

## RM OF SPRINGFIELD COUNCIL MEETING September 17, 2019

### WITHOUT PREJUDICE (E&OE)

**APPROVAL OF THE AGENDA** - Be it resolved that the Agenda be amended as follows: Add #1) Collaborative Leadership Initiative Film Screening Invitation #2) Ward Appropriation for Anola Museum #3) Request for Support re Condition of Lake Winnipeg and #4 Remove item 8.2 Purchase of Radio Equipment (Springfield Police). **NOTE: On the agenda I printed off the website on September 16th. and on the agenda handed out at the meeting on September 17th. there is no mention of a subject for the Closed Session and no mention in the additions to the Agenda of 10.1 Compliance Agreement but if you look on their website now at the agenda for this meeting, it is listed on the agenda. Agendas, once made public the Friday before the meeting, should not be altered except within the Minutes when the meeting is being conducted and the Mayor asks if there are any additions or deletions to the Agenda. In the case of this meeting, there are additions but there is no mention of the addition Compliance Agreement to the Closed Session of the meeting. This is just another demonstration of lack of TRANSPARENCY, one of the first Guiding Principles listed in the Strategic Plan that Mayor Fell and Councillors Fuhl and Wilson participated in producing and supported. While in support of the PRINCIPLES of the Strategic Plan, they are obviously not in support of the PRACTICE of the Guiding Principles.** Mayor Fell - So we'll oppose the deadlines that are attached on that subject on the agenda and the radios are being removed so we can do some investigation on pricing before we go ahead with any purchases. Is there any other further discussion from Council? All those in favour. **CARRIED 6-0 NOTE: In the report accompanying this item on the agenda, it states Bell via Alcom Communications is the only vendor of these radios and that is the reason a Request for Proposals was not distributed. It is very odd that Mayor Fell has stated it is being removed from the agenda so they can investigate pricing. Further there is a deadline of September 30, 2019 mentioned for transition from FleetNet radios to the new PSCS Network. After May 2021 the old radios will no longer have service. Does Mayor Fell think that cheaper pricing can be achieved by dealing through the Winnipeg Metropolitan Region and that is what she is hoping to research?**

### QUESTION PERIOD

**Vince Bennici - Oakbank** - Regarding your article 8.6 Cancellation of Municipal Receivables - On Page 2 of the report, it states that it is anticipated another report will be coming forward in the following months regarding additional receivables to be written off related to a receivable dispute. What receivable dispute is this and how long has the dispute been going on? Why can this not be included with the remainder of the cancellations? Is there some type of litigation process being discussed in this regard and why is the name of the receivable being withheld at this time? Should receivables not be public information and is there any potential for Conflict of Interest in this regard? **Mayor Fell** - So I'll try to answer those questions as best I can. I don't have that information with me. Our Finance Officer is not here. First of all, if something is in litigation, I wouldn't be able to answer that question anyways. I don't believe that's what this is. We haven't received any information about that. If it's coming forward in a future meeting whatever can be public will be public um and that's pretty much all I can answer from your questions. We can have our Finance Manager following up unless our CAO has any further details but I don't believe we do for this meeting. **Colleen Draper** - Uh I understand at the time this report was written we needed confirmation from our Public Works Director and he was away so that's simply why it has to come in a future report. **NOTE: Does this mean that no one else in Public Works or the Finance Manager would have the information? If reference to a receivable dispute is in the agenda package, Council or the CAO should have answers directed to that issue available. It is very difficult to believe that at least the Mayor and the CAO would not know the details, as well as Council members. If it is going to be available in an upcoming public report, why can they not just say something about it and avoid speculation? This seems like yet another indication of lack of TRANSPARENCY.** **Vince Bennici** - Ok, my second question, I notice here under check number you're writing off something against CPR from that same 8.6. I noticed your cheque number 14211 to CPR for \$1,021.14. This invoice you're writing off for \$970.00, why? Like why are we paying them and writing off what they owe us? Why not just pay them the difference? **Colleen Draper** - That is simply not how we do it. We do the one invoice and then we invoice what they owe separately. **Vince Bennici** - But if you go after these people for money and they owe you money and you're paying them out money, that doesn't make sense. What were the circumstances. **Colleen Draper** - Well, the CP is related to a grass fire so it's through a separate department and the other invoice we would be paying our regular payment that we pay them so we wouldn't be withholding just because we're owed I believe this is from MPI or an insurance claim. **Vince Bennici** - Well it would then be MPI which is something totally separate. This is actually through a grass fire from CPR, yes? **Colleen Draper** - Yes, we're just keeping them separate. **Vince Bennici** - Thank you.

