

Joint Municipal Co-ordinating Committee
Meeting # 1 – December 19, 2012 at 9:00am – Zorra Municipal Office
Meeting Minutes

Present: Peter Pickfield, Garrod Pickfield LLP
Don McKay, Warden, County of Oxford
Peter Crockett, Chief Administrative Officer, County of Oxford
Margaret Lupton, Mayor, Township of Zorra
Don MacLeod, Chief Administrative Officer, Township of Zorra
David Mayberry, Mayor, Township of South-West Oxford
Mary Ellen Greb, Chief Administrative Officer, Township of South-West Oxford
Darell Parker, Chief Administrative Officer, Town of Ingersoll
Kale Brown, Director of Economic Development, Town of Ingersoll
Lisa Teeple, Administrative Assistant, Township of Zorra

Regrets: Ted Comiskey, Mayor, Town of Ingersoll

Mayor Lupton calls the meeting to order at 9:05 am.

1. Introduction/Background

- **EA Process Overview**
- **Peer Review Team Role**
- **Peer Review Memorandum of Understanding (MOU)**

Peter Pickfield introduces himself, explains his experience in dealing with landfill proposal applications, and reviews the agenda. Mr. Pickfield explains that the Environmental Assessment process involves a two-part application.

1. Approval of the EA Process Terms of Reference (TOR)
2. Approval of Actual EA

The Ministry of the Environment (MOE) provides an EA Advisor. The MOE provides approval of the scope of the TOR and this is a critical part of the process.

The first stage of the peer review is to review the TOR and amend as necessary. The TOR must include alternative methods of waste disposal. There is no appeal process for the TOR but the MOE can request mediation at the discretion of the Minister. The Peer Review Team provides an independent review and reports on the information received.

Steps:

1. TOR is approved
2. EA is carried out
3. EA is submitted to MOE for approval

4. At this point the EA can be approved or opposed or a hearing can be requested
5. MOE reviews documents to consider and then makes decision
6. The Minister can approve, oppose, or approve with conditions

The Ministry does not often refer to a hearing. There has only been one case referred to a hearing since the mid 1990's.

Mr. Pickfield reviews the MOU document and highlights the following:

- Section 3.1 – reasonable budgets to be submitted
- Section 4.1 – communication should be conducted under the supervision of the PRT Committee
- Important to consider the possibility of Freedom of Information (FOI) concerns as well as transparency

Mr. Parker questions Section 2.7 of the agreement and questions if all information will be copied to the proponent. Mr. Pickfield confirms that information will be released to Walker when ready. Mr. Pickfield feels that the wording in the document is sufficient. Committee members agree to request that the last comma be removed from Section 2.7 to avoid any confusion and all members will initial this change on the agreement. Mr. Pickfield advises that the next important steps are to assemble the PRT and complete budgets.

2. Peer Review Process

- **Possible Peer Review Reporting Stages**
 - **EA Terms of Reference**
 - **Alterative Evaluation**
 - **Preferred Alternative**
 - **EA Document**
- **Obtaining Information**
- **Reporting to Co-ordinating Committee/Councils**
- **Public/Media Communications**
- **Release of Reports**

Mr. Pickfield advises the PRT will review the TOR document once the draft version is ready for review as it is not productive to review each version of the draft until it is complete. Mr. MacLeod advises the draft TOR document should be prepared by May 22, 2013. The PRT is not obligated to comment until the draft TOR is ready. A suggestion is made for the PRT to visit Walker's site in Niagara to see how the site operates. Mr. Pickfield advises once the final plan is approved the operating standards will be set as conditions and they will remain as obligations to be carried out by a new operating company in the event that Walker sells the operation to a different company.

Mr. Pickfield explains that this is an information gathering stage and information is being openly exchanged. There is a final budget stage and a set time frame for the PRT report to be available to Walker.

Mr. Pickfield advises that the MOU states that all information will be released to Walker before the public. Mr. Pickfield suggests that he could draft a media release for review by the committee and the release could then be circulated to the media in the new year. Mr. Pickfield also cautions the use of email for communication as this may not be considered under FOI protection.

