Dear [Name],

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: MAE/14/2018]

On February 13, 2018, the Department of Municipal Affairs and Environment received your request for access to the following records/information:

"I am requesting information relating to the public water services in regards to the current LSD of Smith Sound and/or previously named LSD of Harcourt, Gin Cove, Monroe and Waterville. This information should include information from the LSD chair to the department regarding grants/boils orders/water issues ...etc."

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Municipal Affairs and Environment to provide access to some of the requested information.

However, some of the information contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act, 2015 (the Act):

"35(1): The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose
(b) financial, commercial, scientific or technical information that belongs to a public body or to the government of the province and that has, or is reasonably likely to have, monetary value.

40(1): The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy."

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed. Please note that the following pages are removed as they are fully redacted in accordance with the Act as listed below:

- Pages 41-42 are redacted due to section 40.1

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as
set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72-hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 709-729-7183 or by e-mail at lisas@gov.nl.ca.

Sincerely,

[Signature]

LISA SULLIVAN
ATIPP Coordinator
Enclosures
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).
RECEIVED
OCT 30 1973
Dept. Municipal Affairs & Housing

Oct. 28th 1973
Box 305, R.R. # 2,
Clarenville, Nfld.

Water Services Division:

Dear Mr. Loder:

Thank you for your letter October 25, concerning my request for running water system.

You referred to [REDACTED] in Clarenville where they have a Town Council.

Please note that [REDACTED] is approximately eleven miles away from Clarenville, and do not have any type of Municipal, Town Council. Therefore we are in no position to receive any assistance you can give.

Hoping to hear from you as soon as possible.

Thanking you.
<table>
<thead>
<tr>
<th>Previous Projects</th>
<th># of Serv.</th>
<th>Total Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1979-80 well drilling (2) dry</td>
<td></td>
<td>(7,960.00)</td>
</tr>
<tr>
<td>1979-80 well drilling low yield</td>
<td></td>
<td>6,550.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>14,510.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Work Remaining</th>
<th># of Serv.</th>
<th>Estim. Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Request 1983/84</th>
<th># of Serv.</th>
<th>Estim. Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Carry over 1982/83</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) New Domestic water system</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No request</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Engineering Studies</th>
<th>investigation by department personnel 1978-79</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Design Stage</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Remarks &amp; Recommendations:</th>
<th></th>
</tr>
</thead>
</table>

Three wells drilled in 1979 with no appreciable yield.

A small stream which runs through community was found to be unreliable as a year round source.

Current request (82-05-05) through Federal MP's office on behalf of small group of residents, no formal request from recognized committee.

Location of adequate source is a problem.
Mr. Edward Walters,
Chairman,
Water Supply & Sewage Disposal Committee,
Harcourt, T.B.,
Newfoundland.

Dear Sirs:

In order for our technical staff to properly assess requests for funding for water and sewer projects under our Community Water Services Program for 1984/85 it will be necessary for requests to be received at this office by December 1, 1983. If you have a project that will require funding in 1984 please send it to the undersigned as soon as possible.

Please remember that old requests must be resubmitted if they are to be reconsidered for the coming fiscal year.

Yours truly,

ROBERT C. NEWHOOK, P. ENG.,
Special Projects Engineer.
Mr. R. C. Martin  
Special Project Engineer  
Dept. of Municipal Affairs  
and Housing  
Confederation Bldg.  
St. John's

Dear sir:

The residents of the community of Harcourt Nfld., hereby make application to the Government of Nfld. and Lab. for the government to send out an inspector to inspect the water in a pond known as Duck Pond and if found satisfactory to have a survey carried out to estimate the cost of installing a water system for the above said community.

In the year 1978-79 three holes were drilled and found to be insufficient for to supply the community. We still wish to have a water supply system and feel that the Duck Pond would be a good source.

Yours truly,

Lloyd Hyde  
Secretary  
Harcourt Water and Sewer Committee
Mr. Lloyd Hyde,
Secretary,
Water Supply & Sewage Disposal Committee,
Harcourt, Trinity Bay,
Newfoundland.

Dear Sir:

We acknowledge receipt of your letter dated November 27, 1983 wherein you request, on behalf of the Water Supply & Sewage Disposal Committee of Harcourt, an investigation into the feasibility of supplying the domestic water requirements of the community from Duck Pond.

Shortly after the incorporation of this committee in 1978-79, three deep wells were drilled in Harcourt in an attempt to locate a reliable water supply, without success. Subsequent investigation of possible surface water supplies, including Duck Pond, was carried out in 1980 by an engineering technician from this Department. It was concluded that no adequate source was available within close proximity which would permit the practical installation of a community water distribution system. In the case of Duck Pond, soundings were taken through the ice at various locations which showed less than one meter of water at any point in the pond, and because of the locatia and surrounding topography, the installation of a dam to impound additional water would not be satisfactory.

While the probability of providing a domestic water system in Harcourt through the limited Community Water Services Program remains unlikely, your request will be submitted for further consideration for an engineering study in the coming fiscal year.

Yours truly,

R. G. DILLON, P. ENG.,
Regional Engineer.
Local Service District Committee
of Harcourt - Monroe - Waterville
R.R. #2
Harcourt, NF
A0E 1J0

Dear Sirs:

Please be advised that the deadline for requests for funding under the Department's Community Water Services Program is February 2, 1990.

Yours truly,

R.G. Dillon, P. ENG.
REGIONAL ENGINEER
EASTERN REGIONAL OFFICE
RDG/slc
December 3, 1990

Mr. Randy Pelley, Chairman
Local Service District Committee
of Harcourt-Monroe-Waterville
R. R. #2
Harcourt, NF
A0E 1J0

Dear Sir:

This will advise that the deadline for submission of requests for funding under the Department's 1991 Community Water Services Program is December 31, 1990.

If you have not already done so, please submit your request to the attention of the undersigned before the above date.