**Heather Erickson** - I see on 8.7 List of Accounts .. **Mayor Fell** - Would you state your name and address, please? **Heather Erickson - Anola, Manitoba, Springfield** - You have a cheque on your list of accounts to the former Chief Kane for \$729.75. I am wondering what that is for. Is that something to do with the BBQ or something to do with the trip back from Camrose with the Durango or... **NOTE: The Dodge Durango that had been purchased under the auspices of our former Chief of Police, Mark Kane, arrived in Oakbank on Saturday August 31st. and that coincided with the end of the Chief's vacation presumably in Alberta where he still had his residence. This led me to surmise that perhaps the Chief had driven the Durango back from Alberta and the cheque may have had to do with his trip expenses. On Monday, September 3rd., I understand Chief Kane's office had been cleared of anything belonging to the Chief. The Clipper reports that he resigned as of September 1, 2019 which was a Sunday. However the Chief was still seen in the office on September 9th., presumably because he had to give his 2 weeks notice but he was not available on the 10th.** **Mayor Fell** - You know, I don't know that information off the top of my head. **Colleen Draper** - I can confirm, I believe it was he had paid for a conference up front and we are reimbursing him for the cost of the conference. But I

can confirm. **Mayor Fell** - Is there any other questions from the gallery? **Heather Erickson** - I just wanted to comment that I see we are paying another over \$50 thousand, in fact \$57,470.89 to DD West, the lawyers again and there's also a very, very large sum to Tri M Trucking. **Mayor Fell** - Do you have a question in those statements? **Heather Erickson** - Well, not really, I just find that's rather excessive for a month of legal work. **Mayor Fell** - Thank you. Darryl? State your name and address please.

**Darryl Speer - Oakbank** - I look at 8.4 and that talks about non-profit organizations. My understanding has been one of the conditions of money being extended to organizations by grants and donations, they would show that their financial matters are in order and that would be a condition of them receiving support. I want to confirm that is the case and will be the case. **Colleen Draper** - Mostly everyone on the list applies for the operational grants and a requirement of that is to submit a financial statement. **Darryl Speer** - Would that apply to ChickenDaze organization, the AdHoc group? **Mayor Fell** - They're not on the list. **Darryl Speer** - They have received funds from the RM of Springfield. **Mayor Fell** - So again if it's not on the agenda, we won't be answering that question. Do you have a question about the 10 people that are on this grant list? **Darryl Speer** - No I just want to confirm that you'd be able to submit information regarding their financial records. **Mayor Fell** - So we're not going to answer about ChickenDaze. These ones are required by policy to submit their financial statements. We are only going to entertain questions about agenda items and stuff listed under the agenda item. So I hope that answers your question. Yes, they are required to submit financial statements. **Darryl Speer** - That's good. I would just ask Council to flag that issue that I've raised. **Mayor Fell** - Is there any other questions from the gallery? No. Then I will close the Question Period

**5.1 Noise By-Law 19-11 (2nd and Third Reading)** - Be it resolved that second reading be given to By-law 19-11 being a bylaw of the RM of Springfield to regulate and prohibit unnecessary and harmful noise within the RM of Springfield as amended. **Councillor Wilson** - Brought up the wording of 3(c) as he felt the word "excessive" should not be used. **NOTE: I feel it must be left in because 3. reads "The following shall be deemed likely to be Nuisance Noise regardless of the day or hour: (c) The excessive sound emanating from any motorized toy, drone, recreational vehicle or vehicles as determined by an Enforcement Officer....". If you did not specify "excessive", that would mean any vehicle that makes a sound is deemed Nuisance Noise. I believe there has to be a value judgement involved because 1. of PROHIBITED NOISES: reads "No person shall make or continue or cause or permit to make any noise or sound which a) Is such that it does, or is likely to annoy, inconvenience or disturb persons; b) Cause the loss of enjoyment of the normal use of one's property; c) Interfere with the normal conduct of business; except where otherwise permitted by this By-Law. Those all require value judgements, including what is deemed "normal". I would have expressed that at the Council meeting but of course, I cannot because the audience is not allowed to speak after Question Period. The previous Council welcomed input from those who choose to attend meetings as often they are quite knowledgeable and have very valid points to make. Fortunately the vote was 3-3 to remove the word which means a tie and it stays in the document. BOTH READINGS WERE CARRIED 5-1 with Councillor Wilson insisting the word "excessive" would make it open to challenge in a court of law.**

