pipe line to bring into the Nova facility shale gas from the US to be used in Nova's manufacturing process. Nova is also contemplating phase two of the project that would involve the building of a new processing facility at an estimated cost of approximately \$1.5 billion dollars. It is hoped that board approval would be received from the Nova board by the third quarter of 2014 and if approved, it is estimated that construction would start in the fourth quarter of 2017 with the completion in 2018. Nova has already started the permitting process for the work that has been approved and will be carried out commencing later in 2013. In response to Council's questions the Nova representative stated that the Nova domestic water requirement would be only for domestic use and no potable water would be used in the process. At the conclusion of the presentation Mayor Arnold also explained to the Nova representatives any legacy project opportunity that Nova could participate in. On behalf of Council, Mayor Arnold thanked the representatives for their informative presentation and wished Nova well in the securing of the approvals for this very important local project.

CLERK'S REPORT:

Moved by D. Randell

Seconded by P. Gilliland

Motion #17 That a donation be made to the Lambton Historical Society in the amount of \$50.00 to sponsor the rental of the Corunna Fire hall for the Historical Societies March 28th dinner meeting.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

Mr. Rodey advised of a need to discuss property issues in camera.

COUNCILLORS REPORTS:

Steve Miller

Councillor Miller advised of attending a recent meeting of the Heritage St. Committee due to a meeting conflict with Councillor Agar.

Darrell Randell

Councillor Randell advised of attending a Lambton Kent District School Board ARC meeting last week at River View School and the discussion to date seem to indicate that there are no plans to move the River View grade 7 and 8 student population to Wallaceburg District Secondary School at this time. The next meeting of the ARC committee is proposed for March 27th which would conflict with Councillor Randell's ability to attend the Drainage Committee set for that date. An alternative to Councillor Randell on the Drainage Committee will be discussed at the next meeting of Council.

Pat Carswell-Alexander

Councillor Carswell- Alexander brought to staffs attention a cracked window in the Civic Centre's lobby area.

Jim DeGurse

Councillor DeGurse asked the appropriate staff to investigate the condition of Colborne Street North of Cameron street. Councillor DeGurse also asked for clarification as to the types of street lighting used by the Municipality.

Steve Arnold

Mayor Arnold advised that the Township delegation was well received by Minister of the Environment Jim Bradley at a recent meeting in Toronto. Mayor Arnold also advised of a follow up meeting held earlier today from the January 11th Shell incident with the appropriate parties involved. Mayor Arnold requested staff prepare a report as to building permit protocols for pipe lines and other such facilities that the Township may not be receiving full assessment values.

NEW BUSINESS:

Moved by D. Randell

Seconded by P. Gilliland

Motion #18 That the regular meeting of Council in April be held April 1st and April 15th as current established policy.

CARRIED

Moved by S. Miller

Seconded by J. Agar

Motion #19 That the meeting enter an in camera session to discuss a property issues.

CARRIED

The Meeting returned to order

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #20 That the offer to rent space in the Townships Emergency Services Building received from the Workplace Group for a lease proposed to commence April 1st 2013 be accepted and that the corresponding lease documents be signed by the Township.

CARRIED

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #21 That the offer of purchase and sale for the property in the Township Industrial Park to Real-Flex Business Parks be accepted and endorsed and that By-law 13 of 2013 authorizing the sale and acceptance of the terms of the sale be given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

ADJOURNMENT:

Hearing no further business it was

Moved by S. Miller

Seconded by D. Randell

Motion #22 That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:05 p.m.

MAYOR

CLERK

Council Meeting
Minutes March 4, 2013