Yours truly,

[Signature]
R. G. Dillon, P. Eng.
Regional Engineer
Eastern Regional Office

RGD/erb.
Mr. Keith Warren  
Eastern Regional Manager  
Dept. of Municipal Affairs  
Confederation Bldg.  
St. John's, Nfld.

Dear Mr. Warren

We are writing to request government assistance in acquiring a water system for the towns of Harcourt, Monroe and Gin Cove.

These towns have been suffering from an inadequate water supply for years. We have a number of residents who have to tote water from a brook outside the community. This situation is brought on by a lack of water in the summer time and salt contamination in the winter time.

Our water problems have been compounded by run off from a local farm. Fifteen households are affected by bacterial contamination generated by chemicals and fertilizer used in this farming operation.

A few years ago government drilled three artesian wells in the town of Harcourt. There was not sufficient water flow to meet the needs of the people and the problem identified, then, is even more evident today.
We would appreciate it if some one from your department would visit our communities, in the near future, to discuss this situation.

Your co-operation would be greatly appreciated.

Sincerely

Randy Pelley
Chairperson
Harcourt/ Monroe
Local Service District

copy
Doug Oldford MHA
Hon. William Hogan
Minister
Dept of Municipal Affairs
Harcourt-Monroe-Waterville Local
Service District

c/o Mr. Randy Pelley, Chairman
R.R. #1
Clareville, NF
A0E 1J0

April 7, 1992

Dear Mr. Pelley:

This will acknowledge your request to install a water system in your community under the Department's 1992 Community Water Services Program.

This program will not be finalized until sometime in the new fiscal year at which time you will be notified accordingly of the status of your request.

Yours truly,

R. G. DILLON, P. ENG.
Regional Engineer

RGD/co’f

cc: Mr. Doug Oldford, M.H.A.
cc: Mr. R. Newhook, P. Eng.
cc: Mr. R. Martin
cc: CWSP Pending File
Dear Minister:

I am writing to express a concern I have with an incident within the last year or so.

Last summer I met with the members of the Local Service District of Harcourt and Monroe to discuss the lack of drinking water in the community. Subsequently, I brought their concerns to the Department of Municipal Affairs and was advised that there was no funding available to provide artesian wells in the community.

Much to my dismay, later in the summer the Department of Social Services engaged a well drilling company to dig an artesian well for one resident of the community. This residence was surrounded by 14 homes who did not have a safe supply of drinking water.

While this incident occurred before you became Minister, I would appreciate it if you would instruct your officials to further co-ordinate their efforts with other departments so that maximum benefits can be gained from their activities.

Thanking you in advance for your consideration of this matter.

Sincerely yours,

DOUG OLDFORD, M.H.A.
Trinity North District

cc.
Hon. William Hogan
Minister of Municipal & Provincial Affairs
Harcourt-Monroe-Waterville Local Service District  
c/o Mr. Randy Pelley  
Box 318, R.R. #2  
Clarenville, NF  
AOE 1JO

Dear Sirs:

Re: 1992 Community Water Services Program

I regret to advise your committee that your request for funds in this year's Community Water Services Program was not approved.

Requests this year totalled approximately $9.4 million and our program funding was far less than the amount requested. Therefore we were not able to approve all the requests that we received.

If you have any questions about our Community Water Services Program please direct them to the Regional Manager in our Regional Office in your area.

Sincerely yours,

THOMAS P. BERESFORD, P. ENG.,  
Engineer IV,  
Municipal Engineering Services Division.

cc: Eastern Regional Office

/ms
Dear Sir,

The Local Service District of Harcourt, Gin Cove, Monroe and Waterville would like to make a request to Municipal Affairs for Funding to install a Water Supply System in this area.

We feel that our request should get your immediate attention based on the fact that the Local Private owned Water Supply that approx. 15 to 20 Families have been using is now contaminated. We feel that this a very serious Health hazard. In the past this same Water Supply was never found to be off-taste, off-color or Smell like it has with-in the past couple of years. We feel that this is a direct result of a Dairy Farm which is clearing Pasture Land and spreading Manure with-in the immediate Area. Even though this Farm is following guidelines provided by the Dept. of Environment And Lands, the seepage of Manure is still finding its way into the Wells, Streames and Brooks. If the clearing of Land for Pasture is continued there will be more Wells contaminated.

We cannot stress the Urgency of your immediate Attention on this matter. If you have any questions feel free to call me any time at

co; Mr. Doug Oldford M.H.A.

Yours Truly,

[Signature]

Randy Pelley
Chairman L.S.D.
November 3, 1994

Department of Environment & Lands
Water Resources Division
West Block, Confederation Building
St. John's, NF
A1B 4J6

ATTENTION: MR. MARTIN GOEBEL

Dear Mr. Goebel:

I am writing as a follow-up to our telephone conversation of November 2, 1994 wherein I advised you of the very serious situation that exist in Harcourt, Trinity Bay. Twelve families in the community have had their water supply contaminated by run-off from a local farm.

It appears that the contamination was caused because of the treatment of manure applied to the grasslands, recently, has seeped into the water table due to heavy rains over the past couple of days.

I am told that the odour from the drinking water is such that residents have to avoid flushing their toilets.

I can not over emphasize the importance of, and indeed the urgency of, this matter and I ask that your department take immediate steps to remedy the situation.

Sincerely,

DOUG OLD福特, M.H.A.
TRINITY NORTH

psc

Copy: Mr. Keith Warren
Honourable Kevin Alyward, Minister
Honourable Arthur Reid, Minister
MEMO TO: Mr. Doug Oldford, M.H.A.
Trinity North

FROM: A. Guy Perry
Regional Environment Supervisor

DATE: November 7, 1994

SUBJECT: Kitchener Pelley's Dairy Operation - Harcourt.

Since 1989 there have been several reported incidents of contaminated drinking water in the community of Harcourt. All of these reports involved the same drinking water supply (a small stream) which is the source of a controversy again this week and it is directly affecting approximately 15 families.

