

**RM of Springfield Committee of the Whole Meeting  
May 11, 2021**

**WITHOUT PREJUDICE (E&OE)**

Attached is a response that a constituent received when he appealed to the Minister of Environment regarding the Berger Peat Plant on Oakwood Road west of 207. Minister Guillemard writes that she is "confident that the Environmental Act decision will ensure that the environment will be protected and maintained in such a manner as to sustain a high quality of life for present and future Manitobans" and that the decision had been approved by the Lieutenant Governor in Council. The activities already being carried out at the site are disrupting the "quality of life" for the residents of the area and they are not yet in operation as far as I know. The Plant involves the cleaning of the peat with water which would be obtained from the same aquifer that supplies area residents with potable water. There would be draw down as a result which could affect quantity and quality of the water in future. There would be staff traffic and trucks transporting the peat and finished product using Oakwood Road which will in all likelihood necessitate the application of asphalt to what is now a gravel road. Who would be responsible for the surfacing of the road? Taxpayers? This is quite similar to the Parrish & Heimbecker facility on Poplar Road which, while Mayor Fell stated the cost of upgrading the road would be borne by the company, the RM is paying for up front. No information as to the length of time it will take to receive reimbursement from P&H has been provided by Council or has been formalized to the best of my knowledge. Mayor Fell, when questioned at the Council meeting of May 4, 2021, would not answer a constituent who asked if Parrish & Heimbecker would be paying for land acquisition and the RM's oversight of the road construction at that location. I just had a thought with respect to the Rec Centre that Mayor Fell is promoting. If she and Council would perform their duties "gratis" for one year, that would produce \$175,000., more than what she feels is a good starting point for fundraising for a project not initiated by ratepayers, i.e. the Rec Centre. This would save the taxpayers having to double down on the cost of yet another service located in Oakbank. REMEMBER THE WATER LINE DOWN MAIN STREET YEARS AGO. Instead of paying for Council, they could put the funds toward the Rec Centre.

Further when I picked up my mail this week, there was a pamphlet headed "Hello!" from CanWhite Sands (The Vivian Sand Project Interim Update). "Interim" when used as an adjective means "provisional or temporary" and "update" means the act of bringing someone or something up to date. I am not aware that CanWhite Sands has provided much information to the community with regards to the viability of their proposed silica sand processing and mining endeavour. If they provided it to Council, it has not been shared with the public. Silica sand, the pamphlet states, is essential to green energy. What it does not state is extracting silica sand by drilling 200 ft. into an aquifer that provides water to the southeastern quadrant of the Province of Manitoba, particularly when the prairies are in the middle of a drought cycle, is ENVIRONMENTALLY UNACCEPTABLE. It states CanWhite Sands has been "keeping the public informed with open and honest dialogue". I am including a link to the Our Line in the Sand Manitoba web site. <https://ourlineinthesandmanitoba.ca> which provides information from the perspective of those whose potable water supply may be affected by CanWhite's activities.

The public portion of this meeting lasted 12 minutes and the In Camera portion 12 minutes. It was adjourned at 1:25 p.m. There were 2 items of New Business, both policy documents. I am transcribing the discussions as I feel it is important for you to see who and what your tax dollars are supporting.

**6.1 Drugs and Alcohol Policy - Joy Janz, Human Resources** - Ya we already had a Drug and Alcohol policy in place but um there has been some changes since the last time we reviewed it in relation to the Cannabis Act so I've basically updated it to include um the fact that um weed is now or pot, whatever is now legal. **NOTE: Perhaps Ms. Janz should refer to Cannabis (Marijuana) by its correct scientific name, not its street name. This is an official meeting of Council of the RM of Springfield.** So it's just to make sure that we're covered and so that the employees know um basically that they can't use drugs at work (laughing). It's a pretty standard policy, there's **Mayor Fell (interrupting)** - It's pretty clear. Um is there any questions or comments from Council on the Drugs and Alcohol policy? **Councillor Wilson** - I had a couple of points um just for clarification. Under the very first uh bunch of expectations, just the general ones that, basically the lead in, the quote is "able to perform their duties safely and up to standard" and um my concern is the word "standard" is such a standard part of all of the individual job descriptions or is more needed here to uh enforce uh or enable enforceability. **Joy Janz** - The standard would be their job description so that's the standard we set for all of our employees. **Councillor Wilson** - Right so uh then we've got job descriptions for everybody now? **NOTE: A review of salaries was done by Barbara Bowles some years ago but I am not entirely sure a review of job descriptions was ever conducted.** **Joy Janz** - We do. Right. Yup. **Councillor Wilson** - Ok, perfect. The second one I had was Employee Resp..., under Employee Responsibilities and uh the quote is "to avoid the consumption, possession, sale...", avoid the consumption, possession, sale, or distribution of drugs or alcohol on company property during working hours. Um when it says "avoid", even though later on in the policy it says, "you cannot" have them on company property, uh how does this relate to being enforceable if you're just saying "to avoid the possession" or is there something else that you're just saying "avoid" here but then if that's just to sort of get the ball rolling maybe for the first or second warning letter, um how do you actually come to 3 strikes and you're out if it just says "avoid" and the person says "well I've been trying to avoid it but uh ..". Ya. **NOTE: I see nobody is questioning the term "company property". In a municipality, what constitutes "company property"? Is it just the buildings and grounds around them or is it every municipal road and property in the municipality? As an example, if a grader operator or a transfer station attendant decides to take a break and have a "smoke", and the "smoke" of choice is a "joint", is that a matter for enforcement? Councillor**

