

RM of Springfield Council Meeting
September 6, 2022

WITHOUT PREJUDICE (E&OE)

LENGTH OF MEETING 29 Minutes and 42 Seconds

NOTE: Attached is a request to speak out against some significant text change revisions to the Development Plan that was worked on for years and passed in 2019. This is a back door approach by the Mayor and Council that, in my opinion, must be stopped if at all possible. A form letter is also attached to simplify notifying the RM of Springfield that you are opposed to the revisions. **THE DEADLINE DATE FOR DOING SO IS SEPTEMBER 22, 2022.**

Deputy Mayor Ralke - "Seeing that it's 1 o'clock, I'll call the Council meeting to order."

NOTE: Deputy Mayor Ralke does NOT announce that Mayor Fell was unable to make it to the Meeting but would be participating on line. Mayor Fell showed up on the visual as attending by I-Phone.

3. APPROVAL OF AGENDA - *Be it resolved that the Agenda be approved.* Deputy Mayor Ralke - "Are there any additions or deletions to the agenda? None? Seeing none, all those in favour?" (CARRIED) 4-0 **NOTE:** Deputy Mayor Ralke merely announces the numbers but does not preface it with "Carried".

Deputy Mayor Ralke - "I should make an announcement that I'll be Chairing the meeting today. Uh Mayor Fell is with us on line and is unable to attend in person."

5. QUESTION PERIOD

6. REPORTS

6.1 Elected Officials - Deputy Mayor Ralke - "Uh there's a few things that we all had a chance to go into. It was also August was our Council break period where we were away for approximately 2 weeks. Um I can attest that I went to the Technical Briefing for the Capital Planning Region and there was a lot of good information there and they are offering it to all those who had not attended to do so this week uh one more chance. We had Council meetings, Planning meetings, I know a lot of citizens contacted me for drainage, flooding concerns. I was out there doing a lot of uh in the boots out on the roads seeing what kind of conditions were going on with the ridiculous **NOTE: A better word might have been uncharacteristic.** weather and rain conditions we were having and there were weed issues as well and we did have a Committee of the Whole Meeting **NOTE: The last Committee of the Whole meeting on their agenda list was May 24, 2022. While on their Council meeting Schedule, they have Committee of the Whole meetings listed for June 28, July 12, July 26, August 9, and August 23, 2022, there was no meeting of any kind on June 28, July 12, August 9, and August 23 and the meeting on July 26th was changed to a Council Meeting. If Council did have a Committee of the Whole meeting in August, no agenda is posted on their Web Site. We'll move on to Department Reports.**" **NOTE: By Mayor Fell making the decision to do away with individual members of Council submitting reports of their monthly activities, and then giving a non-specific generalized kind of report, she has effectively eliminated the ACCOUNTABILITY of members of Council to their ratepayers. Also to be noted is that there was absolutely no mention that members of staff had been on strike due to the Mayor and Administration's lengthy resistance to properly negotiate, resulting in the matter being referred to binding arbitration.**

6.2 Department Reports - *Be it resolved that August Department Operating Reports be accepted as information.* Deputy Mayor Ralke - "Is there anything anybody needs to discuss at this time?" (CARRIED) 4-0

NOTE: While Council may not have anything to discuss, I have some concerns I would like to mention as follows.

Emergency Management - Reports that the Emergency Operations Centre was activated because of the Winnipeg Folk Festival.

Birds Hill Park is not part of the Springfield Municipality so why are our Police, Fire, and Emergency involved. Should it not be the Province of Manitoba providing these services to the Park? I believe there may be some financial arrangement arrived at specifically for the Folk Festival but otherwise the Park is not a part of Springfield.

Fire Department - Oakbank had 19 Medical Responses.

Public Works - Holland Road is being extended south to facilitate the further development of Wheatland Park. This is being done and presumably funded by the RM of Springfield when it should be paid for by the developer who stands to benefit financially.

Also 3 new wells have been dug, the purpose of which is to maintain the level of water in the retention ponds adjacent to housing developments such as Aspen Lakes, Wheatland, and Crystal Lakes and the cost of these are being borne by ratepayers at large when the majority derive no benefit from them. Developers, who are using these to replace storm drains, should assume the cost of maintenance of these artificial water features as people pay more for lots on the "lakes". These groundwater retention ponds not only retain excess groundwater but they also serve to purify the water (cattails) and provide habitat for wildlife. Adding well water interrupts the chemistry of the water.