The matter to which I refer is a drinking water supply located in close proximity to Mr. Kitchener Pelley's dairy farm. Subsequent to having received a complaint regarding the contamination of this water supply, an investigation was carried out. The complaint, Mr. Hyde of Harcourt, dropped in with a small bottle of discoloured water on November 2, 1994, which he claimed came from his drinking water supply.

I visited the farm on November 3, 1994, and according to the farmer, Mr. Pelley, he began spreading manure on his hay fields early last week. Shortly after he had begun to spread manure the area experienced a period of heavy rainfall. As a result, runoff from the fields ended up in the small stream which flows through the centre of Mr. Pelley's fields. Due to the topography of the fields (i.e., steep slopes along both sides of the stream), it is virtually impossible for Mr. Pelley to maintain ample buffer to ensure adequate water quality in this stream. As this is not an approved public water supply Mr. Pelley is required to maintain a 50m buffer between it and his manure spread on his fields. The source supplying this stream is primarily surface runoff from the farmland. The surface water system referred to is comprised of a corrugated culvert which has been placed in the stream on its end with holes drilled in the base to allow water to flow through. Apart from this there is a wetland area near the headwaters. No form of chlorination system has been added, and the water supply is considered unsanitary.

The water quality in the stream cannot be maintained as there could be daily and seasonal
Fluctuations in quality which could be attributed to _____ causes aside from the farm, which is undoubtedly a contributing factor. We support any effort by the residents or the Local Service District on their behalf in trying to obtain an alternate water supply as this is the only satisfactory resolution to this problem.

Gny Perry,
Regional Environment Supervisor
Memorandum to: Mr. R.G. Dillon

From: Rick Martin

Re: Harcourt (Investigate contamination of private drinking water supply).

Particulars: As per your request I visited the community of Harcourt to investigate problems of contamination of a private water supply.

My first visit on Nov.17/94, I met with Mr. Randy Pelly, Chairman of the L.S.D. Committee.

We looked at the wells that are installed on Broad Cove Brook that supply 20 families with drinking water in that area. Because it was so late in the evening and after dark I explained to Randy that I would have to complete my investigation on my next visit to the area and that at that time I would have the mapping of the area.

On Nov.18/94, I met with Mr. Guy Perrie, of the Dept. of Envir. & Lands at his Clarenville office and we discussed the problem at Harcourt with the runoff from a Dairy Farm that was entering a stream that services 20 homes with a Water Supply.

At the meeting I was informed by Mr. Perrie that his Dept. was aware of the problem but, the farmer is following the guidelines laid down by his Dept. and that at the time the permit was issued there was no records showing that this Brook was used as a water supply. He also informed me that this is a seasonal problem that occurs when Farmer spreads the manure over his fields, and that the last time this was done there was a heavy rainfall and washed a considerable amount of the manure into this Brook.

My second visit on Nov.21/94 I met with Mr. Pelly and made drawings showing the homes that use Broad Brook, as a drinking water supply.

Mr. Pelly informed and have being using this Brook for a water supply all of before also used it.

Date 94 11 28

Rick Martin E.T.III.
Mr. Lloyd Hyde  
Clareville, NF  
A0E 1J0

Dear Mr. Hyde:

Thank you for your recent letter indicating your concerns with the quality of your drinking water, which is obtained from a local stream.

The investigation and water sampling carried out by my officials in November confirms that the water quality in the stream is not suitable for drinking. While it appears that manure spreading on the nearby farm has contributed to the poor water quality, the sampling also indicated that other pollutant sources must be contributing to the problem - possibly effluent from domestic sewage systems in the area.

The farm operation was given environmental approval on referral from Agriculture in 1984. The normal conditions and restrictions regarding the buffer zone and the spreading of manure were incorporated into our approval. Notwithstanding this, there have been a number of instances of contamination, as you know, dating back to around 1989. Our files indicate on-going contact with a local dairy farmer regarding these incidents and we will continue to insist that proper manure spreading practices be followed.

Mr. Hyde, as noted above, and irrespective of the farming operation, this stream was determined some time ago to not be a suitable source for drinking water. In 1990 the Local Service District was written to this effect and advised to seek assistance from...
the Dept. of Municipal & Provincial Affairs for the construction of an alternate supply. I understand this contact has recently been made and the Department of Municipal & Provincial Affairs will be responding to the Local Service District shortly. Hopefully an alternate safe supply can be developed and made available.

In the meantime residents are advised to boil or chlorinate the water from this stream before drinking, as was previously recommended by the Department of Health.

Yours sincerely,

KEVIN AYLWARD
Minister

copy to: Hon. Clyde K. Wells
Premier

Mr. Fred Mifflin, MP
House of Commons
Ottawa, Ontario
K1A 0A6

Hon. Dr. B. Hulan, Minister
Dept. of Fisheries, Food & Agriculture

Hon. Art Reid, Minister
Dept. of Municipal & Provincial Affairs

Mr. Doug Oldford, MHA
Trinity North
House of Assembly

Mr. R. Pelley, President
Local Service District of Harcourt
Local Service District of
Harcourt-Monroe-Waterville
P.O. Box 5957
Clarenville, NF
AOE 1JO

Attn: Mr. Randy Pelley, Chairman

Re: 1995/96 Community Water Services Program

Dear Sir:

I acknowledge your letter of October 13, 1994 and a letter of December 8, 1994 from the Honourable Kevin Aylward, Minister of Environment regarding problems with drinking water obtained from a stream in your community.

By copy of this letter, I request Mr. Keith Warren, Eastern Regional Manager, to have your request for a new water system investigated.

Please be assured that your request will receive every consideration for funding through the 1995/96 Community Water Services Program. Your committee will be advised of the status of your request when the program is announced later this year.

Sincerely yours,

ARTHUR D. REID, M.H.A.,
Carbonear District,
Minister of Municipal & Provincial Affairs.

cc: Mr. D. Oldford, M.H.A.
cc: Mr. K. Warren, Regional Manager
cc: Mr. T. Beresford, P. Eng.