## NEW BUSINESS

**8.1 Brush & Wood Clippings** - Be it resolved that Council of the RM of Springfield award the work of Brush/Wood Chipping and Grinding to Lerial Enterprises for a cost of \$39,448.50 plus taxes; and be it further resolved that Council of the RM of Springfield grant authorization to incur extra expenditure at the hourly rates as specified in the bid if the work is over and above the estimated hours. (The hourly rate just for the grinder is \$420./hour and for the loader with grapple \$136.50/hour, both seemingly required for the job as the amount of estimated hours for both are the same.) **NOTE: This is done only at the Hillside Transfer Station and residents can help themselves to the mulch produced as a result for free. At the Oakwood Transfer Station brush and wood clippings are burned. In my opinion this is quite an expenditure and it might be a better option to invest in a wood chipper of our own because depending on how much is deposited at Hillside, the cost could be quite high according to one resident who uses that facility. I feel the amount of carbon released into the atmosphere through burning is probably almost equal to the amount of carbon produced when the mulch decomposes, making it somewhat carbon neutral. CARRIED 6-0**

**8.3 Community Economic Development (CED) Training** - Be it resolved that Mayor Fell be delegated to attend the Community Economic Development CED Training through the Economic Developers Association of Manitoba consisting of eight modules at a cost of \$125. per module. **Mayor Fell** - Is there any other discussion from Council? **NOTE: Thus far, I had not heard any discussion at all. Councillor Wilson** inquired as to whether other members of Council could take one or two of those sessions. **Councillor Williams** - You were not at the meeting. **Mayor Fell** - Not because I was skipping out. I was at another....another ...event. **Councillor Ralke** seems to echo whatever the Mayor says. **Councillor Williams** - It was offered that if others wished to take one or more modules, they could come to our location and provide that to us. It was decided that further discussion could take place in this regard at a working group meeting insofar as cost of holding at the RM as opposed to attending Lac du Bonnet. **Mayor Fell** - Called for the vote on the original resolution. **CARRIED 6-0 NOTE: It would appear the resolution was prepared without discussion by Council and the Mayor arbitrarily decided she would be the one to take the entire program. If the course was offered to the entire Council in the Municipal Office, it seems to me this would be more cost effective than paying per diems of \$200/day and mileage at last I knew was 54 cents/km per person plus the registration fee. At one time the RM of Springfield had an Economic Development Officer but he left shortly after Mr. Phillips, the CAO, in December 2018, I believe, and a replacement has not been found to the best of my knowledge.**

**8.4 Non-Profit Organizations/Community Service Group Grants** - Be it resolved that the following Non-Profit Organizations and Community Service Groups receive a grant for 2019 in the amount of: 1. Oakbank & District Community Club \$13,661.14, 2. Cooks Creek Community Centre \$3,708.72, 3. Sunrise Lodge inc. \$2,541.97, 4. Anola & District Museum \$763.08, 5. Anola & District Over 50 Club \$1,369.37, 6. Springfield Agricultural Society \$5,810.11, 7. Springfield Tache Weed District Board \$835.07, 8. SPACE \$9,639.88, 9. Cooks Creek Heritage Museum \$1,740.29, 10. Society of Ivan Franko \$723.68. The CAO explained this was essentially forgiveness of taxes. **Councillor Williams** questioned the Springfield Tache Weed District Board who apparently have an equipment building situated in our municipality as we already fund them. **CARRIED 6-0** **NOTE: Why is the RM both forgiving the taxes of SPACE and in the same meeting writing them a cheque #148181 for \$3,000. in the List of Accounts, 8.7? They are not a Community Centre and charge a fee for attending classes there. Their fees should cover the cost of operating if they are non-profit, should they not?**

