

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 3**

St. Clair Civic Centre  
Council Chambers  
February 3, 2014  
6:30 pm

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- <b>absen</b>

**AGENDA**

**Declaration of Conflict of Interest:**

**Adopt Minutes:**

Regular Council – Session #2 – January 20, 2014  
Finance and Administration – January 20, 2014  
Public Works and Operations – January 20, 2014  
Drainage Committee – January 28, 2014

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

7:30 – Peter Pickfield – Clean Harbors – EA status

**CORRESPONDENCE:**

- a) Randy Pettapiece MPP – Joint and Several Liability
- b) Nova Chemical withdrawal of drain request

**INFORMATION:**

- 1) Lambton Farm Safety – minutes Nov 18, 2013
- 2) Lambton Farm Safety – invitation
- 3) County of Lambton – news release
- 4) Meadowview Villa Auxiliary – thank you

**DRAINS:**

By-Law 4 of 2014 – amending Fitzgerald Drain  
By-Law 5 of 2014 – amending various Drains  
By-Law 6 of 2014 – amending various Drains  
By-Law 7 of 2014 – Parr drain south – 1<sup>st</sup> and 2<sup>nd</sup> reading  
By-Law 8 of 2014 – Wray drain – 1<sup>st</sup> and 2<sup>nd</sup> reading

**REPORTS OF COMMITTEES AND OFFICERS:**

**WATER/WASTEWATER SPECIALIST – ORO**

-Brigden Lagoon Planting

**DEPUTY CLERK/COORDINATOR OF PLANNING:**

-Seward rezoning – status – in camera

**DIRECTOR OF COMMUNITY SERVICES:**

-Sombra Day Care lease renewal

**CLERK'S REPORT:**

**CAO'S REPORT:**

**MOTIONS:**

**BY-LAWS:**

-By-law 4 of 2014 – interim tax levies for 2014

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

- Committee of the Whole – Tuesday February 18, 2014 3:00 p.m.
- Regular Council – Tuesday February 18, 2014 ~ 5:00 p.m. after Committee of the Whole

**In camera:**

-Legal and Property

**ADJOURNMENT:**

The Mayor called the meeting to order at 6:30 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.

**ADOPT MINUTES:**

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

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

**Motion #1** That the Minutes from the Council meeting held January 20, 2014 – Session #2 be received and accepted as printed.

**CARRIED**

Council Meeting  
October 7, 2013

Moved by S. Miller

Seconded by D. Randell

**Motion #2** That the Minutes of the Finance and Administration Committee meeting held on January 20, 2014 be received and accepted as printed.

**CARRIED**

In discussion of the minutes of the Public Works and Operation Committee Councillor Randell stated that he did not declare a conflict of interest in the discussion of the proposed plantation at the Brigden Lagoon property as reported on page 4.

Moved by J. Agar

Seconded by J. DeGurse

**Motion #3** That the Minutes of the Public Works and Operations Committee meeting held on January 20, 2014 be received and accepted as printed, as amended on page 4.

**CARRIED**

Moved by P Gilliland

Seconded by S Miller

**Motion #4** That the Minutes of the Drainage Committee meeting held on January 28, 2014 be received and accepted as printed.

**CARRIED**

### **DEPUTATIONS AND APPOINTMENTS:**

### **CORRESPONDENCE:**

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

Council reviewed the correspondence received from MPP Randy Pettapiece regarding the Joint and Several liability and filed the correspondence.

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #5** That Council accept the Nova Chemicals request to withdraw from the Drainage Act process relative to the Allingham Drain under section 78 of the Drainage Act be accepted subject to Nova being responsible for the full engineering cost to date.

**CARRIED**

Council reviewed the property standards complaint relative to property known as 48 Milton St.

Moved by P. Gilliland

Seconded by S. Miller

**Motion #6** That the Property Standards officer be instructed to investigate and report possible property standards issues on property known as 48 Milton St. in Courtright.

**CARRIED**

Council instructed that if it is determined necessary, after the Property Standards Officer's examination, emergency measures should be taken.

Moved by J. DeGurse

Seconded by P. Carswell-Alexander

**Motion #7** That the following items of correspondence be dealt with as per Councils instructions.

- a) Randy Pettapiece MPP – Joint and Several Liability – filed
- b) Nova Chemical – withdrawal of drain request – Motion # 5
- c) Property Standards – 48 Milton St. – Motion # 6

**CARRIED**

### **INFORMATION:**

Moved by S. Miller

Seconded by P. Gilliland

**Motion #8** That the following items of information be dealt with as per Councils instructions for items identified as agenda items #1 thru 4

**CARRIED**

**DRAINS:**

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

**Motion #9** That Drainage By-law #4 of 2014, being a by-law to raise the sum of \$122,707.63 being money expended out of the General Funds of the Township of St. Clair for construction of the Fitzgerald Drain be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved by D. Randell

Seconded by S. Miller

**Motion #10** That Drainage By-law #5 of 2014, being a by-law to raise the sum of \$14,567.12 being money expended out of the General Funds of the Township of St. Clair for the maintenance to various drains in the Township be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved by J. Agar

Seconded by J. DeGurse

**Motion #11** That Drainage By-law #6 of 2014, being a by-law to raise the sum of \$10,885.69 being money expended out of the General Funds of the Township of St. Clair for the maintenance to various drains in the Township be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed

**CARRIED**

Moved by S. Miller

Seconded by D. Randell

**Motion #12** That Drainage By-law #7 of 2014, being a by-law to raise the sum of \$2,811.00 being money expended out of the General Funds of the Township of St. Clair for reassessment of the Parr Drain South be given the 1<sup>st</sup> and 2<sup>nd</sup> readings and provisionally adopted.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #13** That Drainage By-law #8 of 2014, being a by-law to raise the sum of \$5,800.00 being money expended out of the General Funds of the Township of St. Clair for improvements to the Wray Drain be given the 1<sup>st</sup> and 2<sup>nd</sup> readings and provisionally adopted.

