

RM OF SPRINGFIELD COMMITTEE OF THE WHOLE MEETING
August 25, 2020

WITHOUT PREJUDICE (E&OE)

The agenda I printed on Sunday, August 23, 2020 had only three items listed, 6.1 Climate Action Plan, 6.2 Credit Card Policy, and 6.3 Anola Sidewalk Project Update. This is the end of August and I have seen absolutely no action happening in Anola insofar as 6.3 so I can only assume there has been some change of plan. I understood that would be worked on this summer.

QUESTION PERIOD

Heather Erickson, Anola - Item 6.2 I have several questions in regards to the proposed Credit Card policy. 1) Is this policy, although it does not indicate so, replacing or amending an existing policy and if it is a new policy, why was it felt, after years of issuing credit cards to senior management, why was it felt necessary to create one? And related to that question... 2) What restrictions up to now have been in place to control spending on these credit cards? 3) Was the policy created as a result of an audit of the RMs books and financial records? **Colleen Draper, CAO**, said it is amending a policy that originated in 2007 and was time to update it and is not the result of an audit but rather changes suggested by the Finance Department who wanted certain things addressed in the policy. **Heather Erickson** then asked for an explanation of the updates or amendments/changes compared to the original policy. **Colleen Draper** replied that she didn't have specifics but one of the major changes was a spreadsheet that was created by the Finance Department to ensure consistency in reporting throughout the departments and set limits were removed and replaced by designating the positions that can be issued a credit card and set limits based on the job descriptions under the CAO. **Mayor Fell** added "as well as the Procurement Policy".

Darryl Speer, Oakbank - 6.1 Long Term Plan to maintain water quality. Goal #3 Long term plan to maintain the water quality. (Colleen advised the Mayor it was Page 30 of the document) Is CanWhite Sands to drill 2400 wells in the Sandilands Aquifer? That application is being completed today and when will Council going to be opposing it? **Mayor Fell** - So CanWhite, I will address this just because it's been an active topic of conversation. So CanWhite Sands came to the RM in 2019 um once they had found silica sand and since day 1 Council's stance to them has been we need to see evidence and technical and scientific data that supports the claim that this process you want to embark on is safe for the aquifer. (Is that why the RCMP were dispatched to check out the demonstration in this regard on Centreline Road some time ago? It was peaceful...just speeches...so why were the police called?) That continues to be the stance of Council. They did put in an application to build a building in Springfield two or three months ago already. Council pulled that agenda item from the Planning Meeting and the message was sent to CanWhite that we will not be entertaining a building, and the only time we will if it can be unequivocally proven that this process is safe for the water supply in Springfield. Does that answer your question? **Darryl Speer** - Well, I guess the question is, is the RM taking an official position on the application that's due today, August the 25th.? **Mayor Fell** - Again so Darryl do you have a question about the agenda item itself? I give you an answer outside of the scope of the question period because these questions have been asked. If you'd like to ask those kind of questions, feel free to e-mail Council or your councillor or the mayor or administration, that is our stance on protecting our water supply. This Council has not wavered and has not changed since the election in 2018. It is the most precious resource in Springfield and we will protect it. It is our job to protect the residents and the families of Springfield. Unequivocally that is where this Council stands. I hope that answers your question very clearly. **NOTE: That sounds more like a political statement than a response. Could that have anything to do with the Our Line in the Sand demonstrations of the previous week? Even in early 2019 I feel Council must have had some clear idea of the process by which the silica sand in Vivian was to have been brought to the surface from 200 ft. beneath the ground. There is no way it would have been open-mined and therefore of necessity would involve some type of bore hole extraction process.**

