

GREEN LANE LANDFILL PUBLIC LIAISON COMMITTEE (LPLC)

Terms of Reference (January 27, 1999)

BACKGROUND

Establishment of a Landfill Public Liaison Committee (LPLC)

On August 13, 1998 the Minister of the Environment issued an Approval under the *Environmental Protection Act* for the long term expansion of the Green Lane Landfill Site. One of the conditions related to the establishment of a Landfill Public Liaison committee (LPLC). The LPLC is to serve as a focal point for dissemination, review and exchange of information and monitoring results relevant to the operation of the landfill site. In addition the approval stated that the terms of reference for the committee shall include a number of representatives from various municipalities; a representative from Southwold Against Dumping (SAD); and a representative from the Oneida First Nation as well as one or more neighbours of the site.

Approval of Terms of Reference

Terms of Reference for the LPLC must be approved by the Ministry of the Environment's Regional Director. The Regional Director may amend the Terms of Reference, including the composition of the LPLC, before approving them and may amend them from time to time. When approved or amended and approved, the Terms of Reference shall be filed with the Public Record by sending a copy to the Director of the Ministry's Environmental Assessment Branch.

Administrative Costs of Establishing and Operating the LPLC

Green Lane has to provide for the administrative costs of establishing and operating the LPLC including the cost of meeting places and clerical services. These costs may be paid by the Green Lane Community Trust Fund, as outlined in the agreement between The Corporation of the Township of Southwold and Green Lane dated August 17, 1997 and as provided for in the Certificate of Approval. In the event that the Green Lane Community Trust Fund is not operational, Green Lane shall make alternative arrangements to provide for the costs, as approved by the Regional Director.

NAME OF COMMITTEE:

The committee will be called "Green Lane Landfill Public Liaison Committee"

MEMBERSHIP

Composition of the Committee

The LPLC will be composed of:

- (a) one member appointed by the Owner;
- (b) one member appointed by the Township of Southwold
- (c) one member appointed by the City of St. Thomas;
- (d) one member appointed by the County of Elgin
- (e) one member appointed by the Township of Middlesex Centre;
- (f) one, non-voting member appointed by the Ministry of the Environment;
- (g) one member appointed by the Southwold Against Dumping Inc. (SAD);
- (h) one member appointed by the Oneida First Nation;
- (i) Glen Williams so long as he has a permanent residence or owns property abutting the site and, if he is unwilling or unable to sit as a member, then Wilma Williams so long as she has a permanent residence or owns property abutting the site;
- (j) up to three (3) members who resides within two (2) km. of the perimeter of the site and are not employed by the site owner or the owners affiliated companies
- (k) a non-voting independent chair of the LPLC to be elected.
- (l) a non-voting independent secretary of the LPLC to be elected.

Term of Office

Appointed Members:

Except for the Chair and Secretary, each person who is appointed as a member of the LPLC shall do so for the term of two calendar years. The appointment of LPLC members shall be made every two years and shall be filed with the Regional Director. A copy of the appointment filed with the Regional Director shall also be given to the secretary of the LPLC and to

Green Lane. The appointment must also be accompanied by the consent of the person appointed agreeing to serve as a member of the LPLC during the Term for which the appointment is made. In the event that the organization or the municipality wishes to change its appointed member within the two year term, notification must be sent to the Regional Director of the Ministry and copies sent to the secretary and Green Lane. The organization or municipality can designate alternates to attend the meeting if the appointed person is unable to attend. Wilma Williams will be considered the alternate to Glen Williams.

Members of the public not representing an organization or municipal body:

Upon the approval of the Ministry, the following section of text (specific to Public and Future Public Members only) has replaced the text of the previous Terms of Reference dated January 27, 1999.

Public Members:

The present committee shall continue as it is now constituted until January 1, 2002, and present members of the public, by virtue of their regular attendance and expressed willingness, shall be allowed to continue in their roles;

Future Public Members:

In September 2001, notices will be sent to residents living within 2 km of the landfill notifying them that public chairs will be declared vacant on January 1, 2002, and requesting their interest in participating on the committee;

The committee as a whole will elect public representatives from the names put forth.

Chair

LPLC meetings will be chaired by the independent chairperson retained by the former committee until April 1, 2001. Thereafter, the chair shall be elected by the LPLC for a term of three calendar years. The chair shall be a person who is independent of the interests of the stakeholders or the owner of the site and who is qualified for the position and shall be elected on a motion approved by a majority of the voting LPLC members present and approved by the Regional Director. The chair will remain until the new chairperson is approved by the Regional Director. The transitional chair may continue as the chair of the LPLC if the person is willing and if elected by the LPLC as provided in this paragraph. In the event that the LPLC cannot come to an agreement on the election of the Chair, the Regional Director will elect a Chair.

