

COUNTY OF SIMCOE
LIST OF APPROVED RESOLUTIONS FROM
AUGUST 25, 2009, RE: SITE 41 AND RELATED MATTERS

1. MOVED BY: Councillor Carrier
 SECONDED BY: Councillor Wauchope

 THAT County Council instruct legal counsel to seek a judicial review of the Information and Privacy Commission's Order # MO-2449 and related matters and continue efforts in the interim to persuade Genivar to release the calibrated model.

2. MOVED BY: Councillor Clarke
 SECONDED BY: Councillor Jackson

 THAT the Information and Privacy Commission be approached to determine if a further peer review would satisfy its Order # MO-2449.

3. County Officer's CO 09-031 - Confidential, regarding litigation or potential litigation affecting the municipality

 MOVED BY: Councillor Little
 SECONDED BY: Councillor MacEachern

 THAT Council ratify the actions of staff in directing legal counsel to commence the injunctive and related proceedings as described in Confidential Item CO 09-031.

4. MOVED BY: Councillor Cooper
 SECONDED BY: Councillor Wauchope

 THAT based on Warden Guergis' recommendation, the claim for damages in the matter of the Corporation of the County of Simcoe v. Vicki Monague, Anne Ritchie Nahuis (Court file # 09-0961) et al. be discontinued.

5. County Officer's CO 09-025 - North Simcoe Landfill Site 41 Update

 MOVED BY: Councillor Little
 SECONDED BY: Councillor MacEachern

 THAT Item CO 09-025, regarding an update on the North Simcoe Landfill Site (Site 41), be received for information.

NOTE: THIS DOCUMENT IS NOT THE OFFICIAL RECORD OF THE AUGUST 25, 2009 MEETING OF SIMCOE COUNTY COUNCIL. THIS DOCUMENT IS PROVIDED FOR REFERENCE PURPOSES ONLY.

6. County Officer's CO 09-026 - Ministry of the Environment Sponsored Meetings - Site 41 Modflow Model

MOVED BY: Councillor Little
SECONDED BY: Councillor MacEachern

THAT County Officer's Item CO 09-026, regarding the Ministry of the Environment Facilitated Meetings concerning the Site 41 Modflow Model, be received for information.

7. County Officer's CO 09-027 - Chronology Regarding a Request Filed under the *Municipal Freedom of Information and Protection of Privacy Act* for Access to "a copy of the County's calibrated USGS Modflow Model for Landfill Site 41"

MOVED BY: Councillor Little
SECONDED BY: Councillor MacEachern

THAT Item CO 09-027 providing a chronological history of the request for "a copy of the County's calibrated USGS Modflow Model for Landfill Site 41" filed under the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* be received for information.

8. County Officer's CO 09-028 - Court Rulings July 22, 2009 and July 29, 2009

MOVED BY: Councillor Little
SECONDED BY: Councillor MacEachern

THAT Item CO 09-028, regarding the Court rulings of July 22, 2009 and July 29, 2009 on the Motion for an Interim Injunction, be received for information.

9. County Officer's CO 09-029 - Correspondence from Maude Barlow, Chairperson of the Council of Canadians

MOVED BY: Councillor Little
SECONDED BY: Councillor MacEachern

THAT County Officers Item CO 09-029, transmitting correspondence from Maude Barlow, Chairperson of the Council of Canadians, dated July 28, 2009, be received for information.

10. MOVED BY: Councillor Breckenridge
SECONDED BY: Councillor MacEachern

WHEREAS the Council of the Township of Tiny and numerous other prominent local, regional and national organizations and individuals have expressed opposition to the development of the landfill site known as Site 41; and,

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WHEREAS the Council of the Township of Tiny and numerous other prominent local, regional and national organizations and individuals have expressed their extreme concerns about the process leading to the approval of Site 41 as well as the future safety of this site; and,

WHEREAS the Council of the Township of Tiny is still concerned regarding outstanding environmental issues on the protection and conservation of groundwater at this site in respect of the Township's "Environment First" Official Plan; and,

WHEREAS a pending order by the Information and Privacy Commissioner for Ontario remains outstanding;

BE IT RESOLVED THAT Simcoe County immediately halt construction and any further development of waste facilities at Site 41 for a period of at least one year so that:

- i) the public release, and independent review, of all pertinent information concerning the environmental impacts of operating a waste facility at Site 41 can occur;
- ii) meaningful consultations take place with local residents and cottagers, First Nations groups and other organizations that have raised concerns about the environmental impacts of establishing a waste facility at Site 41; and that
- iii) the suitability of Site 41 for waste management use be assessed in light of the source water protection planning mandated by the Clean Water Act.

Yeas Councillors Breckenridge (5); Carrier (5); Clarke (3); Cox (3); Dowdall (3); Downer (4); Dubeau (2); Duffy (3); Foster (5); Hackney (3); Hope (3); Hough (4); Hughes (4); Jackson (7); Ladouceur (2); Lawrence (5); Leroux (2); MacEachern (5); Milne (5); Patterson (5); Walsh (2); Warnock (3) – 83

Nays Councillors Cooper (4); Ferguson (3); D. Guergis (4); Warden Guergis (4); Little (2); Past Warden Roughley (4); Savage (3); Sled (4); Wauchope (6) and White (5) – 39

11. County Officer's CO 09-035 - Additional Correspondence received following Preparation of the Council Agenda

MOVED BY: Councillor Little
SECONDED BY: Councillor MacEachern

THAT Item CO 09-035 providing additional correspondence received following preparation of the Council agenda be received for information.