

Committee of the Whole Meeting (COW)
November 10, 2020 1:00 p.m.

WITHOUT PREJUDICE (E&OE)

NOTE: This meeting, aside from Approval of the Agenda and of the Minutes of the Previous meeting, had 5 items under New Business and Council went into Closed Session at 1:17 p.m. COUNCILLOR WILLIAMS IS ABSENT FROM THE MEETING AS ANNOUNCED BY MAYOR FELL. Obviously in 8 minutes there was not much discussion to be had during the Open portion of the meeting. It seems obvious to me that our Council, by restricting physical access to the Council and Committee of the Whole meetings while at the same time allowing public flu vaccination clinics in the municipality and holding public Planning Meetings is the epitome of CONTRADICTION. It is one thing to exercise caution when there is a flu epidemic circulating throughout the world, which can include physical distancing and mask wearing, but it is quite another to use that as an excuse to prohibit physical presence at certain meetings for the remainder of the year and for the upcoming 2021 year. That is removing the right of democratic assembly. Further using taxpayer \$\$\$ to counteract the information being provided by my notes is not responsible use of public funds. If "Madam" Mayor is finding that true facts are causing her personal discomfort, she should not be using your money to promote her point of view. She is the Head of Council and Council is elected to represent the opinions/views of the majority of its constituency. I feel that is how she intends to use the \$12,500. amount she requested for newspaper notices as follows which I believe it was stated did not include regular advertising such as job postings and public announcements. *Be it resolved that Council of the Municipality of Springfield approves the Clipper Weekly proposal of \$12,500. annually to advertise in the Clipper Weekly newspaper.* **BUT A SMALL VICTORY....THE AUDIO FILE OF THIS MEETING WAS POSTED ON THE WEB SITE THE MORNING OF NOVEMBER 12TH. AND THE RM OF SPRINGFIELD STAFF HAVE NOVEMBER 11 AS A HOLIDAY ALTHOUGH IT IS NOT A STAT HOLIDAY, NO PROMPTING NECESSARY.** Perhaps they now understand that is a "right" of their electors, the residents of Springfield, ACCESS. On the other hand, maybe the Contingency Reserve By-law is to justify the fact that the 2020 Budget approved by Council did not include the above expenditure. **It is so close to the end of the year, one wonders why someone on Council or the CAO did not stand up and suggest that rather than this bylaw being approved to justify the expenditure, additional monies be added to the advertising budget in the 2021 budget deliberations which Councillor Ralke suggested are already underway.**



From a recent edition of the Winnipeg Free Press. I thought it was quite "appropos" for my notes.

BERGER PEAT PROCESSING FACILITY, Oakwood Road - In the **October 22, 2020 edition of the Clipper**, there is an article on Page 6 entitled **Berger announces liaison committee** which it states is to "act as a means of sharing community feedback with the company and municipal and provincial governments". Then I look at the names of those selected to sit on this Committee and I see Pierre-Olivier Sauvageau and Denis Lebel representing Berger Peat Co., Councillor Val Ralke from Council (the **farthest removed Councillor from the actual site** of the subject at issue) Marguerite Reimer who is the Provincial representative and I am going to presume is bilingual based on her first name, but the most confounding of all is the citizen representatives, Myron Gavaga and Neil Van Ryssel (a grain farmer). **QUESTION** - Why was no resident from the immediate vicinity of the plant chosen to sit on the Committee? **The residents most affected by the facility should have been the ones who decided who would represent their interests on the Committee, not Council and not Berger.** By what selection process were these people chosen and why was the process not democratic, from all indications, but oligarchic...**Mayor Fell.** The other members of Council seemed to be aware as, when on October 6, 2020 Val Ralke was appointed to the committee by resolution, it was moved by Councillor Wilson, seconded by Councillor Bredin, and carried unanimously. Perhaps that is because I believe they have a meeting before the formal meeting to discuss the items on the agenda and at the actual Council meeting, the decisions arrived at are foregone conclusions. Further I have heard that **residents adjacent to this site have been threatened** that if they persist in their protest, they will be subject to legal action. This is **very concerning** as this Council will be in power for another 2 years by virtue of existing legislation. It should be a **worry for everyone** because it would appear none of us have any control over what could be done next door to us! Traffic will increase exponentially on Oakwood Road, as the peat has to be hauled in from an area around Hadashville, and the finished product hauled out to retail outlets. The plant supposedly will operate 24/7, necessitating several shift changes which creates more traffic. Below is a picture of the progress that has been made on the site. A brand new building has been erected to the west of the existing structures, and there is a considerable piece to the west of the construction site that is staked for seemingly more buildings and you can see in the picture the land has been levelled almost right to the corner of Lornehill Road. **This is turning a rural residential, agricultural area into a large commercial enterprise without benefit of a hearing where local residents can express their opposition.** It is being done on the basis that a Peat Processing Plant is an agricultural use but even though peat is used in horticulture, the