/ms
March 14, 1995

Mr. Lloyd Hyde
Spokesperson for Residents
of Harcourt
Clarenville, NF
A0E 1J0

Dear Mr. Hyde:

Thank you for your letter of February 1, 1995, wherein you described the situation faced by yourself and other long-time residents of Harcourt as a consequence of the contamination of your source of potable water. I respect and appreciate the patience and tolerance that you have shown in this matter.

As indicated by Honourable Arthur Reid, Minister of Municipal and Provincial Affairs, in his letter of February 8, 1995, (copy attached), your request for a safe and adequate alternative source of water supply will be given priority consideration for funding during 1995-96.

I trust you will find this satisfactory.

Sincerely,

[Signature]

cc  Honourable Arthur D. Reid
    Min. of Municipal & Prov. Affairs

Hon. Kevin Aylward
Minister of Environment

Mr. Randy Pelley, Chairman
Local Service District

Enclosure
Harcourt-Monroe Local Service
District
c/o Mr. Randy Pelley, Chairman
R.R. #2
Harcourt, NF
A0E 1J0

Dear Mr. Pelley:

During a recent investigation of possible domestic water supply sources for your Community by this Department, a water sample was taken at one of the homes utilizing a small stream located between K. Pelley’s farm and the community center/firehall.

The chemical analysis (copy attached) indicates "elevated levels" of nitrates, phosphorous and ammonia which suggests possible contamination from farming activities and/or septic waste. The users of this source should be advised of these results and urged to abandon its use for domestic consumption unless adequately treated to remove contaminants.

By copy of this correspondence, the Department of Health in Clarenville are being made aware of the situation as it existed in the latter part of March of this year.

Yours truly,

N. C. PARSONS, P. ENG.
Municipal Engineering Services

/cs
Encl.

cc: Ms. Gwen Elliott
cc: Mr. R. Dillon, P. Eng.
cc: Mr. R. Martin
Harcourt-Monroe-Waterville Local Service District  
R.R. #2  
Harcourt, NF  
AOE 1JO  

Attn: Mr. Randy Pelley, Chairman  

Dear Mr. Pelley:  

Re: 1995/96 Community Water Services Program  

I am pleased to advise your Committee that $13,000 has been approved in our Community Water Services Program for the drilling and testing of a well for 20 homes.  

Please liaise with our Regional Engineer, Mr. Randy Dillon, P. Eng., in our Eastern Regional Office, for details on the amount of contribution required from your committee towards the cost of your project. Mr. Dillon will also arrange for one of his staff to assist you in the implementation of your project.  

Mr. Dillon may be contacted at the Department of Municipal & Provincial Affairs, Eastern Regional Office, P.O. Box 8700, St. John's, NF. A1B 4J6. His telephone number is 729-5334.  

Sincerely yours,  

ARTHUR D. REID, M.H.A.  
Carbonear District,  
Minister of Municipal & Provincial Affairs.  

cc: Mr. Doug Oldford, M.H.A.  
cc: Mr. K. Warren, Regional Manager  
cc: Mr. R. Dillon, P. Eng.  
cc: Mr. T. Beresford, P. Eng.  
cc: Mr. J. O'Leary  

/ms
March 25, 1996

Mrs. Daisy Diamond  
Chairperson  
Harcourt/Monroe/Waterville  
Local Service District  
Harcourt, NF  
A0E 1J0

Dear Ms. Diamond:

I am writing to update the L.S.D. on a meeting held today Monday, March 25, 1996 with officials of the Department of Municipal & Provincial Affairs and the Department of Environment. The purpose of the meeting was to update officials on the progress being made on securing a water system for Harcourt.

You are aware that attempts at drilling an artesian well did not give the required quantity or quality of water necessary to supply the affected families.

The management staff at Municipal Affairs have asked the technical and engineering staff to investigate the possibility of digging shallow wells in the western part of Harcourt. They will also be looking at the area around and across from the Community Centre to test the quantity and quality of water in that area. A third source of water that will be looked at is Dalton’s Brook. It is felt that Dalton’s Brook, because of the distance from Harcourt, would be a future source to service Foster Point and the Eastern end of Harcourt.
Page 2
March 25, 1996
Ms. Daisy Diamond, Chairperson
Harcourt/Monroe/Waterville L.S.D.

The officials assure me that the investigation of the water supply will be carried out as soon as is possible.

I will keep you updated on the progress being made.

Sincerely,

DOUG OLDFORD, M.H.A.
TRINITY NORTH

psc

Copy: Honourable Art Reid, Minister
Keith Warren, M&P Affairs
Honourable Kevin Alyward, Minister
Keith Guzzwell, Environment
Wasi Ullah, Environment
Government Service Centre, Clarenville
Local Service District Committee of Harcourt, Monroe, Waterville
P. O. Box 5957
Clareville, NF
AOE 1JO

Attn: Ms. Daisy Diamond, Chairperson

Dear Ms. Diamond:

Re: Water Supply Problems

This will acknowledge your letter dated February 28 addressed to the Minister of Municipal & Provincial Affairs advising him of problems that some of your homeowners are experiencing with their water supply as well as the problem your Committee has had dealing with a local dairy farmer whose operation you suspect of polluting the water.

I have referred your letter to Mr. Keith Warren, Regional Manager, in our Eastern Regional Office with instructions to liaise with the Departments of Health and of Environment & Labour on this matter.

If you have any further questions on this matter you may contact Mr. Warren at 729-3700.

Sincerely yours,

A. R. COLBOURNE
Assistant Deputy Minister
Municipal Support Services

cc: Mr. K. Warren
cc: Mr. K. Dominie, Dept of Environment & Labour
cc: Mr. R. Coates, Dept. of Health

/P. Box 8700, Confederation Building (West), St. John's, Newfoundland, Canada. A1B 4J6, Facsimile 729-2609
To the Minister of Agriculture
Confederation Bldg.
St. John's, N.F.