Springfield Police Department - Once again I am highlighting the use of our Municipal Police Service to respond to calls dispatched by the R.C.M.P. They are as follows as reported for July 26 to August 25:

July 31	Static 911	Ward 2
August 1	Warrant Execution	Ward 1
	Welfare Check	Ward 1
	Residential Alarm	Ward 4
August 3	Fraud	Ward 2
	Fire Structure	Ward 1
August 4	Fatal	Ward 2 (Mutual Aid?)

August 6	Disturbance	Ward 2
	Uttering Threats	Ward 2 (Criminal Code?)
	Commercial Alarm	Ward 2
	Mental Health Act	Ward 1
August 7	Assist Conservation	Birds Hill Park (There was also a dispatched SPS)
	Impaired Driving	Ward 3
	Medical	Ward 3
	Fatal	Ward 3
August 8	Break & Enter	Ward 1 (Criminal Code?)
	Theft from vehicle	Ward 2 (Criminal Code?)
	Medical	Ward 1 (Mutual Aid?)
	Hit & Run	Ward 2 (Criminal Code)
	Mental Health	Ward 1
August 9	Impaired Driving	Ward 1 (Criminal Code)
	Hit & Run	Birds Hill Park
	Abandon Vehicle	Ward 1
	Missing Child	Birds Hill Park
August 10	Suspicious Person	Ward 1
	Abandon Vehicle	Ward 4
August 11	Welfare Check	Ward 2
	Mischief	Ward 1 (Criminal Code?)
August 16	Theft	Ward 1 (Criminal Code?)
	Break & Enter	Ward 2 (Criminal Code?)
	Theft	Ward 2 (Criminal Code?)
	Quarantine	Canadian Border Agency
	Quarantine	Canadian Border Agency
	Static 911	Ward 2
	Assist EMS	Ward 1 (Mutual Aid?)
August 17	Hit & Run	Ward 1 (Criminal Code)
	Assault	Ward 2
	Stolen Vehicle	Ward 2 (Criminal Code)
	Theft from Vehicle	Ward 2
August 18	Break & Enter in	Ward 4
	progress	
August 19	Theft from Vehicle	Ward 3
	Theft from Vehicle	Ward 2
August 22	Stolen Vehicle	Ward 2 (Criminal Code)
	Abandon Vehicle	Ward 2
August 22 Contd.	Alarm False	Ward 1
	Firearms	Ward 1 (By-law dispatched by RCMP)
August 24	Impaired Driving	Ward 4 (Criminal Code)

NOTE: The R.C.M.P. are a Federal police force. The Province of Manitoba has elected to have them as the official police of the Province. Birds Hill Park is a Provincial Park. Funding for the R.C.M.P. comes from all those who pay income tax. The Springfield Police Service are funded by Municipal Property Taxes. Thus as the Oakbank Detachment of the R.C.M.P. are dispatching Springfield Police to their calls, in effect Springfield ratepayers are paying TWICE for the same service. If the S.P.S. did not exist, the R.C.M.P. would have to provide more of their members.

Water and Waste Department - No current progress is reported on the ongoing study for protection of the Heatherdale Wells.

8. BY-LAWS

8.1 By-law 22-17 - Expropriation of Lands (Donaldson Drain) 2nd Reading - Colleen Draper, CAO - So this is the expropriation of land for the Donaldson Drain project so First Reading was given and then we're hoping that Council gives Second and Third Reading so that we can proceed with the Final Documents for the Project. *Be it resolved that Second Reading be given to By-law #22-17 being a by-law of the RM of Springfield for the Expropriation of certain lands for the purposes of drainage necessary to provide a safe and viable community in the Municipality and to prevent and control flooding in the Municipality.* **(CARRIED) 4-0** **NOTE: The Donaldson Drain currently exists. The purpose of obtaining these lands is to prevent flooding in one particular location. Once obtained, the direction of the drain would be altered to allow flow directly west to the Diversion.**

8.1.1. By-law 22-17 - Expropriation of Lands (Donaldson Drain) 3rd Reading - *Be it resolved that Third and Final Reading be given to By-law #22-17 being a by-law of the RM of Springfield for the Expropriation of certain lands for the purposes of drainage necessary to provide a safe and viable community in the Municipality and to prevent and control flooding in the Municipality.* **Deputy Mayor Ralke** - "Passed 4-0". **(CARRIED) 4-0**

