

COUNCIL OF THE WHOLE MEETING

October 22, 2019

WITHOUT PREJUDICE (E&OE)

"MAYOR FELL IS AWAY AND CANNOT ATTEND TODAY." CAO Draper reminded Deputy Mayor Ralke an In Camera item had been added to the agenda.

NOTE: First, if you go to the website now, in order to access material beyond the Home Page, click on the blue strip at the top, right hand side to get a drop down menu. If you try the old way, you will get an Error Notice. Further on the Audio File, you can no longer move the dialogue forward and backward. The ability has evidently been disabled. NOTE: Someone who could not attend the meeting and wishes to listen to it and misses a portion, now has to go right back to the beginning and start over again. THIS IS NOT ACCEPTABLE IF BY POSTING AUDIO FILES COUNCIL IS TRYING TO MAKE MEETINGS ACCESSIBLE TO THEIR CONSTITUENCY. This is what you are paying that INFORMATION TECHNOLOGY person in the employ of the RM to do, make it more difficult for you to access information on your municipality and its Council. I wish to address the issue of different versions of the agenda of the same meeting. The agenda for this meeting posted on the RM Website and handed out to audience members was a much shorter version than the one Councillor Ralke, who was acting in her position of Deputy Mayor and Chair, held up for residents to see later in the meeting. It contained a list of items, presumably In Camera, as they were not on our agendas. Although no subject was listed under In Camera on our agenda, it came as no surprise once I observed Donovan Toews from Landmark Planning and Jeff Bell from Friesens Drillers and Santokh Randawa were in the audience. This is NOT TRANSPARENCY when you do not indicate the broad subject matter to be discussed in Closed Session. The following is the excerpt from the Manitoba Municipal Act that governs municipal governments and deals with what legitimately can be discussed in a CLOSED MEETING.

PUBLIC PRESENCE AT MEETINGS

Meetings to be conducted in public

[152\(1\)](#) Every meeting of a council or council committee must be conducted in public.

Public's right to be present at meetings

[152\(2\)](#) Everyone has a right to be present at a meeting of a council or council committee unless the person chairing the meeting expels a person for improper conduct.

When council or council committee may close meeting

[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*.

Part 3 Building Inspections - Dan Doucet - Read a report (of which no copy was included with the agenda that I printed off the website on the weekend prior to the meeting and it is not shown on the agenda handed out at the counter the night of the meeting yet those who copied the agenda on Monday did find an attached report dated October 18, 2019). He said there had been some discussion about taking this over from the Office of the Fire Commissioner. The Municipality only has responsibility for Part 9 inspections for residences and small structures, under 600 sq. meters. Basically he is asking Council to start the process to facilitate our inspectors, including himself as Development Officer, to conduct all building inspections as he feels this would generate revenue for the municipality. However until questioned he did not have much information on the cost of training staff and himself to the level of such inspections. Further the process would take 2 or 3 years and would in the future include the hiring of a person who has the training to replace a staff member that will be retiring. What Mr. Doucet is suggesting would involve hiring consultants and other very costly measures. I would suggest in view of the fact that he issued a building permit to Parish and Heimbecker before completing the required Provincial Environmental Assessment indicates that after at least 12 years in his

current Development Officer position, he still is not well versed in provincial requirements. Councillor Williams feels the by-laws and procedures should be reviewed before anything else. Councillors Wilson and Fuhl wanted a Cost/Benefit analysis and a required timeline. Deputy Mayor Ralke felt that based on info he had provided at a WORKING GROUP (secret) meeting, it would be cost effective according to him. **NOTE: My opinion is that, to use a term from the federal government when I was employed by them, Mr. Doucet is "Empire Building" and I know in the past he and CAO Phillips had added a new position to his authority which was "bylaw officer" on a proposed organization chart. At present, the Springfield Police Service serves notices when required by Planning Department. If I were to speculate, I could see the Springfield Police Service being retired in favour of by-law officers and since Planning and the Police Service are currently sharing the same building on Main Street, it would be an easy transition for Mr. Doucet to take over the entire building, replacing our current police officers with by-law officers that cannot act under the Criminal Code and are not police. Further as long as I was on Council, I refused to entertain having Working Group meetings which are outside the scrutiny of the public. Since I am no longer on Council, the practice of having discussions conducted without the public present has been restored. This was the practice before the Council on which I served was elected and we all ran on a platform of TRANSPARENCY. Three of those Councillors are still on Council but have reverted to the practice of holding secret meetings where all the discussion is conducted and that is why, in my opinion, the Committee of the Whole Meetings are now so short. Earlier this year there were a lot of items on Committee of the Whole meetings that were discussed in public but this has changed. It is pointless to even have COW meetings now when nothing of any significance is reported on or discussed in public and all discussion appears to happen in CLOSED SESSION.**