April 16, 1996

Dear Sir,

Would you be kind enough to supply us, the Local Service District of Harcourt, the information relating to the Local Dairy Farm within the Community of Harcourt as to when the permit was received for the Farmer (Kitchiner family) for the upgrading from a Vegetable Farm to Dairy Farm.

Also we would like a copy of the inspection by Environment Canada to give the 'go ahead' with this Dairy Farm.

Thank you.

Darcy Diamond (Chairman)

RECEIVED
JUN 10 1996
A.D.M.'s Office
(G.S.L.)
May 10, 1996

Ms. Daisy Diamond
Chairperson
The Local Service District of
Harcourt-Monroe-Gin Cove-Waterville
P.O. Box 5957
Clarenville, NF
A0E 1J0

Dear Ms. Diamond:

In response to your letter of April 16, 1996, Mr. Kitchener Pelley was given approval to operate a dairy farm at Harcourt in 1984. In regards to your request for a copy of the inspection by Environment Canada, the review process was a provincial matter and, therefore, would have been handled by the provincial Department of Environment.

At present, the Department of Government Services and Lands is responsible for environmental permits. I have forwarded a copy of your letter to the Honourable Ernest McLean, Minister of the Department of Government Services and Lands who will consider your request for information concerning inspections related to the issuance of a permit to Mr. Pelley.

If I can be of any further assistance, please contact my office.

Sincerely yours,

Beaton Tulk

Beaton Tulk
Minister

cc: Honourable Ernest McLean
Minister
Department of Government Services and Lands
Ms. Daisy Diamond  
Chairperson  
Local Service District  
Harcourt/Monroe/Waterville  
Harcourt, Newfoundland  
A0E 1J0

Dear Ms. Diamond:

I refer to correspondence dated May 10, 1996 from Mr. Beaton Tulk, Minister, Forest Resources and Agrifoods concerning approval in 1984 of a dairy farm at Harcourt.

Our records indicate that there was an environmental approval given in 1984, AA83-111970. The approval stipulated that:

- manure should not be stored or spread within 90 metres of any well or public water supply or within 30 metres of any water course/water body
- manure should not be spread on snow covered and/or frozen ground and must be contained to restrict all runoff from the manure storage area, and it further stated that
- when weather conditions permitted, the manure was to be removed on a regular basis for spreading on agriculture land

I trust this information is satisfactory.

Yours truly,

Ernest McLean, M.H.A.  
Lake Melville District  
Minister

P.O. Box 8700, St. John's, Newfoundland, Canada, A1B 4J6, Telephone (709) 729-4713, Facsimile (709) 729-4754
THE LOCAL SERVICE DISTRICT OF
HARCOURT-MONROE-GIN COVE-WATERVILLE
P.O. Box 5957 Clareville, Newfoundland, A1J 1J0

R. ARTHUR COLBOURNE
Deputy Minister
Dept. of P. Environment
St. John's N.F.

Dear Sir,

on behalf of approximately 100 people residing in our Local Service District, is deeply concerned about the ongoing problem of our polluted drinking water due to the local dairy farm granted within our Community Boundaries.

While some approval might have been taken with respect to limited data of spreading manure near our drinking water source, this does not make our drinking water safe for consumption.

Many families are still inconveniently going to neighbors' homes with containers to get clean drinking water. Since this is an ongoing matter since 1958 or earlier Community Patience is becoming strained and for that our request for either an alternate drinking water supply or complete clean up of our present water supply should be attended to before colder weather sets in thus making progress in this respect impossible.

We realize that Government Funding is limited but our Community should be considered an Emergency and immediate action taken on our behalf.

If circumstances were more every day knowing that our tax money is being sent to 3rd world countries in order to provide pure drinking water for less fortunate individuals while our Government continues to let our own environment & tax paying people go unattended.

We are very hesitant in soliciting public opinion in this
Respect that if no response is granted in our favour in near future it leaves us with no other alternative but to approach the News media, open air bins & television.

We trust this will not be necessary and is seeking your help as soon as possible.

Thank you

Darcy Diamond (Chairman)
GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of
Municipal and Provincial Affairs

F.C. 96-09

August 23, 1996

Local Service District of
Harcourt-Monroe-Gin Cove-Waterville
P.O. Box 5957, Clareville
NF AOE 1JO

Dear Mayor & Councillors:

At a recent meeting the Finance Committee approved a grant in the amount of up to $50,000 for the Local Service District of Harcourt-Monroe-Gin Cove-Waterville. The purpose of this grant is to upgrade the water system within the Local Service District.

The Eastern Regional Office will monitor the work and progress payments for work carried out under this project. An advance of $10,000 will be made available to the Local Service District when work is commenced on this project.

Yours truly,

D. PORTER
Secretary
Finance Committee

c.c. Eastern Regional Office
Mr. Arthur Reid  
Minister of Municipal Affairs  
Confederation Building  
St. John's.

Dear Mr. Reid,

Re a water project, for some 24 families in the community of Harcourt, started in January and not completed. Tenders that were supposed to be called before the end of March but weren't, resulted in the money not used for the project was returned to the treasury.

We therefore do request that additional funding be provided and the project completed S.S.A.P., so that the families concerned have suitable drinking water before the farm that caused the contamination began to spread cows wasteage on the fields, causing the same to come out of their taps again.

Yours truly,

Lloyd Hyde  
Water Project  
Chairman

C.C. Hon. Doug Oldford  
Mr. Keith Warren
July 14, 1997

Local Service District of Harcourt-Monroe-Waterville
P.O. Box 5957
Clarenville, NF
A0E 1J0

Dear Chairperson:

I am pleased to advise you that the Department of Municipal & Provincial Affairs has approved funding in the amount of $55,000 to complete your water supply system.