Secretary

The LPLC secretary will be the independent secretary retained by the former committee until April 1, 2001. Thereafter, the secretary shall be elected by the LPLC for a term of three calendar years. The secretary shall be a person who is independent of the interests of the stakeholders or the owner of the site and who is qualified for the position and shall be elected on a motion approved by a majority of the voting LPLC members present and approved by the Regional Director. The secretary will remain until the new secretary is approved by the Regional Director. The transitional secretary may continue as the secretary of the LPLC if the person is willing and is appointed by the PLC as provided in this paragraph. In the event that the LPLC cannot come to an agreement on the election of the secretary, the Regional Director will elect the secretary.

FREQUENCY AND NOTICE OF MEETINGS

Meetings of the LPLC will be held at least once every three (3) months except on motion approved by two-thirds ($\frac{2}{3}$) of the voting members present. A notice of every meeting shall be sent out at least two weeks prior to the meeting. The following provisions apply to the giving of notice of the meetings:

- (1) the notice will include an invitation to attend the meeting;

- (2) the notice will be published in a newspaper having general circulation in the vicinity of the site; and
- (3) the notice will be mailed to property owners and tenants within two (2) kilometres of the site.

CONDUCT OF THE MEETINGS

The following provisions shall apply to the conduct of the business and affairs of the LPLC:

- (1) A quorum will consist of six (6) voting members;
- (2) Part of each meeting will be set aside for submissions or questions from members of the public in attendance. Written presentations by delegations, if any, must be submitted to the secretary at least one (1) week in advance to be considered at the next meeting;
- (3) Respect and courtesy will be observed by all members at all times during the meetings. Debate will be confined to the agenda and those matters that are within the mandate of the PLC.
- (4) If a member of the committee or the public are disruptive at the meeting, the Chair has the authority to have the person removed from the meeting.

MANDATE

The LPLC shall serve as a focal point for the dissemination, review and exchange of information and monitoring results relevant to the operation of the site under the Certificate of Approval.

The LPLC shall not exercise any supervisory, regulatory or approval functions in connection with the site or its operation.

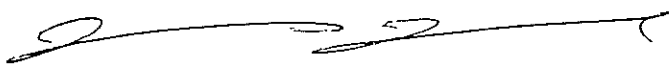
The LPLC's responsibilities will include:

- (1) hearing deputations from any member of the public in relation to site operations;
- (2) reviewing all technical reports related to the operation of the site;
- (3) making recommendations to the Regional Director about matters pertaining to the site;

- (4) acting as a liaison for the public with the Ministry and the owner of the site;
- (5) as appropriate, arranging for work by a consultant to undertake a peer review of reports regarding the site that are filed with the Ministry.
- (6) making recommendations for procedures for hearing and promptly acting upon public complaints or concerns about the site;
- (7) publishing a brief newsletter to report upon the PLC's activities and about site operations;
- (8) recording the minutes of PLC meetings; and
- (9) review the Annual Report submitted by the Owner of the site.

ADMINISTRATIVE COSTS FOR THE OPERATION OF THE COMMITTEE

The owner of the site shall provide for the administrative costs of operating the LPLC including the cost of the meeting place, clerical services including advertisement of meetings, services of an independent chair and secretary retained by the LPLC and, as appropriate, the cost of the consultant to conduct a peer review. These costs will be paid by the Green Lane Community Trust Fund. If the Green Lane Community Trust Fund is not operational, the owner of the site shall make alternate arrangements to provide for the costs, as approved by the Regional Director.

Approved by: 

Date: January 28, 1999

greenlane LPLC

The following Selection Process for Public Members has replaced the text re Public and Future Public Members (Page 3), LPLC Terms of Reference, as at January 11, 2002.

SELECTION PROCESS FOR PUBLIC MEMBERS GREEN LANE LANDFILL PUBLIC LIAISON COMMITTEE

1. That the Landfill Public Liaison Committee retain a minimum of three (3) and a maximum of four (4) public members;
2. Advertising in appropriate venues and written notice to all residents living within 2 km will be done four (4) months prior to the change of committee members;
3. This process will be open to current members as well;
4. To retain continuity on the committee, the selection process will occur each year. The duration of the term will be for two years;
5. First preference will be given to prospective committee members who reside and own premises within the 2 km radius of the landfill. If public representation cannot be found within the 2 km radius, then participation of qualified public persons from an extended boundary of up to a 5 km radius will be considered;
6. Residents who wish to be part of the public representation of this committee will submit, in writing, their expression of interest and their willingness to sit on the Committee for a two-year term;
7. If more than four (4) persons express interest in becoming public members, they will be asked to attend two meetings prior to the selection process;
8. Following the second meeting, the full committee, in a closed door session, will make a selection in a secret ballot vote;
9. The absence at two meetings without extenuating circumstances may result in a member being asked to resign.