8.2 By-law 22-19 - Aggregate Fees (1st reading) - *Be it resolved that First Reading be given to By-law #22-19 being a by-law of the RM of Springfield to deal with the issuance of aggregate transport licenses, aggregate mining licenses and the fees prescribed thereunder.* **Deputy Mayor Ralke** - Uh is there any discussion at this time? None? All in favour? **(CARRIED) 4-0** **NOTE: Long overdue.**

9. CONSENT AGENDA

Deputy Mayor Ralke - We have 3 items in the Consent Agenda. Was there anything um anybody ..oh can I get a mover and seconder, please? Sorry. **Colleen Draper, CAO** - *Whereas a Consent Agenda has been submitted consisting of 3 items, be it resolved that the said Consent Agenda be received as information.* **Deputy Mayor Ralke** - Thank you. Is there anything in those documents we need to pull out to discuss? No. OK. All those in favour? **(CARRIED) 4-0**

9.3 Association of Manitoba Municipalities - Resolution #01-2020 - Reaffirming Local Authority of Land-Use Planning - The Association of Rural Municipalities has sent a letter to the CAO as follows: *On August 25, 2022, the AMM Board of Directors decided to remove Resolution #01-2020 from our list of active resolutions list due to wording issues since Bill 48 was the previous versions of Bills 37, 33 and 34, which have been officially passed. The AMM has been actively involved in this file since legislation was first introduced in 2020 and the Province of Manitoba has taken positive steps on addressing many of the recommendations brought forward by the AMM. Please be assured that the AMM remains an active member of the Bill 37 Working Group to address municipal concerns. Moreover, Manitoba Municipal Relations has also developed a number of resources that review Manitoba's planning legislation and policies.*

Resolution #02-2020 - Increasing Planning Region - The A.M.M. has further advised its membership as follows: *On August 25, 2022, the AMM Board of Directors decided to remove Resolution #02-2020 from our list of active resolutions list due to wording issues since Bill 48 was the previous versions of Bills 37, 33 and 34 which have been officially passed. The AMM has been actively involved in this file since legislation was first introduced in 2020 and the Province of Manitoba has taken positive steps on addressing many of the recommendations brought forward by the AMM. Please be assured that the AMM remains an active member of the Bill 37 Working Group to address municipal concerns. Manitoba Municipal Relations has also developed a number of resources that review Manitoba's planning legislation and policies. Additionally, the Capital Planning Region Regulation consultation is currently underway. The AMM sent out a Member Advisory on August 12, 2022 to notify members of the consultation sessions as well as the opportunity to make formal submissions. I encourage your municipality to make a formal submission and copy the AMM to assist with our advocacy efforts.*

NOTE: Recently the Province of Manitoba overturned 2 different decisions arrived at by Municipal governments, Rockwood and Rosser. This would indicate that the Province, rather than simply sanctioning the decisions of municipalities with respect to their land use planning, is now taking control of such decisions. In my opinion, this may signal the current Provincial Government's desire to eliminate municipal governments, effectively removing ordinary citizens and their elected representatives from the decision-making process. Since the A.M.M. in their own words "has been actively involved in this file", I am wondering if this Organization is lobbying to replace the current municipal governments in cooperation with the Province. There already is the Manitoba Capital Planning Region in place for those 14 municipalities surrounding Winnipeg. To me, this would not work to the advantage of taxpayers, having a provincially supported oligarchy ruling every aspect of the lives of its citizens.

10. NEW BUSINESS

10.1 Main Street Lift Station - The report included states: Contec Projects (2017) Limited reported in 2021 that repair work was required. However Council did list this as a 5 Year Capital Plan Project but did not budget for it in 2022. With a new pump being installed, it makes sense to conduct these repairs now rather than later. As no monies were put aside for the project, it will be paid for from the Utility Reserve. **BE IT RESOLVED THAT Council of the RM of Springfield authorize the Water and Waste Department to engage Contec Projects (2017) Limited for the work in rebuilding the Oakbank - Main Street Lift Station in the amount of \$19,237.00 plus applicable taxes; BE IT FURTHER RESOLVED THAT Council of the RM of Springfield permit the Water and Waste Department to spend additional funds as required for the additional work as related to the Oakbank - Main Street Lift Station rebuild including septic truck pumping services as may be required during the work. (CARRIED) 4-0**