**8.6 Cancellation of Municipal Receivables** - Be it resolved that Council approves the following receivable accounts to be cancelled: Manitoba Public Insurance Invoice number 6847, 6901, 6958, 7037, 7078, 7316, 7341, 7494, 7495, 7690, 7694, 7695, 7885 in the amount of \$9,361.00; Canadian Pacific Invoice #6693 in the amount of \$970.; Border Chemical Invoice #7536 in the amount of \$4,001.06. **The CP item was removed and it was CARRIED 6-0**

**8.7 List of Accounts** - Total of \$818,061.34, Payroll \$431,753.80. **CARRIED 6-0**

**8.8 Collaborative Leadership Initiative Film Screening Invitation - October 10 Winnipeg** - Be it resolved that all of Council be delegated to attend the Collaborative Leadership Initiative Film Screening event on October 10 in Winnipeg at their discretion. **Mayor Fell** said this initiative was the first of its kind between municipalities and First Nations and encouraged everyone to attend. **CARRIED 6-0**

**8.9 Ward Appropriation for Anola Museum** - Whereas Anola Museum volunteers will be receiving a Provincial award for their work on the One Room School House display, be it resolved that \$225. be approved from Ward 4 2019 Ward Appropriations towards banquet costs for three museum members to attend. **CARRIED 6-0**

**8.10 Request for Support re Condition of Lake Winnipeg** - The Mayor of Victoria Beach is asking Councils to support the resolution they are bringing forward at the Association of Manitoba Municipalities Conference in November. *Res. 2019/185– Axworthy / Bartmanovich* **Whereas the raw water quality of Lake Winnipeg has deteriorated significantly over the past several decades and continues to deteriorate at an exponential rate that will inevitably result in the “death of the Lake” with dire consequences for all stakeholders unless there is timely intervention from all three levels of government; And Whereas the high levels of phosphorus in the Lake are a significant contributing factor to the increased frequency and severity of algae blooms developing along many beaches during the summer season; And Whereas the City of Winnipeg is discharging sewage that contains high levels of phosphorus that do not meet its provincial operating licence increasing the nutrient load and further exacerbating the deterioration of the raw Lake Winnipeg water quality; And Whereas the City of Winnipeg’s decision to reject the Lake Winnipeg Foundation and International Institute for Sustainable Development’s proposal to use ferric chloride to reduce the substantial amount of phosphorus being dumped into Lake Winnipeg by up to 70% will result in the continued discharge of high levels of phosphorus by the City into Lake Winnipeg; And Whereas Lake Winnipeg is of vital importance to all stakeholders including indigenous peoples, fishers, cottagers, residents, as well as communities that use the lake as a source of economic growth or stability, and many other user groups who are presently negatively impacted by the unacceptable and unsustainable condition of the Lake; Therefore Be It Resolved that the R. M. of Victoria Beach council request the (AMM) Association of Manitoba Municipalities’ support to strongly urge the City of Winnipeg to immediately reconsider the Lake Winnipeg Foundation and International Institute for Sustainable Development’s proposal to use ferric chloride to substantially reduce the amount of phosphorus being discharged into Lake Winnipeg; And Further Be it Resolved that the AMM lobby the provincial and federal governments to devise a plan of action to immediately mitigate the discharge of high phosphorus levels contributing to the deteriorating condition of Lake Winnipeg and to seek and obtain the City of Winnipeg’s cooperation and compliance with its operating licence issued pursuant to The Environment Act. Carried**

*Res. 2019/186– Axworthy / Bartmanovich* **Be It Resolved that the R. M. of Victoria Beach council refer its resolution regarding the Lake Winnipeg raw water quality to the Association of Manitoba Municipalities (AMM); Further Be It Resolved that the AMM be requested to present said resolution for consideration of the member municipalities at its annual convention in 2019. Carried** **NOTE: Our Council was in favour of the Resolution and the Mayor called for the vote which was CARRIED 6-0 but it did not require a vote, in my opinion. They did not produce their own resolution stating that the Council of the RM of Springfield agrees to support the Resolution of the RM of Victoria Beach at the upcoming Association of Manitoba Municipalities Convention and will contact AMM to indicate their support of the resolution. To me that would have been the appropriate response.**

Council then passed a resolution to go In Camera and took a 5 minute break.

**Motion post In Camera session:** Be it resolved that Council of the RM of Springfield enter into a Compliance Agreement with the owners of Lot 2 Plan 24896 within the SE corner of 24-11-4E. **NOTE: Why is this In Camera?** **CARRIED 6-0** **ADJOURNED**