

APPENDIX Y

Delegation to Council April 4, 2022 - John Jordan

Good Evening everyone, Mayor Armstrong, Wilmot Council, Staff, and all residents of Wilmot and beyond who are engaged in tonight's meeting.

It's been quite a journey over the past number of years to get where we are tonight in regard to the Hallman Pit. My delegation will not get into any of the nitty gritty study or report details but more to the soft issues at hand regarding the consequences of the rezoning of the Witmer Road property and the affect on future generations.

In looking at this issue from a 40,000 foot level, the main issue that rises to the top is the threat to our water supply. Mr. Esbaugh and his team with knowledge of the various fields at hand, have provided their own reports saying that there will be no threat to the drinking water. At the Citizen's for Safe Ground Water meeting held at the Wilmot Rec Centre before the Pandemic came down on us, I posed this question to this team "Can you with 100% certainly ensure the water will not be affected?" A lot of words were replied back from the person answering, but in the end, he conceded that they can not with 100% certainty, guarantee that the water will not be affected. Let's let that sink in? If there is any threat to our water supply, why would we take the risk?

The next point after the threat to the drinking water, is that we will be losing many acres of fertile farmland which will no longer grow food. The 2 most important things to survival - food and water - are both either being threatened or taken away completely. Yes, I suppose that after decades of aggregate being mined, dust pollution, noise pollution, and massively increased heavy truck traffic that will affect our environment and drastically change our target numbers for Wilmot's reduction in Greenhouse gas emissions, the topsoil may be put back, but the geology of the land will never be the same and or possibly never farmed again - at least not for many, many generations.

Mr. Mayor, last week on the Mike Farwell show you stated that you can not vote "no" to a gravel pit for the reason of having enough gravel already. You're right, you can't. But let's look at the myriad of all of the other reasons why you should vote no to a zoning change - the dust, the noise, the pollution, the increased truck traffic, the loss of farmland, the quality of life, and most of all, the threat to our

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drinking water. If the drinking water is affected, what liability does that put on the Township? Do I need to mention the word Walkerton?

My next point is a very important soft issue and possibly leaning on a technical issue, and this comes squarely on the laps of every council member. You, the Councillors of The Township of Wilmot, have full discretion to make a decision that is either going to affect the residents of this township positively or very negatively. You have full control of voting for or against the issue. No one can tell you that you can only vote in one direction - no one. Recommendations can be made from various personnel, but it is completely up to you to choose the right path - doing the right thing!

I want to provide for you a very important part of the Municipal Act. What I am about to read can be found in the Municipal Act, in Chapter 15 entitled Municipal Liability, Section 448, paragraph (1) and it reads as follows:

Immunity

448 (1) No proceeding for damages or otherwise shall be commenced against a member of council or an officer, employee or agent of a municipality or a person acting under the instructions of the officer, employee or agent *for any act done in good faith in the performance or intended performance of a duty or authority under this Act or a by-law passed under it or for any alleged neglect or default in the performance in good faith of the duty or authority.* 2001, c. 25, s. 448 (1).

Council, may I reiterate, that you can not be liable for a decision you make this evening or any other time as long as it is done in good faith. In past history, council and/or staff have had issues brought to them where the talk, or possibly even a threat of legal action could put their personal property in jeopardy. As long as you, the Councillors of The Township of Wilmot, are acting in good faith, you are immune to any actions or proceedings against you while you are acting as a councillor. Please put this part of the Municipal Act in the forefront when making your decision. This decision is not just something that is decided upon and then life continues as normal and mostly unencumbered, this decision will affect many Wilmot residents, and possibly beyond, for many generations to follow either positively, or very, very negatively. This resulting affect rests squarely upon your shoulders and is entirely up to you in this important decision that you make. Please do the right thing!