Darryl Speer - Asked if this additional rating would create liability for the municipality and how many other municipalities had this level of inspection. **Deputy Mayor Ralke** then stated that the purpose of Mr. Doucet's presentation was to elicit support from Council to proceed with his proposition and obtain tangible details because Council has said "we want this". **Dan Doucet** - No training for Part 3 certification is currently available at Red River Community College but could be in the future. **Darryl Speer** - I look at that situation with the P&H Elevator project on Poplar Road. I don't see how we could have allowed them to proceed without proper review and clearance on the part of the RM. It is within our jurisdiction in terms of how it affects traffic and people that are going to be affected by other aspects of that project. **Heather Erickson** - If I am not mistaken, before a building permit was ever issued there SHOULD HAVE BEEN AN ENVIRONMENTAL ASSESSMENT by the Province. THAT WAS NOT DONE but the permit was issued. **NEITHER THE DEPUTY MAYOR OR THE C.A.O COULD COMMENT ON THAT.** **Vince Bennici** - What's going on In Camera? Are we talking Personnel, are we talking Financial, what is going In Camera? **Heather Erickson** - When you go In Camera, there should be a broad statement of what is being discussed and there is nothing listed under In Camera. **Deputy Mayor Ralke** - It states it is the Dugald Supply Wells Update and she held up her copy of the Agenda to demonstrate. **Heather Erickson and those assembled agreed** it was not the same as the agenda handed out at the front counter. **Vince Bennici** - Have they not set a price for the drilling, were we not discussing what they have or are drilling for such as the water over by P&H or whether it was the holes that were drilled over by Pineridge, those are things that should not be In Camera because that affects constituents. This is not Financial. They have already discussed what the pricing is going to be. This is not Personnel. **Colleen Draper** said it has to be In Camera until they hear what Friesen and Landmark have to say and then it will be made public. **Mayor Ralke** - Thank you for bringing that to our attention. Once they find out, it will be made public. She said it was about the two new municipal wells for Dugald. When further questioned by **Vince Bennici** regarding it not being Financial or Personnel, she said they would not know until they went In Camera and heard what they had to say and then proceeded to pass the resolution to go In Camera.

NOTE: Instead of leaving the building, the audience waited in the foyer and at some point, Mr. Bennici went to the window to check and see the progress of the In Camera. He observed they were watching an overhead presentation and when he was seen looking in the window, the picture on the right shows what happened. I guess they ran out of paper as they left a little space at the top. I think this is an insult to the very people that are paying for the services of Friesen Drillers and Landmark Planning because such a presentation has to do with their water resource and the viability of the wells that have been located on Poplar Road. If there is a problem with them, it should be communicated to the public and they should share in a potential solution in my esteemed opinion. THIS SHOULD NOT BE KEPT SECRET FROM THE PUBLIC PARTICULARLY DURING DISCUSSION OF HOW TO PROCEED. If it was a legal issue, why was this messaged with an overhead presentation? Unfortunately the majority of the public are in the dark as to what is going on at their Council meetings and until the ramifications of decisions affect them financially, they tend not to take an interest. I would ask readers to share with their neighbours the lack of transparency that is being demonstrated by the current Council and contact their council representative and the Mayor to demand more public inclusion. Rochelle Squires has just been named Minister of what used

to be Municipal Affairs. I am suggesting no more of these pointless work shop meetings and story board presentations be held as Council does not heed the suggestions at the former, and the decisions have already been made at the latter. Council has been sending out glossy expensive newsletters but they do not include information on issues currently under discussion, only old news advising of actions already taken.

