

**Joint Municipal Co-ordinating Committee**  
**Meeting # 11 – March 6, 2017 at 1:00 p.m. – Zorra Municipal Office**  
**Meeting Minutes**

**Present:** Peter Pickfield, Garrod Pickfield LLP  
Arthur Ho, Garrod Pickfield LLP  
Chris Haussmann, PRT Manager, Haussmann Consulting  
Tommasina Conte, Communications Coordinator, County of Oxford  
David Mayberry, Warden County of Oxford & Mayor, South-West Oxford  
Ted Comiskey, Mayor, Town of Ingersoll  
William Tigert, Chief Administrative Officer, Town of Ingersoll  
Margaret Lupton, Mayor, Township of Zorra  
Don MacLeod, Chief Administrative Officer, Township of Zorra  
Lisa Teeple, Administrative Assistant, Township of Zorra

**Regrets:** Peter Crockett, Chief Administrative Officer, County of Oxford  
Mary Ellen Greb, Chief Administrative Officer, Township of South-West Oxford

**Call to Order**

Mayor Lupton calls the meeting to order at 1:00 p.m.

**1. Additions to agenda**

No additions to Agenda.

**2. Alternative Methods Interim Report – PRT Review (Draft) (Haussmann)**

- a. EA Process & Landfill Engineering findings (Draft version provided)
- b. Other disciplines (WEG refused funding) – rationale, budget estimates
- c. Possible JMCC Funding? (Priorities are Hydrogeology, Land Use, Social)

Mr. Haussmann reviews the Draft Peer Review Report that was sent out by email last week. This is a report reviewing Walker Environmental Group's (WEG) Alternative Methods Interim Report dated January 3, 2017.

Mr. Haussmann expresses concerns about the lack of attention to hydrogeology, a critical concern due to the surrounding reliance on drinking water. More detailed analysis is only being proposed for the preferred site that has been selected. The large greenfield site has been eliminated based in part on the Provincial Policy Statement as it applies to aggregate resource protection, but there is insufficient documentation to support the conclusions reached.

Mr. Haussmann noted that groundwater / drinking water protection is also a significant policy priority that must be considered. He will finalize the PRT report ensuring that the need for more detailed consideration of the greenfield site is stated clearly.

Mr. Pickfield comments that, while the MOECC makes final decision regarding the acceptability of the EA, it is in the municipalities' interest to bring its concerns forward as early on in the process as possible. WEG has responsibility to review concerns with location now but if they choose to ignore PRT advice then they run the risk of the Ministry questioning it down the road and having to back track to address earlier deficiencies in the process.

Mr. Haussmann notes that regarding Amendment 8 in the report, key stakeholders must be consulted before preferred alternative is identified. Consultation should have included the PRT land use planner, hydrogeologist and public consultation specialist. Also, per Amendment 9, WEG should have identified source separation alternatives but they did not. In general, Mr. Haussmann has identified a lack of rigour in this report.

The PRT's goal is to get the report finalized and out to WEG as soon as possible. He asked members of the JMCC to review the report again and submit any comments to Mr. Haussmann by mid-day Thursday so he can finalize the report. As JMCC Chair, Mayor Lupton will sign a covering letter which emphasizes JMCC's concern of WEG failure to take multidisciplinary approach to Alternative's analysis. The content of this covering letter was discussed.

**Resolution No. 01-03-17**

Moved by: David Mayberry    Seconded by: Ted Comiskey

**“THAT the Joint Municipal Co-ordinating Committee accepts the Peer Review Report on Alternative Methods Interim Report and authorizes the Peer Review Manager to finalize the draft report subject to comments received from JMCC members over the next three business days and forward the final report to Walker Environmental Group with a copy to Minister of the Environment and Climate Change.”**

**Disposition: Carried**

Mr. Haussmann has reviewed the budgets for the PRT to carry out the review by the recommended disciplines that were not funded by WEG, and his estimates come to no more than \$16,000. If JMCC is considering funding this then each of the four municipalities would be looking at around \$4,000.00.

Mr. Pickfield reminded the Committee that, based on the PRT's recommendations, it had requested a full multi-disciplinary review and WEG only agreed to fund an EA Planner, and after a follow up request, agreed only to additional funding for a landfill engineer and not for any other disciplines. The EA Planner and Landfill engineer review confirmed that there are some gaps in their analysis particularly related to hydrogeology and social impacts. Funding by the JMCC of these additional disciplinary reviews at this time contradicts the fundamental principle that the municipalities' ratepayers should not incur any costs attributable to the landfill project EA, a private venture.

Mr. MacLeod suggests a strongly worded resolution from JMCC to encourage WEG to cover the costs associated with the work. We should not be doing the work for WEG but we should be reviewing their work. Mr. Haussmann will speak with the PRT hydrogeologist on an informal basis to see what he could contribute to the review given that WEG has not carried out any preliminary hydrogeological investigation.