With the reduction of the G.S.T. rebate, which you are hereby given approval to utilize as part of the project, the actual funding provided will be $53,086.

Due to the nature of the remaining work, this project is to be undertaken through the process of a Public Tender Call.

Payments for this project will be made upon submission of invoices to the Eastern Regional Office.

Yours sincerely,

ARTHUR D. REID, M.H.A.
Carbonar District
Minister of Municipal & Provincial Affairs

c.c. Mr. Doug Oldford, M.H.A.
c.c. Mr. Robert Newhook, P. Eng.
c.c. Eastern Regional Office
July 14, 1997

Local Service District of Harcourt-Monroe-Waterville
P.O. Box 5957
Clareville, NF
A0E 1J0

Dear Chairperson:

I am pleased to advise you that the Department of Municipal & Provincial Affairs has approved funding in the amount of $4,000 to assist in the clean up of an old dump site. With the reduction of the G.S.T. rebate, which you are hereby given approval to utilize as part of the project, the actual funding provided will be $3,861.

Payments for this project will be made upon submission of invoices to the Eastern Regional Office.

Yours sincerely,

ARTHUR D. REID, M.H.A.
Carbonar District
Minister of Municipal & Provincial Affairs

cc. Mr. Doug Oldford, M.H.A.
cc. Mr. Robert Newhook, P. Eng.
cc. Eastern Regional Office
Department of  
Municipal and Provincial Affairs  

July 21, 1997  

Local Service District of Harcourt-Monroe-Waterville  
P.O. Box 5957  
Clareville, NF  
A0E 1J0  

Dear Chairperson:  

On July 14, 1997, the Minister of Municipal & Provincial Affairs advised your committee by letter that funding in the amount of $4,000 had been approved to clean up an old dump site. This is an error. The funding that has been approved is to cover the cost of an overrun on last year's water system project.  

Sorry for any inconvenience this may have caused.  

Sincerely,  

[Signature]  
John O’Leary  
Municipal Finance Division  

C.c. Mr. Doug Oldford, M.H.A.  
C.c. Mr. Robert Newhook, P. Eng.  
C.c. Eastern Regional Office
September 29, 1997

Local Service District of Harcourt-
Monroe-Waterville
P.O. Box 5957
Clarenville, NF
A0E 1J0

Dear Chairperson:

Officials of our department recently met and discussed your request of funding in the amount of $2,647.37 to cover the cost of an over run on your 1996/97 water project.

Please be advised that we are unable to accede to your request for extra funding at this time. Your Committee should used the funding previously approved this year to assist you with these outstanding bills.

Sincerely,

[Signature]

John O'Leary
Municipal Finance Division

c.c. Mr. Doug Oldford, M.H.A.
c.c. Eastern Regional Office
To: Honourable Sir,

July 18, 1998

Dear Sir,

As the remaining Citizens of Harcourt whose drinking water is not yet polluted by our local Dairy Farm, we are very much concerned about approval being given to Kitchenen/Clifford Pellet to continue with extending the farm along the back of our gardens towards Gin Cove.

This grant of approval would mean that the remaining families would be faced with the same problem as the other part of Harcourt, polluted drinking water.

We are therefore implying our Government to Discontinue Any More Extension To The Harcourt Dairy Farm for this particular reason.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR

Department of Municipal and Provincial Affairs
Office of the Minister

1998 07 24

Ms. Daisy Diamond
Local Service District Committee
Harcourt-Monroe-Gin Cove-Waterville
P.O. Box 5957
Clarenville, NF
A0E 1J0

Dear Ms. Diamond:

I acknowledge receipt of the petition which you recently submitted on behalf of a number of residents of the Harcourt area with respect to the extension of a dairy farm and the impact that it will have on the water supply for the community.

While your concern with this matter is recognized, I regret that it is not within the immediate jurisdiction of this Department. More appropriately, it is an issue for the consideration of the Department of Government Services & Lands and in this regard a copy of your petition will be forwarded to that Department for review.

I trust that a further response will be provided to you in due course.

Sincerely yours,

ARThUR D. REID, M.H.A.
Carbonear-Harbour Grace District
Minister of Municipal & Provincial Affairs

cc: Hon. Ernest McLean
Minister of Government Services & Lands
Harcourt-Monroe-Waterville
Local Service District
P. O. Box 5957
Clarenville, NF
AOE 1JO

Approval to Borrow
Government Guaranteed Bank Loan, Project # 980183

Pursuant to the provisions of Section 91 of the Municipalities Act, approval is hereby given to the Local Service District of the Local Service District of Harcourt-Monroe-Waterville to borrow from a chartered bank an amount not exceeding $14,000 plus the amount required to cover total related capitalized interest at a rate not exceeding prime. This loan is repayable not later than September 1, 2000, as stipulated in the Government Guarantee dated September 1, 1998.

In accordance with Order-in-Council No. 98-439, the said loan, together with capitalized interest, is to be used to finance a water and/or sewer project, including engineering and related costs.

Drawdowns will include interest charges on the loan, with the total of principal and capitalized interest subsequently to be refinanced by the Newfoundland Municipal Financing Corporation.

This represents the first borrowing authorization on a $24,130 Government Guaranteed Bank Loan.

Dated this 11th day of September, 1998.

ARTHUR D. REID, M.H.A.,
Carbonar-Harbour Grace District,
Minister of Municipal & Provincial Affairs.

cc: Bank of Nova Scotia, Clarenville
   Bank of Nova Scotia, Atlantic Regional Office
   Mr. D. Hopkins
1998 09 08

Mr. Lloyd Hyde
Secretary
Harcourt-Monroe-Gin Cove-Waterville
Local Service District
P. O. Box 5957
Clareville, NF
AOE 1JO

Dear Mr. Hyde

With respect to your request of August 14, 1998, please be advised that providing the pumphouse and chlorination system has sufficient funding, your Committee may use surplus funds to begin the installation of water servicing. All work should be done in coordination with the Engineering Division of our Regional Office.