Wilson rightfully brings up the inappropriate use of the verb "avoid" which means "keep away from or stop oneself from doing" which references the desired behaviour of a person but does not set a specific benchmark for a municipality to determine where enforcement is required. Mayor Fell - Um I'd also like to comment on that just because sometimes there is uh during work times conferences and it's outside of work hours but the word "avoid" means there has to be some allowances in there as well because there is banquets where staff and/or Council members may have a glass of wine so um if to say it's prohibited then it's prohibited so I'm a little concerned about completely stopping that. There has to be some sort of, I think, the word..that's why I think actually the word you used is a good word to use. I think it's appropriate. NOTE: Maybe I am just an old "stick in the mud" but when you are outside the municipality, you are nonetheless representing the RM of Springfield, and your behaviour during the conference or whatever you are attending should extend to the hours when you are not "on duty", so to speak. In other words, if you were, as an example, at an Association of Manitoba Municipalities convention in Brandon, it was during the evening, you were out having supper or attending some social event, and during that time you were consuming alcohol or smoking a joint, I would like to think you would be doing so responsibly and not becoming the talk of the AMM community. Councillor Ralke - Is "refrain" any better than "avoid"? It's ..either way...(laughing). NOTE: Congratulations to Councillor Ralke..."Refrain" means exactly the same thing as avoid. I think what Councillor Wilson was trying to get at is that instead of putting the onus on the individual, the policy should definitely state "Employees are not to imbibe alcohol or smoke or consume cannabis during normal work hours". That would not, however, cover those periods of time when you are attending a conference but the conference has adjourned for the day and you are now on your own time. However, I still believe you should conduct yourself in a manner conducive to your position in the RM of Springfield. Councillor Wilson - Ya, I've got no concerns with "avoid" if you are uh uh trying to get a policy to um to actually meet uh for example the concerns of our Mayor. Uh I get that but um is there any kind of a hammer that says at some point "YOU SHALL NOT". I mean, we do say uh eh uh this ..penalties could result up to termination but um how do you get there ... Mayor Fell (interrupting) - I think you doc..HR documents and they take it on a case by case basis. That's why I think this language is appropriate. Joy Janz - Cause we want to be careful too because I do agree with, agree with the Mayor on this one that there's sometimes there's a little leeway if you're at a, if you're at a formal event. Um employees very rarely like, employees would very rarely like be at one of those events. NOTE: I must respectfully disagree. I have seen people like the Director of Public Works at AMM Conventions. But I'm sure there would be some leeway and if we had an employee that became inappropriate at an event like this, we would then be able to follow this and write them up based on that because we do have that in here. Mayor Fell - I agree. Councillor Wilson - Ok as HR you don't see any concerns with the...being able to make that sort of 3rd strike stick. Joy Janz - No I don't. Councillor Wilson - That's all, that's all my questions. Mayor Fell - Other comments from Council? Councillor Fuhl? Councillor Fuhl - Ya I'm Ok with the policy the way it is cause I think again you need to have a little leeway but at the same time it all comes back to the documentation and as long as HR is documenting it and making it happen then it will take care of itself. Mayor Fell - Ok if everyone is ok with that, we'll move on to the smoking policy. NOTE: When staff or members of Council are attending a convention outside the RM of Springfield, i.e. in Brandon, whether during working hours or not, they should conduct themselves in a proper manner as their behavior could and would be observed by other municipal officials. Any impropriety would be the subject of gossip in municipal circles and would therefore reflect negatively in a general way on the reputation of the municipality.

**6.2 Smoking Policy - Joy Janz** - Just so people know, we don't currently have an issue with this. It's just something that's good to have in place. We're updating. Mayor Fell - Yep, understood. Joy Janz - And then, for the Smoking Policy, I know there's been some question as to where people should smoke and we've had some, maybe a little bit of an issue with maybe people smoking during work hours and not specifically on their break. So we just wanted to clarify that you do get specific breaks to smoke and there is specific locations to smoke um and to make sure that we are in compliance with staying away from the skate park and now the new Splash Pad and stuff cause there is certain um requirements to stay away, a certain distance away from that so again this is just updating the one we had. We had a very um I would say kind of a loose policy before and this just kind of encompasses everything. Mayor Fell - I think it's great. Is there any comments from Council? It's pretty self explanatory. Thank you for updating, Colleen and Joy. Ok can I have a mover and seconder to go into Closed Meeting. CARRIED. NOTE: I had a sense that not all of Council may have taken part in this meeting.

Council then went IN CAMERA and returned and ADJOURNED.