Mr. Pickfield suggests that the Memorandum of Understanding (MoU) may need to be revised now that we know so much more about the process. This has been suggested to WEG but no discussions have occurred.

Mr. Tigert adds that the proponent doesn't have a legal obligation to fund any of our review and notes that the hydrogeologist should be able to detail many things that should have been included in the review. If there are enough serious deficiencies it may be something we want to bring up to the MOECC at this stage.

### **3. Walker SWLF EA Report Release schedule (Haussmann)**

#### **a. Next Steps – Work Plan reviews**

Mr. Haussmann suspects that the field studies should be completed by early 2018 which will allow the report to cover four full seasons. The first set of draft work plans were received this morning but he has not yet had a chance to review them. They will be released over the next couple of weeks, then PRT budgets will be forwarded for approval, and work will begin to review the work plans. Mr. Haussmann anticipates the field work will commence this spring. There is a process requirement to document existing conditions to provide a baseline before going forward with work plans. Mr. Haussmann has pushed to have the existing conditions documentation resulting from the field studies reviewed by the PRT, but WEG will not provide funding for this and says the PRT will receive all information at once at the time the draft EA is released. Mr. Pickfield suggested that it is important to reiterate this review deficiency with WEG. . Mr. Haussmann has discussed this issue with Darren Fry from WEG and he says they are always open to discussion at any time. Mr. Haussmann will continue conversing with Mr. Fry to keep the lines of communication open.

Mr. Pickfield advises that the Oxford County Planning Department was approached by the WEG study team asking for information from planning staff regarding land use information and statistics. Gord Hough from the County, as it is his opinion that the information should come through the peer review process. WEG is refusing to provide peer review funding to do this work. All of this information will be on record for reference at a future date.

### **4. Invoicing for PRT work per MOU or revise per Darren Fry comments (MacLeod)**

Mr. MacLeod advises that the MoU was setup with the understanding that WEG would provide a fund, invoices would be forwarded to Zorra, and the invoices would be paid from

the fund. That is not the way things are working. There is approximately \$20,000.00 in invoices outstanding that have been paid by Zorra and have not been reimbursed by WEG. Some of the invoices are in question by WEG. Mr. Fry has committed to being back in touch with Mr. MacLeod by March 8, 2017. Mr. MacLeod suggests that this issue be addressed by JMCC rather than being handled between Zorra staff and WEG staff. Mr. Pickfield suggested that the JMCC should draft a letter regarding funding. This would also present an opportunity to raise the fact that the MoU is four years old and a number of unanticipated events have occurred since the process commenced. We could propose an addendum to the MoU and suggest that we setup a meeting to discuss this. Mr. Pickfield will work with staff to develop a letter for Mayor Lupton's signature.

### **5. Legal Budget (Pickfield)**

Mr. Pickfield has reviewed the legal fees since this project started and the fees have been averaging \$2,000.00 per month since beginning of the process. Some months have been more intensive and other months have been very quiet. Mr. Pickfield feels that there would be benefit in setting a standard monthly/annual rate for legal fees and see if WEG would be in agreement. Any additional legal fees would need to be reviewed on an individual basis. This could be incorporated into the letter to WEG requesting a meeting to address funding issues.

General direction is given to draft a letter under the signature of the JMCC Chair to seek a meeting to resolve and clarify funding issues and the Memorandum of Understanding.

### **6. Ingersoll Peer Review: Coordination implications (All)**

The Committee discusses the fact that the Town of Ingersoll has now contracted their own separate Peer Review Team. There is general consensus that the process would benefit from coordination and good communication between the two PRT's.

Ingersoll staff is trying to obtain more information without adding more cost to JMCC. Ingersoll is funding their own PRT on their own and not looking to WEG to reimburse any funds for their research. The intention is not to conflict with JMCC but to analyze different areas and emphasize due diligence to the Council and residents of Ingersoll. Mr. Tigert expects that WEG will deal with the Ingersoll PRT in the same way that they deal with JMCC PRT. Mr. Tigert asks Mr. Haussmann to track any additional costs that the second PRT may add to the JMCC and the Town of Ingersoll will cover these costs.

Mr. Tigert advises that the Ingersoll PRT will be making separate comments regarding the alternatives report. Mr. Tigert says that he will share the report with the JMCC and PRT as soon as the report is available. Mr. Tigert advises he forwarded list of Ingersoll PRT members to Mr. Pickfield and Mr. Haussmann.

Warden Mayberry hopes that a second PRT will ensure that the best possible information is reported and he expects that this will result in slightly different range of comments that will hopefully take us in the same direction. He also notes that we are all in this together and we want to make this process work and do the very best we can.

**7. Public/media Relation and information sharing (All)**

Ms. Conte advises that the website has undergone some updates recently. A media release can be drafted from the minutes for this meeting.

Mr. Haussmann anticipates the need for a meeting in late March/early April.

Meeting adjourns at 2:58 p.m.