10.2 June Financial Statement - Deputy Mayor Ralke - Any discussion, Council? None. All those in favour? **NOTE:** There was no discussion by Council but I have some comments: Only Ward 5 has an amount under it for Boot Camp??? Are they referencing the Boot Camp that will be held later this year because after October Ward 5 NO LONGER EXISTS? Further, Councillor Williams should have attended it the first year of his term. Councillor Ralke has the highest amount of all of Council for Meals. Mayor Fell attended NO delegations in June but the Councillors from Wards 1, 2 and 4 did. Should the Mayor (Reeve) not attend all? *Be it resolved that the June Financial Statement be accepted as presented. (CARRIED) 4-0*

10.3 Non-Profit Community Grants - **BE IT RESOLVED THAT the following Non-Profit Organizations and Community Service Groups receive a grant for 2022 in the amount of:** 1. Oakbank & District Community Club \$12,357.75 2. Cooks Creek Community Centre \$11,365.21 3. Sunrise Lodge Inc. \$ 2,737.61 4. Anola & District Museum \$ 956.68 5. Anola & District Over 50 Club \$ 2,106.21 6. Springfield Agricultural Society \$5,742.63 7. Springfield-Tache Weed District Board \$ 815.43 8. SPACE \$6,595.47 9. Cooks Creek Heritage Museum \$ 1,739.92 10. Society of Ivan Franko \$ 726.34 11. Hazelridge Sports Complex Inc. \$ 6,976.36. **Deputy Mayor Ralke** - Any comments, Council? I think all I want to say is I'm so grateful that we have this in place for our non-profit communities. Um it is greatly appreciated so I really want to thank Council for having this in place.??? All in favour? **(CARRIED) 4-0** **NOTE:** I am not sure if these are part of the annual grants arrived at under the Recreation Master Plan or up and above those operating grants. If they are in addition to the operating grants, I would want to know what are these grants being used for? However characteristically, there was no discussion of Council.

10.4 Hazelridge Sports Complex - **BE IT RESOLVED THAT the Council of the RM of Springfield provide \$57,514.73 in financial support to Hazelridge Sports Complex to pay off debt accumulated during the COVID 19 provincial mandated shutdown. Councillor Fuhr** - Ya I'd just like to add to these times you know we're going to see some reflection of what COVID has caused and I think this is just a perfect example of what's

happened to the Hazelridge Sports Complex and uh again we're support of our community centers and our places of being able to be active and just like to show this support. Thank you. **NOTE: I may be wrong but I was under the impression that the Recreation Master Plan arrived at a few years ago provided for operating grants to community centers including Hazelridge Sports Complex based on a formula. What sort of debt has this facility accumulated up and above normal operating expenses? Does this have to do with default on a mortgage? From what Councillor Fuhl has to say, it would appear Council has already discussed this issue outside of the Council Chamber and arrived at this decision without the public being included in the discussion. I wonder why so much money was spent to include the opinions of ratepayers and arrive at the Recreation Master Plan when it is not being followed. Why are ratepayers at large having to pay off a debt incurred by the Hazelridge Sports Complex? Everyone has felt the impact of COVID and many have suffered financial setbacks. Is Council going to subsidize every ratepayer that has suffered financial loss due to COVID?** (CARRIED) 4-0

10.5 Anola Community Club Roof Replacement - According to the report, "the funds for this would come from ward appropriations and the Anola Community Club's building maintenance reserve fund which currently has a balance of \$93,589.00". *BE IT RESOLVED THAT Council approves \$21,082.00 (plus all applicable fees and taxes) from the Anola Community Club Maintenance Reserve Account for Frontier Roofing to replace the roof above the common area and washrooms at the Anola Community Club.* **Deputy Mayor Ralke** - No discussion. All in favour? And that's 4-0. **(CARRIED) 4-0** **NOTE: That portion of the Anola Community Club is fairly new, I would say no older than 15 years. I am wondering why that particular portion, which was an addition at that time, would need a new roof.**