processing of peat or anything else for that matter is a commercial use. It should be located on land designated Commercial and zoned for industry.



It has been brought to my attention from a long time resident of this particular area of the municipality that in the history book produced under the auspices of the RM of Springfield and available in the Archives at the Springfield Library in Dugald it states therein "development of the garden of Manitoba lands" referring to the Sunnyside area. Does the above look like an appropriate use of the "garden of Manitoba lands"? Does the sale of land adjacent to Birds Hill Park (meant to preserve this natural area for all residents of Manitoba to enjoy) for the development of a merchant's village and hotel and spa seem appropriate, particularly for bare land price, 12 acres for approximately \$220,000. Well, this also has been approved by the current Council. Further fact has it that several aggregate companies have been allowed to excavate right to the very edge of the municipal wells on Heatherdale Road. Springfield By-law 73-22 states in 9.1 "any excavations, for any pit operations, which may be below the natural water table, shall require a special permit". **Has the RM provided them with this special permit?** Further the Drinking Water Safety Act of the Province of Manitoba, Section 11(3)(f) directs one to "refrain from doing anything thatis adversely affecting or may adversely affect the source of water for a water system". **Aggregate companies are being allowed to extract aggregate in the draw zones of our municipal wells on Heatherdale Road.** Inland Aggregate has a their No Trespassing sign on RM of Springfield land right across from the Hillside Transfer Station and there has been no mention by this Council of taking this to the residents of the RM of Springfield for their permission to allow a private company to extract aggregate from a municipal property where at one time residents could obtain free sand/gravel in small amounts for their properties. Perhaps this should have been on the agenda of a public meeting, and it should have been put up for tender. On the October 6, 2020 Council meeting several resolutions were passed directing Public Works **to negotiate** lease extensions with Glacial and Maple Leaf without benefit of a tender process. On the agenda of the November 17th. Council meeting, leases are up for extension, 8.8 Glacial Aggregates Pit Lease and 8.9 Maple Leaf Construction Pit Lease. Glacial Aggregate's 3 year lease to use the Cordite pit expired on December 31, 2019. Why we are not following what used to be the normal course of action which was to put them up for tender to ensure the municipality got the best deal possible, an arm's length and transparent process. There are two issues here, (1) the word "extension" has been removed meaning the negotiation could be for a more permanent arrangement and (2) instead of tendering the contracts, the Director of Public Works is being given the authority to negotiate without benefit of tender. As I recall, an incident like this occurred when I was on Council, a lease had expired, the proper process was followed, and Kachur Sand and Gravel lost the bid on the Cordite pit, much to their chagrin.

Parrish & Heimbecker have been allowed by this Council to situate a chemical storage facility, an industrial use, **on land zoned agricultural** on Poplar Road to the detriment of long time residents. That land was good agricultural land and the topsoil was trucked off the site, presumably

sold, and replaced by aggregate. When did P&H acquire this land? Why is **Council now expecting the taxpayers of the RM of Springfield to pay for improvements to this road and railway crossing** to enable a business to locate on land not designated commercial and zoned industrial? Is that a good way to develop a "garden"? This facility should have been located on land zoned Commercial. Below is the P&H Facility on Poplar Road, still under construction, giant concrete terminals and numerous adjacent buildings. **Would you want that next to your home?** Well, just south of there are several rural residences and they went to Council before it was approved and protested against approval of the application, to no avail. **Good crop land has been taken out of production** for commercial use.