Heather Erickson - Following up on 6.1 and Mr. Speer's question, has a building permit been issued to CanWhite for that building yet? **Mayor Fell** - So I thought I made that explicitly clear. They asked to put it on the agenda. Council pulled it off the agenda. It will not be entertained until we can be unequivocally proven by scientific data and technical analysis that the process is safe in protecting our water supply and again, that's the answer. That's a very clear answer. **Heather Erickson** - Well not really because if you've issued a building permit, that implies that you've got this necessaryI mean, you wouldn't be giving **Mayor Fell** - It doesn't imply anything. It's a very, very clear statement. We will not be entertaining an application for a building permit for a building only until if and when the process in unequivocally proven to be safe for our aquifers. This has been Council's stance long before this came to the media and long before this came public information that they filed an application. That is where Council stands. **Heather Erickson** - So just to reiterate no building permit until there's scientific proof that it will not have negative effect on the Sandilands aquifer. That's what you're saying? **Mayor Fell** - (speaking over me) It's not even that there is no building permit, there will be....we will not entertain an application until that happens? Is that clear? **Heather Erickson** - Yes. **NOTE: THAT IS A COMMITMENT and I sincerely hope Mayor Fell and Council keep their word. BUT THAT PROOF CANNOT COME FROM, FOR EXAMPLE, JEFF BELL OF FRIESEN DRILLERS AS THEY WERE CONTRACTED BY CANWHITE SANDS TO BORE TEST HOLES. It must be from impartial and independent scientific agencies and representatives because otherwise, it would not be "arms length" testimony.**

CANWHITE SANDS PROCESSING PLANT, VIVIAN, MANITOBA

Before I proceed with my notes, I would ask that everyone who is concerned about their drinking water and that would include people with wells from Poplar Road east because that is the western edge, I believe, of the Sandilands Aquifer, should seriously considering going to the link below and adding your voice as the CanWhite Silica Sand Processing Plant and mining endeavors pose a serious risk to the potable water supply. The sand is 200 ft. below the surface and in the aquifer and would be brought up via bore holes using air pressure. The plant would operate 24/7 and include a rail spur line within the site which would forever alter the peaceful existence of residents of Vivian, Manitoba. Highlight the following link if you wish to sign the petition. Simply Google Search One Project - One Joint Federal/Provincial Environmental Review Process and the petition comes right up for you to sign. Attached (#2) is a Steinbach On Line article about the petition August 15, 2020 by Connor Gerbrandt.

<http://chng.it/LrYFQ4kXGm>

[Sign the Petition](#)

One Project - One Joint Federal/Provincial Environmental Review Process

[chng.it](#)



This is what could happen to your drinking water if the Processing Plant and mining of silica sand proceed. This is the acidic leachate in the water at the Black Island (north of Hecla) abandoned silica sand mine. No remediation efforts have been made. Over time the Processing Plant will also draw down the Sandilands aquifer to a point beyond its capacity to serve southeastern Manitoba.



of



file

Trevor Broesky on behalf of Our Line in the Sand gave a petition with over 800 signatures addressed to Minister Guillemard to Security at the Legislative Building on Monday August 24, 2020. Opposition to the proposal with respect to CanWhite #6057.00 has been registered with the Man.

Environmental Approvals Branch, the deadline being August 25, 2020. I attended the event to support, witness and record it for my notes.

More information can be found at Steinbach OnLine.com at: [Municipalities Thirst For Knowledge In Ongoing Aquifer Debate](#) Category: [Local News](#) Published: Monday, 24 August 2020 05:32 Written by Connor Gerbrandt. (attach #2) Also: [First Nation voices concerns over silica sand processing facility: Winnipeg Sun](#), Author of the article: Nicole Wong • Local Journalism Initiative reporter Publishing date: Aug 25, 2020. The Vivian Silica Sands Processing Plant application is currently being considered by the Minister of Conservation of Climate, Sarah Guillemard, before the mining application is approved. The two should be considered together as the first is dependent on having the sand to process. Attached is a Letter to the Editor in the Winnipeg Free Press August 29, 2020 by Pat Pattan regarding the risk posed by the Silica Sand Processing Facility and one in the Beausejour Clipper August 20, 2020 edition by Gerrit Boonstra (attach #1), as well as a letter in the Winnipeg Free Press August 17, 2020 edition also by Gerrit Boonstra (attach #3). (Attach.#4) Don Sullivan letter - HOW YOU CAN HELP.