10.6 Tax Sale Auction Reserve Bids - *Whereas pursuant to Section 372 of the Municipal Act a Municipality may set a reserve bid in the amount of the tax arrears and costs in respect of a property, be it resolved that the RM of Springfield places a Reserve Bid on all properties in the amount of all arrears and costs in respect of each property for the tax sale to be held November 2nd, 2022.* **(CARRIED) 4-0**

10.7 Supplemental Taxes - *Be it resolved that the list of assessment changes dated September 30, 2022 be accepted and that supplemental taxes be authorized with the due date of January 31, 2023.* **(CARRIED) 4-0**

10.8 Ward Appropriations - *Be it resolved that Council of the RM of Springfield approve the following Ward Appropriations: Anola Community Club \$1,250. per Council member; Chamber of Commerce Breakfast Event \$187.50 per Council member; Oakbank Beautification \$500. from Ward 2; Springfield Learning Centre \$500. from Ward 1 and \$1,200. from Ward 4; and Springfield Food Bank \$500. from Ward 1, \$500. from Ward 2, and \$750. from Ward 4.* **Deputy Mayor Ralke** - Colleen, can you just give us a little bit of insight on this breakfast, Chamber of Commerce breakfast event that we're supporting. **Colleen Draper, CAO** - Ya, um so this is an educational event. It's a series that the Chamber of Commerce is putting on. It's something that businesses are struggling with right now so it's focusing on employee recruitment and retention so it's uh something that we will probably be sending some of our management staff to as well just to learn about that uh and it's open to the public. **Deputy Mayor Ralke** - That's great. That's what I wanted to hear is that we can all take a benefit of this including us. So thank you very much. All in favour? **(CARRIED) 4-0** **NOTE: Once again, I will reiterate. Council, i.e. the elected representatives of Springfield, should not be spending money on a Chamber of Commerce. The Chamber of Commerce is a consortium of businesses, part of whose function is to lobby governments to provide conditions favourable for business. If Council members, who are NOT responsible for recruiting staff for the RM, wish to attend this breakfast event, they should be paying for it out of their own pockets. In my opinion, undue influence has been imposed on the Council to approve business enterprises in locations not zoned for industry/commerce such as Berger Peat Processing Plant, Parrish & Heimbecker Grain Storage facility, and currently being considered, Sio Silica.**

10.9 Council Boot Camp - *Be it Resolved that Council members and the CAO of the RM of Springfield be delegated to attend the Council Boot Camp on November 14 and 15, 2022 in West St. Paul at their discretion.* **(CARRIED) 4-0** **NOTE: As previously pointed out, there is an amount in the Financial Statement for June (10.2) under Ward 5 for this. I know for a certainty that Mayor Fell and Councillor Fuhl have attended one of these when I was on Council, and they are held at the start of terms so probably the remainder of Council may also have attended in 2018.**

7. DELEGATION

7.1 1:15 p.m. - David James Re: Drainage Concerns - He gave some printed material to Erica Wood. "I'm here regarding the Retention Pond that the City of Winnipeg has put in our area and how it's affected that. So I'll go over some of those details but it's hard to imagine that 20..a quarter of a century ago, I was here speaking about this. So and then here's just some of the paperwork. Now Blaine will have a good chunk of all the paperwork and documentation over the years so that's on the pond. This is my lawyer's documentation that I've got. As of late I've been and over the years I've worked with many different councillors and Councils, right. It's a long time ago. But the problem is the same. Nothing's changed. The City just bullies and badgers us there regarding our drainage and we've got to do something just besides discussing issues with them. That gets us nowhere. So I was here on November 25, 1997 and talked about the upcoming project and what I thought might happen and what I thought might happen has happened. It originated I guess with a Transcona Drainage Study in March of 1989, what they would do because they wanted to keep South Transcona from having perennial floods. You know, it's built in a low hole and the water drains to the west naturally. It goes to the Red and it would create problems. So I would like you to uh look at the first page and it was fun trying to get a hold of this but this is a license that the City was granted to carry out the digging of the retention pond and so I'll just direct you attention to the first paragraph there which says "to construct works to build a storm water retention basin, pump house, and ditch improvements" known as Phase 1 of the South Transcona Land Drainage Project and additionally to construct works to do ditch improvements for residential protection by diverting run-off through the Dugald Ditch Storm Water system and also making ditch improvement to the Bibeau Drainage System known as Phase 2 of the South Transcona Drainage Program. And just while we're looking at that, Phase two, the improvements to the Bibeau Drainage Program have never been done. They just got in place what they wanted to protect south Transcona and then, OK now we're good. And so there was a real mess on the downstream side of the pond. All the, I'll get you to turn to Page 2 cause this is what you see now. You read the description of what they were licensed for. So if you look at, and don't mind our printer, it is a little wonky in colours today but so we've got the Lake Shirley Water Ski Park. Water Ski and Wake Board Manitoba, lessons, camps and more. It doesn't