And now the quiet hamlet of Vivian is under threat by CanWhite Sands, seemingly sanctioned by our Council, as evidenced by two attached letters in this regard, one to the Federal Minister responsible for the environment and one to the Clean Environment Commission in Winnipeg. Anyone who wishes to submit their concerns about this proposed facility which must be done before November 16, 2020 can do so at <https://iaac-aeic.gc.ca/050/evaluations/proj/80974/contributions/id/48458>. Further the RM of Springfield is not the only municipality under threat by this company. The RM of Tache will also be affected as this company intends to mine silica sand there as well. Although Feisal Somji, CEO of Can White, suggested the sand would be transported as a "slurry" via piping to the processing plant in Vivian, I am not the only one that feels that is "pie in the sky" and in actual fact it will be trucked to the site. I am attaching a publication from the Carillon that demonstrates the concerns being expressed in areas south of Springfield, not only in Tache. In the November 2nd, 2020 issue of the Dawson Dispatch, Page 6 is an article by Bob Lagasse, MLA for Dawson Trails, which questions the integrity of the Manitoba Liberal Party stating it "made some bold assumptions about a proposed silica sand project that were not based in fact." **THAT IS NOT TRUE. THE LIBERAL PARTY WENT TO GREAT PAINS TO INVESTIGATE THE FACTS ON THEIR OWN.** What is at stake is the purity and quantity of our drinking water, as these silica sand deposits are part of the Sandilands formation and aquifer. If disturbed, as the sand is 200 ft. beneath the surface, no one knows what effect it will have on both the quality and quantity of our drinking water but the **probability is that it will be detrimental** as has been messaged from a **accredited scientist** that would be in a position to know.

6.1 Draft Contingency Reserve By-law - Mayor Fell feels it necessary to translate for the public the verbiage in the by-law by stating it is for "emergencies and unforeseen circumstances", feel it has been discussed previously, and will be put on the next Council meeting agenda. What it states is that any surplus funds at the end of a year, amount to be determined, can be transferred to this Contingency Reserve to be used to offset operating and capital expenditures greater than the overall budget excluding utility operations. **Councillor Ralke** seems to feel she must speak on every item whether she has anything relevant to say or not so she mentions that this came up as a result of the many budget "conversations" **NOTE: It took Councillor Ralke 3 attempts to come up with the word, including the last try "conversions"**, with the public to deal with any "potential" issues that may arise **????**. **NOTE: What it fails to specify is who determines when it should be used and who can authorize the use of this fund. It is open ended!**

6.2 PR207 and Deacon Road Intersection Improvements - Councillor Wilson can be heard in the background making comments but it is muffled and unintelligible. The item was to be placed on the next Council meeting agenda.

6.3 Bill 37 (Formerly Bill 48) AMM Template Letter - Councillor Wilson has remarks but they cannot be heard because he does not turn on his microphone. I think he says he is "opposed" to it. **NOTE: This is disgraceful. This Bill has significant implications for all taxpayers of municipalities as it takes the control over planning from individual municipalities and puts it in the hands of the Province. The CAOs of the**

various municipalities banded together and studied this Bill in detail and reported to their respective councils but our Council obviously feels it is something that can be delegated to their parent organization without discussion. I feel the AMM response falls short of what is really required, and that is to take back individual municipal control of planning decisions, subject to approval by the Province, rather than the province directly taking control of planning decisions. Putting it in the hands of the AMM is no better than putting it in the hands of the Province.

6.4 Meeting Request with RCMP D Division - Councillor Wilson again has something to say but as he doesn't seem to unmute himself, you cannot hear what he is saying. **NOTE: Whereas the Mayor and certain members of Council take it upon themselves to remind people like Councillor Williams that he has to unmute himself, I note that during this meeting no one reminded Councillor Wilson that he could not be heard by all and what he was saying was not being recorded. Was he the one responsible or was he being muted by a third party on purpose?** Councillor Fuhl comments that he would like to follow up on Councillor Ralke wants to ask them if they have any plans in place for enforcement of our public health restrictions. Will go on next Council agenda.