According to Mayor Fell in a post on Anola Community Information, "in early 2019 Can White Sands approached the Springfield Council about potentially extracting silica sand and building a processing facility in Springfield". Actually in 2018 a company then called HD Minerals, which is an arm of CanWhite, conducted exploratory bore holes in the eastern portion of the municipality. While I do not recall anything being said in 2019 to this effect, at least not in the public portion of any meeting, Mayor Fell states in the post Council's response has been consistent since then "that there needs to be **independent robust studies completed by experts from various fields of study that will provide unequivocal technical and scientific data that our aquifers will be protected and the extraction process can be performed safely.**" She stated CanWhite Sands currently has an application before the Province to construct a processing facility and intends to subsequently file an application for the mining of the silica sand. They then plan to host open house events for public engagement. **NOTE: Should not the open houses be held by CanWhite Sands, if that is the forum for the public to express whether or not they are in favour of the mining and processing in the municipality, BEFORE they apply to the Province for approval? Once the company has been given the license to extract and process the silica sand, there is little the constituents can do to stop the process. Also by her own admission, Council has known the plans of CanWhite Sands since "early 2019" but only now are speaking about it and not at the Council table but over Facebook in a statement on the Anola Community Information site. Nothing had been said at a council meeting until Mr. Speer raised the issue during Question Period. This follows a group of concerned citizens handing out information sheets on the CanWhite Sands project in Anola at the Petrocan and Settlers parking lots on Thursday, August 20, and Friday, August 21 (see attachment #5) and the event at the Manitoba Legislative Building on Monday, August 24th. TRANSPARENCY? ACCOUNTABILITY? FAIRNESS & INTEGRITY? TEAMWORK? WHICH ARE FOUR OF THE GUIDING PRINCIPLES OF THEIR STRATEGIC PLAN? I think not! I believe they should have required CanWhite Sands to conduct the public forums before they applied for the licenses as they have known of their intentions since early in 2019. They did have a Zoom session by registration after COVID restrictions were imposed in March but it was not widely advertised or well attended as it was difficult to participate. Further as indicated by the attachments, there is obvious concern not only by residents of Springfield but also adjacent municipalities who also depend on the Sandilands Aquifer for their potable water, despite the recent social media pronouncement by Mayor Fell which seems to have only come as a reaction to recent media coverage and action on the part of concerned citizens.**

NOTE: Council members are still having problems with the Zoom technology. Further if someone phones in to comment, neither the audience in the Council Chamber nor those listening to the Audio File can hear what is being said by the originator of the telephone call. Only Council can. Where is the TRANSPARENCY?

6.1 CLIMATE ACTION PLAN - Colleen Draper, CAO - Stated they had commissioned Eco West in May 2017 to prepare an action plan in this regard. This was as a result of a presentation by EcoWest suggesting it was a regional initiative. Council passed a resolution at the May 23, 2017 meeting to proceed at a cost of \$40,000., \$30,000. of which would be covered by grants. It is being presented today for discussion and will be on the September 1, 2020 Council Meeting for a resolution. Goal #1 Reduce Household Waste Goal #2 Reduce Energy Consumption Goal #3 Sustainably manage water Goal #4 Sustainability grow the RM. Each goal has assigned actions to it that staff will be working on and ensuring it matches the RM Strategic Plan going forward. **Mayor Fell -** Under Goal #4 the 50% I know when we discussed this, it was just to move towards renewable energy but I wasn't sure if we were going to put in that percentage or we were just going to try to change to renewable energy in new developments whenever possible. Goal #4 currently states • Require 50% energy renewable in new developments. **Colleen Draper -** I believe that is what we had highlighted for them because when we had sent our first initial revision I did not catch that one so it will be changed in the next version. **NOTE: If you do not have specific targets, what is the point of the entire exercise? As an example, one of the new developments proposed for Vivian is the CanWhite Sands Processing Plant which will use propane initially to dry the sand extracted by air injected into bore holes by compressors fuelled presumably by diesel. The rail system employed to ship the sand is also diesel powered as is the loading equipment. That would mean this project is using very little renewable energy in any aspect of its operation. That is perhaps why Mayor Fell is backpedalling insofar as the 50% goal and when the next version is presented, in all likelihood there will be no percentage mentioned. Further the majority of the silica sand being extracted will be used in fracking of oil and gas reserves for deep well oil and gas recovery.** Councillor Wilson mentioned some minor grammatical revisions and typos that he noted but he could not elaborate as **he could not get into his system.** He will e-mail it to them. **NOTE: Again, would it not be easier to simply do an audio-visual recording of the meeting as it can be done even with a good quality cellular phone and would cost nothing to speak of as opposed to the ZOOM Technology that requires them to have two laptop type apparatus in order to participate.** The Climate Action Plan will be on the next available Council meeting.