sound like much regarding the original intent of it. And I would say I have no problem with this if the original intent is the prioritized item, the drainage retention pond and this works when it works but right now this seems to be the major item and uh the retention pond part of it seems to be NOT. Turning to Page 3 this is the St. Boniface Drainage Study, Proposed Drainage upgrades, etc. So if you turn it so it's facing north, you'll see starting and I'm hoping everybody can follow that, the blue line starts at the top right hand corner. That is Highway #15 ditch, Ok, so if you go where the blue line takes a left hand turn, that is where the culvert was taken out at Murdoch Road so as of that happening, we had no more drainage to the west. Then what they did at the same time was start to dig the retention pond, Lake Shirley as it's called and they say a year later they will then work on getting the water from Highway 15 to the retention pond and we said, "well, that doesn't work" so at that time we got Steve Topping involved. He was Head of Water Resources I believe at that time and he said, "No, City, you can't do that. They have drainage immediately cause we had no where for that water to go so that was put in, you follow the blue line and it crosses over to the other side of Murdoch at an angle culvert and now it's on the west side of Murdoch goes to the retention pond into there. The problems upstream there are a couple I guess that we'll talk about right now is that they have berms in there and those berms are high enough that before the water starts to flow in there, it actually has to back up in our fields where before the water would just start running to the west and it's gone. Now the water runs, the ditch fills up, backs in the fields a bit, and then it finally goes over the berms. So it really gives us upstream poorer drainage than we had and in doing that, we all know what happens with a ditch that's always got water in it and water's always kept in that ditch because of the berms so the bullrushes are just very much of a problem. So now let's go to Lake Shirley and if you follow the blue line, from Lake Shirley it goes about to the half mile mark and then crosses over into I guess it's called the Bibeau Drain, the south side of St. Boniface Road. If you will notice or think back to the first page where the license was granted, there was to be upgrades to that drainage ditch. That never happened. And because that ditch now is taking the water from two drainage ditches, Highway 15 as well as the Bibeau Drain ditch, and so it's certainly not adequate at all to deal with that so it goes down to Plessis, follow the red line and also the red line if you go back to the right hand side of the page, goes along St. Boniface drain there and because St. Boniface drain is red kind of laterally across that page, that's no issue up there but where the issue really starts to be now is downstream from Lake Shirley so in a retention pond, the way I understand they work, if you retain the water from a heavy water rainfall situation and then when it subsides in the region, you turn the pumps on and empty the drain, empty the water retention pond. We've always had issues with the City wanting to turn it on any time so the area will be all flooded with water and then here are the pumps going and it's just like, ok this is ridiculous and you'll talk to them and when the project was first put together, we dealt with Doug McNeil, the council I think from Springfield. He was the engineer maybe in charge of that and I think he felt we just didn't know what happened with water out here and they had all the answers. So now even more recently in the last half dozen years or more it seems that the pond and the pumps are on some kind of float where they just maintain that water at a level where they can do these activities so that means a couple of things. Number one, we get a big event, the pumps are on right away, flooding stuff downstream. Number two is the pond never gets, the retention pond never gets a chance to empty because it goes down, oh we want it at this level so we can carry these events out and so it's been ongoing. Like I said, I first appeared here 25 years ago before the project but when it was in its infancy as far as being considered and I said these were my concerns and we could go back to that because I have it all. That's what we said would happen and it's happened and it seems when you're interjurisdictional like this and pumping water into other people's jurisdiction there, we at Springfield have to have some kind of rights here and I guess what I'm looking for is some kind of action uh legal action that holds them to account that they're in contravention of their license, as far as I'm concerned. And in doing that it's been very damaging. Now my son farms a piece just west of Lake Shirley and north of St. Boniface Road and he figures his losses this year will be \$15,000 to \$20,000. You know, he won't lose that, he won't lose money on it but that gain has shrunk by \$15 - \$20,000. Now it's not all the pond but a good chunk of it is, I would say you know 2/3 of it is because of the their running because you'll go there and water won't flow into the St. Boniface ditch because they're pumping, it's full, water can't run off the fields, it's backing up into some of the other fields. So that's the kind of thing we've been fighting with for a long time and um we've met with them on site a number of times and they give you whatever politicians give you and it's been meaningless and I think words are hollow but action speaks and uh so I think we definitely have as a Municipality legal grounds to stand on that we can bring them to account and then no you can't pump until conditions are decent and so myself uh I guess there's a little larceny in..Ok we've got to protect ourselves so then when they're pumping and it's not fit to pump, we'll go at night and raise the berms ok, so shouldn't do that, you didn't hear ..whatever and the water will circle around because otherwise it's costing us real dollars that nobody seems to worry about. So that's what we've been doing so the least invasive thing to..because you just can't watch this every day, it eats away at you. **Deputy Mayor Rakle** - Of course. **David James** - So that's my comments. I don't think I need to go into much more detail. Blaine has copies of pretty well everything I've given you this here and it's, you know, my objective here to get this run so as it's originally licensed for and if, some kind of legal basis to make sure that happens and if it doesn't that we can put things in place ok this pumping is shut down as of now. We don't need to have Blaine call them and I don't know how he says it, I won't say grovel to the City but you know, please would you shut that stuff off. It shouldn't happen. Whatever, I will end with that I guess. **Deputy Mayor Rakle** - Thank you so much for bringing forward your delegation and speaking with us. **David James** - I'm sorry for the small delegation. The rest of it's out harvesting. **Deputy Mayor Rakle** - (laughing) No thank you so much for that and I was going to just ask you a couple of questions. So when you hear them pumping, your immediate result is water on your land where there was none? **David James** - If you look at the letter from the City that they wrote back to my lawyer, they say they're not responsible for any of the flooding and water on our land, it's just naturally happening so when they start pumping, if the water's down, then it works, right. They've got 2 pumps. And usually if they use the one, it works but now if we've got a high water situation, then it will be actually keeping water at that level and in fact, flowing into the field. **Deputy Mayor Rakle** - Ok, that's what I wanted to know. Ok. Thank you. What we'll do is we will take this under advisement. We're going to get all our paperwork together, we'll definitely have some discussion and see what we need to do and move forward from here. **David James** - Right because it's long past due for action. **Deputy Mayor Rakle** - I see that. Thank you again for coming again. **David James** - I appreciate your time. Thank you. **NOTE: This is not a new situation but one that has been recurring for many years. Obviously according to Mr. James, our Director of Public Works, Blaine Moffat, is well aware of the situation BUT NOTHING HAS EVEN BEEN DONE ABOUT IT. I personally feel it is very bad form that Mr. James should have to appear as a delegation to Council to try to get some relief from his problem, especially considering a large chunk of the original farm was sacrificed to the City for the Perimeter Highway and Floodway.**