Sincerely yours,

ARTHUR D. REID, M.H.A.
Carpenter-Grace-District
Minister of Municipal & Provincial Affairs

cc: Mr. Doug Oldford, M.H.A.
cc: Mr. Dennis Hopkins, Regional Manager (Acting)

/mnt
FACSIMILE TRANSMISSION

TO: Wayne Churchill

FROM: Dennis Hobin

Fax (709) 729-6391

DATE: Sept 4/98

NOTES:

The original of this accompanying letter is somewhere in code and you may see it in due course. Meanwhile, can you advise me concerning the LED being able to use the $10,000 or not.

Thanks

We are transmitting page(s), including this cover page.

Original to follow by mail: YES ______ NO ______
Dear sir,

We wish to thank you for the allocation of some $25,000 for completion of our water supply.
I have just been informed that a contract for approx. $15,000 have been awarded for the installation of electricity and chlorinator.
We now ask that you advise your regional office to use the remaining 10,000 dollars to connect the water to the houses involved. The remaining monies should easily complete the hook-up.
Thank you.

Yours truly,

Lloyd Hyde
Secretary

C.C.
Mr. Dennis Hopkins
Mr. Doug Oldford
December 18, 1998

Local Service District of Harcourt-Monroe-Waterville
P.O. Box 5957
Clarenville, NF
A0E 1J0

Dear Chairperson:

I am pleased to advise you that the Department of Municipal & Provincial Affairs has approved funding in the amount of $3,901 to assist with the extension of a waterline.

With the reduction of the G.S.T. rebate, which you are hereby given approval to utilize as part of the project, the actual funding provided will be $3,765.

Payments for this project will be made upon submission of invoices to the Eastern Regional Office.

Yours sincerely,

LLOYD G. MATTHEWS
Minister

c.c. Mr. Doug Oldford, M.H.A.
c.c. Mr. Robert Newhook, P. Eng.
c.c. Eastern Regional Office
Nous vous remercions de l'occasion de soumettre les spécifications et prix suivants.
We thank you for the opportunity of submitting the following prices and specifications.

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Description</th>
<th>Prix unitaire</th>
<th>Montant</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Excavate 500 ft of trench for water line</td>
<td>1200.00</td>
<td>1200.00</td>
</tr>
<tr>
<td>3</td>
<td>Locate, Excavate &amp; connect to three existing PE Pipes</td>
<td>200.00</td>
<td>600.00</td>
</tr>
<tr>
<td>2</td>
<td>25mm Curb Stop &amp; Boxes</td>
<td>95.99</td>
<td>191.98</td>
</tr>
<tr>
<td>4</td>
<td>25m Philmac Adaptor</td>
<td>17.97</td>
<td>71.96</td>
</tr>
<tr>
<td>2</td>
<td>25m Philmac tee</td>
<td>26.99</td>
<td>53.98</td>
</tr>
<tr>
<td>1</td>
<td>Pump Rental</td>
<td>80.00</td>
<td>80.00</td>
</tr>
<tr>
<td>500'</td>
<td>25mm Poly Pipe</td>
<td>49.99</td>
<td>495.00</td>
</tr>
<tr>
<td>1</td>
<td>Excavate across paved road</td>
<td>700.00</td>
<td>700.00</td>
</tr>
</tbody>
</table>

Cette soumission n'est valable que pour:
This quotation is only valid for:

Par/By: [Redacted]

Total: $391.62

Ceci n'est pas une facture
This is not an invoice

141403
Mr. Arthur Reid  
Minister of Municipal Affairs  
Confederation Bldg.  
St. John's, Nfld.  
A1B 4S6.

Dear Sir,

The Local Service District of Harcourt-Monroe-Gin Cove-Waterville hereby make application for
the sum of $390.62 to finish the connecting of two families
to the newly installed water system.
The two families involved are
which need this convenience desperately.

It would be greatly appreciated if you


Do

connected immediately.

Thank you for your cooperation.

Yours truly,

Lloyd Black  
Secretary

C.C. Mr. Doug Eldred
Harcourt-Monroe-Waterville Local Service District  
P.O. Box 5957  
Clarenville, NF  
AOE 1J0  

Approval to Borrow  
Government Guaranteed Bank Loan, Project #980183

Pursuant to the provisions of Section 648 of the Municipalities Act, approval is hereby given to the Local Service District Council of Harcourt-Monroe-Waterville to borrow from a chartered bank an amount not exceeding $5,000 plus the amount required to cover total related capitalized interest at a rate not exceeding prime. This loan is repayable not later than September 1, 2000, as stipulated in the Government Guarantee dated September 1, 1998.

In accordance with Order-in-Council No. 98-439, the said loan, together with capitalized interest, is to be used to finance a water and/or sewer project, including engineering and related costs.

Drawdowns will include interest charges on the loan, with the total of principal and capitalized interest subsequently to be refinanced by the Newfoundland Municipal Financing Corporation.

This brings the total authorized borrowings up to $19,000 on a $24,130 Government Guaranteed Bank Loan.

Dated this 12th day of February A.D., 1999.

LLOYD G. MATTHEWS  
Minister

cc: Bank of Nova, Clarenville
cc: Bank of Nova Scotia  
Atlantic Regional Office
cc: Mr. D. Hopkins, Regional Manager

P.O. Box 8700, St. John’s, Newfoundland, Canada, A1B 4J6, Telephone (709) 729-3048, Facsimile (709) 729-0943
March 24, 1999

ACCOUNTANT
Local Service District of Harcourt-Monroe-Waterville
P.O. Box 5957
Clarenville, NF
A0E 1J0

Special Assistance Grant $3,765.00

Please requisition a Special Assistance Grant in the above amount payable to the Local Service District of Harcourt-Monroe-Waterville. The purpose of this grant is to assist with the extension of their water supply system.