6.2 Credit Card Policy - Mayor Fell thought it was quite comprehensive. **Councillor Wilson** inquired as to how the use of credit cards was a more efficient method of controlling spending as opposed to the regular method with purchase orders and receiving/billing documents. **Councillor Ralke** was not sure what Councillor Wilson was asking for as the credit card was so that if you needed something right away, you would not have to go through the process of a purchase order. She said it had come in very handy at Conventions. **Councillor Fuhl** was ok with it. **Councillor Williams** felt that Councillor Wilson was just asking about the reconciliation process and the time expended on it. **Mayor Fell** suggested that with the credit card method, they earned travel credits which they use. **Colleen Draper** confirmed that and also stated there is only one bill to deal with as opposed to many. The policy includes completion of a spreadsheet listing the individual purchases and rationale for the purchase. I do not remember this being a practice when I was a Councillor. **NOTE: Council is required to review the expenditures periodically prior to a meeting and quite often there is a batch of individual receipts attached to the statements they are signing. The Reeve (Mayor) is then responsible for signing off on all the payments being made as is the CAO.** **Councillor Williams** felt the time rationalizing the expenditures was worth it to ensure accountability in spending of public funds. **NOTE: In terms of myself, I find using a credit card for my spending is somewhat more convenient and quite likely results in my spending more than I might if I was dealing in cash transactions, but I reconcile my statement every month and pay the balance. Because due to COVID meetings are now being held at 1 p.m. I note that lunch is probably being served to Council on these occasions which would be at taxpayer expense if former practice were an indication.**

6.3 Anola Sidewalk Project Update - Blaine Moffat reported that they are awaiting the final project design from WSP and when received, it will go to MIT for final approval and then out to tender. They have been "pushing buttons" as recently as last week. They expect the design within the next couple of weeks and mentioned WSP has been struggling due to COVID 19 situation. **Hopes to get the project underway in some capacity this year. NOTE: I think WSP should have been pressured to produce long before now.**

NOTE: The Committee of the Whole meeting used to mean that RM staff be present and participate in the public portion of the meeting. Now staff attend but stay at the back of the room, only comment if asked, and meet with Council after public has left the Chamber in Closed Session.

They then passed a resolution to go IN CAMERA and then come out of Closed Session and ADJOURN but NOT BEFORE COUNCILLOR WILSON IS HEARD TRYING TO SAY SOMETHING ABOUT "they never said" and "when was this"..... AND MAYOR FELL CUTTING HIM OFF. NOTE: What I find interesting that with this Council, there is an In Camera session at practically every meeting. Under the Municipal Act, the only items to be discussed in Closed Meetings are: 152(3) Despite subsections (1) and (2), a council or council committee may close a meeting to the public (a) if (i) in the case of a council, the council decides during the meeting to meet as a committee to discuss a matter, and (ii) the decision and general nature of the matter are recorded in the minutes of the meeting; and (b) if the matter to be discussed relates to (i) [repealed] S.M. 2004, c. 2, s. 31, (ii) an employee, including the employee's salary, duties and benefits and any appraisal of the employee's performance, (iii) a matter that is in its preliminary stages and respecting which discussion in public could prejudice a municipality's ability to carry out its activities or negotiations, (iv) the conduct of existing or anticipated legal proceedings, (v) the conduct of an investigation under, or enforcement of, an Act or by-law, (vi) the security of documents or premises, or (vii) a report of the Ombudsman received by the head of the council under clause 36(1)(e) of *The Ombudsman Act*.