Deputy Mayor Rakle - That being said, I believe I need a mover and a seconder to adjourn the meeting. **Colleen Draper, CAO** - Sorry we have that Council Meeting schedule. **Deputy Mayor Rakle** - Ok, we're not done yet. Sorry. So we have 10.10 down at the bottom, Council Meeting Schedule.

10.10 Council Meeting Schedule - Deputy Mayor Ralke - Can I get a mover and a seconder? *Be it resolved that Council of the RM of Springfield approve the following schedule changes: October 11 Committee of the Whole Meeting CANCELLED; October 20 Planning Meeting at 6 p.m. and this is re-scheduled from October 27th.; October 25 Committee of the Whole Meeting CANCELLED; and October 27 Planning Meeting CANCELLED. (CARRIED) 4-0*

Deputy Mayor Ralke - Now I get a mover and seconder to adjourn the meeting. **(CARRIED) 4-0** Meeting Adjourned.

11. Closed Meeting **NOTE: There was a Closed Meeting on the Agenda but Deputy Mayor Ralke implied that the meeting had adjourned. However I telephoned and asked to speak to Councillor Ralke before she left the building and was told they would have her call me. It was easily half an hour or more before she finally telephoned. Therefore I feel there was a Closed Meeting but nothing is being said about it.**

ADJOURNMENT