6.5 AMM 2020 Resolutions - Councillor Wilson again has lots to say but who can hear because he does not unmute himself. **Mayor Fell** responds to whatever he said by stating that she thought what he was referring to was accepted at the Eastern Regional Meeting but she will have Colleen Draper follow up on it. The resolutions have already gone to the Eastern Regional District meeting for vote so if it is not on the AMM list now, obviously it will not be considered at this upcoming AMM Convention. **Councillor Ralke** refers to one on Proceeds of Rural Crime and was very interested and wonders if it could be followed up on. Also wants additional security at intersection of 12 and 15 and Garven and 12. Wants better lighting at the latter one. Will put Safety Measure with MIT on the next agenda. **Councillor Wilson** again has something to say but who can hear. **Councillor Ralke** mentions voting on resolutions will be done via Zoom and she seems to know just how to register whereas apparently Councillor Wilson does not. **NOTE: Resolution #6, one from Ste. Anne, states "Therefore Be It Resolved that the AMM lobby the Province of Manitoba to re-establish Manitoba's Pit and Quarry Rehabilitation Program to its full previous operation and for all applicable environmental levies to be reported to the Department but retained by the Municipalities until the program is fully functioning; and Further Be It Resolved that the AMM lobby the Province of Manitoba to establish new procedures to ensure open and transparent communication with stakeholders regarding programs which directly affect municipalities." Why did Springfield not lend their support to this resolution? There was an article in the Winnipeg Free Press on March 18, 2019 entitled Auditor General Asks to Probe the Pit & Quarry Rehab Program wherein the Program, it stated, was rife with abuse. This was a recurring subject at the former Aggregate Task Force meetings because many of the pits no longer in use in the RM of Springfield have not been rehabilitated. THE ENTIRE ISSUE SEEMINGLY HAS DROPPED FROM SIGHT since this Council was elected. Some time ago Mayor Fell announced that Jim Campbell of Rockwood, Manitoba had been appointed the Chair of a newly formed Committee to deal with aggregate issues but nothing has been said of this subject subsequently. THIS IS ANOTHER REASON to again mention that our Council representing the RM holds a membership in the Springfield Chamber of Commerce. This organization was newly formed about 4 or 5 years ago, an initiative of Nicole Chabot of Chabot Enterprises, an aggregate company, and promoted by Shandy Walls, a Councillor at the time. As I have stated before, government bodies should NOT hold memberships in business organizations as there is clearly the potential for Conflict of Interest. In May 2018 Council had proposed a resolution to go to the AMM Convention which read as follows: *Be it resolved that the AMM lobby the Province of Manitoba to end the exemption for the Aggregate Industry from the Sustainable Development Act by 2023.* This I believe may have been suggested as a result of the discussions at the Aggregate Task Force meetings. Council approved the resolution but it was withdrawn from the Convention booklet for some reason and never went to the Convention. This would have ensured oversight of aggregate operations.**

NOTE: My opinion is that while Councillor Wilson is the only dissenting and questioning voice on this Council, his half hearted efforts at protest are insufficient and he does not follow through, seemingly, by trying to convince the remainder of Council that his point of view is more compelling and correct than that of the Mayor. The Mayor has done a good job of convincing Councillors Bredin, Fuhl and Ralke that her opinion is the only right opinion, Councillor Williams was already under the control of the driver of Mayor Fell's opinion, so I admit Councillor Wilson's job was a daunting one but nonetheless "path of least resistance" is not a good strategy on a Municipal Council. I think back to Mayor Jackie Hunt who had the courage to oppose her Council and walk away, bringing the issue to the attention of the media, which resulted in the entire Council dissolving. THAT IS WHAT SPRINGFIELD NEEDS!!!! A dissolution of the current Council and a bi-election. If sufficient numbers of taxpayers were to express their disfavour with the current Council to the Municipal Board, and the Province, this could happen. It might cost a few extra dollars for the process but it could save millions of dollars in unnecessary and inadvisable initiatives.

Council then went In Camera and returned and ADJOURNED.