**CARRIED**

**REPORTS OF COMMITTEES AND OFFICERS:**

**WATER/WASTE WATER SPECIALIST - ORO REPORT:**

Moved by P. Gilliland

Seconded by S. Miller

**Motion #14** That council approve planting of deluxe native prairie seed mix on approximately 2 acres of land at the Brigden Lagoons, as per attached letter. The total cost would be \$2,600 plus HST.

**CARRIED**

**DIRECTOR OF COMMUNITY SERVICES REPORT:**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #15** That the current lease with Sombra day care for space in the Sombra Community Services building at the rental of \$840.00 per month be renewed for the next lease period.

**CARRIED**

**CAO's REPORT:**

Mr. Rodey advised of a need of an in camera session to discuss property and legal issues.

**BY-LAWS:**

Moved by P. Gilliland

Seconded by Randell

**Motion #16** That By-law Number 4 of 2014, being a by-law to provide for interim tax levies for the year 2014 for the Township of St. Clair be 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 due to the recent resignation of Mr. Bill Wray there is a current vacancy on the Townships Committee of Adjustment. The Clerk advised that the current protocol is that the committee consists of two Council representatives, three citizen at large appointees from Ward one and two citizen at large appointees from Ward two. Council directed staff to include in the next issue of the Beacon an advertisement inviting interested applicants to apply through the Clerk for Councils consideration. Deputy Mayor Gilliland also advised of an issue received from a citizen regarding a overnight parking issue that has since been resolved.

**Steve Miller**

Councillor Miller questioned if there is an existing right of way through the Lambton Sportsman property that would allow the owner of a property to the South access to his agricultural property in an effort to save the expense of the installation of an entrance culvert or bridge. Council was advised that a title search of the subject property should reveal whether such a right of way exists but it was pointed out that it would be highly unlikely that there would be any right of way through the property in favour of the municipality.

**Pat Carswell-Alexander**

Councillor Carswell-Alexander led Council in a discussion of a possible way of promoting interest in the 2014 Municipal election.

Moved by P. Carswell-Alexander

Seconded by P. Gilliland

**Motion #17** That staff be instructed to prepare an information package exclusive of unapproved Council minutes and in camera material and reports, to be provided on request to every registered candidate for Municipal office.

**DEFEATED**

**Jim DeGurse**

Councillor DeGurse questioned whose responsibility it was for removing high snow banks from boulevards. Council was advised that the Works department practice is, when time permits, to remove snow from intersections to improve vehicular visibility but no effort has ever been made to clear snow banks adjacent to private driveways. Councillor DeGurse questioned the practice of charging Municipal drain rate payers costs of vegetation control. Councillor DeGurse was advised that this was a common practice and such costs are recovered from the drain as a legitimate drainage maintenance cost. It was also pointed out that such spraying has proven to reduce future excavation costs.

**Steve Arnold**

Mayor Arnold received and investigated road complaints and was of the opinion that the Public Works crew have done an excellent job in winter control during the weather conditions in the past several weeks. Also the Mayor attended a meeting of the LAWSS water system at which time a discussion was held regarding the possible ownership transfer of a water main through Sombra Village to the LAWSS system. The Clerk provided information to Council as to the original rationale behind the construction of the water line in question in 1975 or 1976 in advance of the extension of the West Lambton water supply system.

Council noted the upcoming meetings as listed on the agenda.

Moved by S. Miller

Seconded by D. Randell

**Motion #18** That the meeting enter an in camera session to discuss a property and legal issue.

**CARRIED**

The meeting returned to order.

Council welcomed Mr. Peter Pickfield the Township Environmental Solicitor present to discuss with council the status of the Clean Harbours EA progress. Mr. Pickfield advised that the evaluation report on alternatives was released in January of 2014 and a peer review budget for the peer review of this document was prepared, submitted, and approved by Clean Harbours last week. A report will be available from Mr. Pickfield and the peer review team on their evaluation of this report to be presented at a meeting of Council in March. Also released was an existing conditions review report that the peer review team is currently reviewing, again this report by the peer review team and a corresponding report from Mr. Pickfield will be available for Council consideration at the same meeting in March.

Moved by D. Randell

Seconded by J. Agar

**Motion #19** That the meeting enter an in camera session to discuss a legal issue based on client solicitor client privilege.

**CARRIED**

Meeting returned to order

Hearing no further business

Moved by S. Miller

Seconded by D. Randell

**Motion #20** That the meeting of Council do hereby adjourn.

**CARRIED**

The meeting adjourned at 8:45 p.m.

---

MAYOR

---

CLERK