My question is: How often does (a) ever come up. In my term on Council, I can't think of any meeting I attended where that happened. In terms of (b) (ii), one would hope Council would not be in a position very often of having to review an employee's performance or salary, duties or benefits or appraise their performance (and only then perhaps in the case of the CAO). In terms of (iii), (v) to (vii), again such matters should be the exception, not the rule. Therefore I can only assume the matters being discussed are existing or anticipated legal proceedings and how often should updates or new litigation need to be discussed? If a Council and its legal representative are doing a good job, one would think such matters should be resolved as quickly as possible and should not need to be reviewed weekly or dragged out for long periods of time.

BERGER PEAT PROCESSING PLANT Oakwood Road west of #207

I am also including a very good letter that was in the August 27, 2020 issue of the Clipper by Jan Nysten with regard to the location of this facility as APPROVED BY THE CURRENT COUNCIL on land zoned agricultural when clearly this is a commercial processing and packaging facility of a product used in Horticulture, not Agriculture. The Council of the day clearly does not put the concerns of the residents first before the wants of large commercial enterprises as Parrish & Heimbecker have been allowed to place a grain and chemical and fertilizer storage facility on land zoned Agricultural on Poplar Road by removing all the top soil and replacing it with gravel in spite of the protests of the residents of that road to the south. The question is, WHY ARE RESIDENTS NOT THE PRIMARY CONCERN of the Council they elected? And what benefit does Council hope to receive from these commercial enterprises, other than the normal property taxes that everyone pays? BECAUSE THEY ARE A START UP COMPANY, AS I UNDERSTAND IT, THEY ARE EXEMPT FROM TAXES FOR THE FIRST 5 YEARS OF OPERATION. These actions on the part of Council were, from the very beginning, a surreptitious process designed to eliminate all public input as was the resolution agreeing to sell 12 acres of aggregate preserve land to Pineridge Hollow for a pre-specified price (one which did not reflect the value of the aggregate beneath the property) without any professional assessment of the market value of the property, without public notice that 12 acres would be up for sale, and without first going through a re-zoning process which would have required a public hearing. It seems Mayor Fell, it is very apparent if you attend Council meetings, has her Council well in control. If the vote does not appear to be to her liking, she simply defers the issue to another meeting and then it is obvious influences the ultimate decision. This is not DEMOCRACY. I have been asked by more than one individual if there is any way of removing this Council and having a bi-election. Unfortunately I do not think the public can unseat an elected body unless they are guilty of some breach of the Acts and policies governing municipal councils. The next election is not until 2022 so it is anyone's guess what else may be in store for ratepayers in the coming months and years. However it is apparent that the bias will be to encourage businesses to re-locate to the much less expensive agricultural land rather than set up shop in our Industrial Park or in areas zoned for commercial and industrial use. I personally find this particularly egregious as good growing land is being sacrificed in the name of commerce. What was the point of designating Employment Lands in the new Development Plan if not being used for commercial/industrial enterprises?

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Protect Their Rights

Dear Editor,

re: *Opposition Heard at Open House for Peat Moss Plant, The Clipper, Aug. 6, 2020.*

I am very concerned that our council is allowing an industrial use to be developed on Agricultural zoned land without requiring any type of public hearing such as a rezoning or even a conditional use hearing. This would have afforded an opportunity for the public and particularly the area residents and property owners to voice their concerns, objections, and if needed, request development agreement conditions such as a water management plan, transportation plan, or operational plan for the project prior to development before their elected officials.

It has been suggested by council that peat moss is an agricultural product but that is not how the Province distinguishes it. Peat moss is primarily used as a soil additive for landscaping purposes and horticultural use. Horticulture or gardening is certainly important in Springfield and fits into an appropriate use in an Agricultural zone, but the building of a factory, mix plant, guest house for visiting staff, administration building, and a loose peat bunker and garage stretch that definition to beyond what a reasonable person would think is a recognizable definition of agricultural use or an agriculture support industry.

Taking it a step further, would receiving, processing, storing potash be an acceptable use because that media too is put onto land? If this is going to be the case then all rural Springfield should be concerned of what could be allowed to operate next door to them.

Personally, I feel very sad for the people in the surrounding area that will undoubtedly have their current lifestyle and enjoyment of living in a rural area adversely affected without even having benefit of our local government taking their needs into consideration and protecting their rights.

Janet Nylan
Springfield, MB