NOTE: At approximately 11 a.m. on Monday October 21, 2019, a resident of the RM went to the Springfield Police Service, only to find the door locked. The person currently in charge of the Service, Deputy Chief Monkman, has only 3 or so years of total policing experience and thus lacks the 10 year minimum requirement of the position. There are currently, including herself, only three members although a fourth position exists. They are patrolling two members to a vehicle although they have 3 vehicles assigned to the service. R.C.M.P. have one officer/car. It would appear to me that there is a good argument to be had as to the lack of effectiveness of SPS considering they are now budgeted at approximately half a million. I would suggest the Council and Police Board should be collaborating to increase the effectiveness of the Service considering the inability of the R.C.M.P. to provide full coverage for the foreseeable future, and this comes from J. Keeping of the R.C.M.P. I do note that the R.C.M.P. have been more visible of late. Why are Council and the Police Board not taking action to correct the shortfalls of our Service? Further the availability of the Springfield Police Service should be messaged to the public. For example, if they only work 7 days of the week between 8:30 a.m. and 6:30 p.m. or 10:00 a.m. and 8 p.m. or if they are not available on Statutory Holidays, this information should be posted on their door and in the local weekly and on the RM website (providing you can keep up to the ever changing reconfiguration of the website). Most people are aware the R.C.M.P. are available 24/7 but of late, that may be several days after the fact, depending on the seriousness of the issue and who is on duty and where they are situated geographically in Springfield/Beausejour/Brokenhead when the call is received.



Council went IN CAMERA and returned from IN CAMERA. CAO Draper announced for the record that she did receive a delegation presentation from Friesen Drillers and Landmark Planning about the Dugald Water System Update and because there was a legal aspect to the delegation, it was a CLOSED MEETING item.

NOTE: My question is this. If it had to do with a legal issue, and well it may because those two new municipal wells, when being tested, had serious effects on the private wells of at least two of the adjacent residences, i.e. the Browns, who MAY have decided to sue the municipality (unfortunately us taxpayers), this would be in my experience the first time such a legal issue has been presented with overheads of a duration of at least half an hour or more. The locating of a site for the new wells has just been unbelievable. They were to have been located on Meadowvale and test wells were drilled there. Subsequently they moved to Poplar, supposedly because the quality of the Meadowvale water would require too much treatment. As I understand it, the water quality on Poplar is also not good and would require extensive admixing with Oakbank water and subsequently a water treatment plant to make it suitable for human consumption. It would not surprise me that Council and those two companies are embroiled in legal difficulties. I myself have seen evidence that proves S&D Minerals (CanWhite Sands) have extracted silica sand from below ground in the town of Vivian, Manitoba while they state they only did test holes. The sand is 200 ft. beneath the surface yet a pile of it sits on the ground. How did they get it to the surface without some type of pressure from above to force it up another opening? To me that sounds suspiciously like "fracking". Council has just resolved to sell land at well beneath its true market value to Pineridge Hollow and has been challenged to provide a similar deal to another resident of the municipality. To refuse might well result in legal action. P&H have been allowed to proceed with the building of an elevator and bulk storage facility without an Environmental Assessment having been done. A Stop Work order has now been issued by the Province. AND TO REITERATE, ALL MEMBERS OF COUNCIL ARE RESPONSIBLE, REGARDLESS OF THEIR PERSONAL POSITIONS. IN THE WINNIPEG FREE PRESS JUST A WEEK OR SO AGO THERE WAS AN EXAMPLE OF WHAT CAN BE DONE BY A COUNCIL WHEN THEY HAVE LOST CONFIDENCE IN THEIR BODY. SIMPLY WALK OFF COUNCIL AND FORCE AN ELECTION.

ADJOURNED