Mr. Parker asks how to handle local groups requesting information about the PRT meetings. Mr. Pickfield advises it is fine to give our general information. Mr. Parker suspects that local groups will want to know the members of the PRT committee as soon as possible.

Mr. MacLeod suggests that we decide how we will report to the public. Mr. Crockett suggests three or four very concise messages from today's meeting. Mr. McKay asks if we can share information with our Councils and if we can assign a designate to attend meetings if we are unable to attend. Mr. Pickfield suggests that the committee meet again early in the new year to make a final decision on the PRT members. Mr. Pickfield suggests inviting a PR person to this meeting to offer advice on media requirements. Mr. Crockett suggests that we involve Tommasina Conte from the County office and committee members are in agreement. Mr. Crockett will bring Ms. Conte to the next meeting.

Mr. Crockett questions whether or not we can share information with relevant staff (i.e.: Planning, water, roads, etc.). Mr. Pickfield advises that relevant staff should be consulted where appropriate.

Mr. Pickfield explains that draft documents should be treated as confidential until they are approved in order to maintain the integrity of the committee. A communication strategy will be important and critical to convey information to the public.

Mr. Pickfield explains that the TOR will provide rationale for why a landfill is the best option in this location and the document must reflect the need for a landfill site.

3. Roles

Mr. Pickfield reviews the roles of each of the Committee members.

PRT Manager brings together all disciplines; must attend all meetings; responsible for coordinating disciplines and bringing information forward; manages processes and budgets with Mr. Pickfield. Mr. Pickfield recommends using a consultant for this position.

Legal Compliance Role will be filled by Mr. Pickfield. Responsible for overseeing the general operation of the PRT team and use of funds; must attend all meetings; this role is less hands-on than that of the manager.

4. Selection of PRT Members and Manager

Mr. Pickfield reviews the proposed Peer Review Team and discusses each role and each individual noted.

Mr. Pickfield suggests Chris Haussmann of Toronto for the role of PRT manager. He has over 20 years experience with EA's and has expertise in the area of social impact. He is not part of a larger consulting firm, which Mr. Pickfield feels is an advantage. Mr. Pickfield suggests that he invite Mr. Haussmann to the next meeting and committee is in agreement.

Mr. Pickfield advises he will complete the PRT list and forward early in January as a confidential document for discussion and final decisions to be made at the next meeting.

Mr. Crockett requests a biography of all proposed PRT members. Mr. Pickfield has requested resumes and will compile short bios for each team member.

5. Next Steps

- **PRT Selection**
- **Budgets/work plans**
- **Contacting Walker Industries**

Mr. Pickfield will present the complete PRT list to Walker after it is approved and he doesn't see any reason for Walker to object to any of the team members.

Mr. Pickfield advises that the team should go to Walker with funding at different stages including the establishment of the PRT team and the completion of the TOR. Mr. Pickfield also suggests that the budgeting could come through his office.

Minutes should reflect the following:

- Initial meeting held and next steps
- MOU signed and agreed to by all Municipal Councils
- Establishment of PRT team in process

- Next meeting to be held in January
- Confirm that this process is not being paid for by the municipalities
- Reviewing Walker's work
- Independent peer review
- Walker is obligated to pay for this process
- PRT will provide objective expert information to assist stakeholders (including municipal Councils) in coming to a decision

Next meeting: Tuesday January 15, 2013 at 9:30 am at Township of Zorra office. This meeting should include a plan to finalize the PRT members; decide on a package to send to Walker; Mr. Crockett to bring Tommasina Conte to the next meeting; Mr. Pickfield to circulate the agenda prior to next meeting.

Six copies of MOU document is signed and change to Section 2.7 was initialed by required parties. Mr. Parker took agreement to have Mr. Comiskey sign and then will forward final agreement to Walker.

Meeting adjourned at 11:25 am.