Payment can be charged to:

[Signatures]
SECRETARY
FINANCE COMMITTEE

[Signatures]
CHAIRPERSON
FINANCE COMMITTEE
Department of Municipal and Provincial Affairs
Eastern Regional Office

1999 06 25

Harcourt Local Service District
c/o Mr. Kitchener Pelley, Chairman
P.O. Box 5957
Clarenville, NF
A0E 1J0

Dear Sir:

RE: Chlorination Building Contract
H & R Enterprises Limited

I understand from discussion with the contractor that unpaid amounts totalling approximately $4,500 are being held by your Committee pending completion of the project. Part of this amount would be the required holdback of 10% of the value of work done (approximately $1,437.50). This amount should be released within 30 days of the substantial completion of the work, or when the system is put into operation and is functioning as intended. The remaining $3,100 less an amount to allow for correction of deficiencies, may also be released.

It appears that some fault exists which results in the tripping out of the computer/controller for the chlorinator. I understand that the contractor, under supervision of NF Power personnel, has checked wiring and circuits inside the building without finding a problem. NF Power now intends to provide continuous monitoring of its supply voltage at the site to determine whether the supply is within acceptable limits. If the power feed checks out, replacement of modification to the flow computer may be required. The value of this work is not expected to exceed $1,000. In accordance with accepted practice, it is recommended that an amount of twice the estimated value of deficiencies be withheld until the equipment is shown to be operating satisfactorily on a consistent basis.

Of the approximately $4,500 now being held, all but $2,000 may now be released to the contractor, H & R Enterprises Limited, with $1,437.50 being shown as a separate payment for release of the 10% holdback.
Should you wish to discuss further or have any questions or comments regarding the above, please contact me at 729-5337.

Yours truly,

[N. C. PARSONS, P. ENG.
Municipal Engineering Services

/cs

cc: H & R Enterprises Ltd.
Mr. Lloyd Matthews  
Minister of Municipal Affairs  
Confederation Building  
St. John's, Nfld.

Dear Sir:

Over the past few years a water supply has been installed in the community of Harcourt.

As a result of the excavation on the water supply another approx. 15 families lost their water.

The Local Service District feels that the supply of water in the present reservoir is adequate for the present 20 families but not for very many more.

We ask that you consider funding to enlarge the reservoir so that we have to include another spring on the immediate outside of the present one and connect the other families without water because of earlier construction.

Thank you.

Yours truly,

Lloyd Hyde  
Secretary
September 15, 1999

Mr. Lloyd Hyde, Secretary
Harcourt-Monroe-Gin Cove-Waterville Local
Service District Committee
P. O. Box 5957
Clarenville, NF
AOE 1JO

Dear Mr. Hyde:

This is to acknowledge receipt of your letter of August 25th and a letter of support from your M.H.A., Mr. Doug Oldford, requesting funding to supply water to approximately 15 homes. By copy of this letter, our Regional Office is asked to review your request and provide the appropriate cost estimates for your review.

Under the present policy of the Department any funding for Local Service Districts in excess of $10,000 per year is to be cost shared on a 50/50 basis with the Province.

Unfortunately, your application has been received too late for consideration under the current year’s program. However, the information to be provided through our Regional Office should enable your Committee to make application early in the year 2000 for consideration under the 2000/2001 program.

Sincerely yours,

LLOYD G. MATHIEWS
Minister

cc: Mr. Doug Oldford, M.H.A.
cc: Mr. D. Hopkins, Regional Manager (Encl )

/mt
Department of
Municipal and Provincial Affairs
Office of the Minister

October 18, 1999

Mr. Ketchiner Pelley, Chairperson
Harcourt-Monroe-Waterville LSD
P.O. Box 5957
Clareville, NF
A0E 1J0

Dear Chairperson:

Re: 2000/2001 Municipal Capital Works Program

Applications are invited for the 2000/2001 Municipal Capital Works Program (MCWP). While the funding allocation for this program will be considered in conjunction with the upcoming budgetary process, the Department is committed to accelerating next year’s program. In this regard, the deadline for receipt of this year’s application is November 30, 1999.

During this process, municipalities are requested to provide their proposals for MCWP projects for the next five years, as per section 92 of the Municipalities Act. This information is necessary in order for Departmental staff to carry out long term planning. The first year’s capital projects will be considered as Council’s request for the 2000/2001 MCWP.

A copy of the “Municipal Capital Works Program Guidelines” and an application form is attached. As indicated in the Guidelines, please submit six (6) sets of applications to the appropriate Regional Office of the Department of Municipal and Provincial Affairs, from where they will be distributed to other departments involved in the evaluation process. It would be advisable to retain a copy of your application for your own records.

Should you require further information or assistance regarding this or any other related matter, please contact the appropriate Regional Office listed in the Program Guidelines.

Sincerely yours,

LLOYD G. MATTHEWS
Minister

Attach.
Department of
Municipal and Provincial Affairs

December 1st, 1999

The Local Service District of Harcourt-Monroe
- Gin Cove-Waterville
P.O. Box 5957
Clarenville, NF
A0E 1J0

Dear Chairperson:

I write in response to a letter to the Honourable Minister seeking financial assistance of $5,000 to help correct a water shortage problem.

I regret to inform you we are unable to accede to your request at this time. Your Committee should reapply for funding under the 2000/2001 fiscal year.

Sincerely,

John O'Leary
Municipal Finance Division

cc Mr. Doug Oldford, M.H.A.
cr Mr. Robert Newhook, P. Eng.
cr Eastern Regional Office
RE: BOIL WATER ADVISORY

This is to confirm that as of June 30, 2000, your community has been placed on a boil water advisory due to the lack of free chlorine residuals and the presence of coliform bacteria in recent samples. All residents in the community must be notified to this effect.

This boil water advisory cannot be discontinued until we have collected two consecutive samples with satisfactory chlorine residuals and no bacterial growth.

Please notify the undersigned when it is felt that adequate chlorine dosage has been attained so that water sampling can be resumed in your community.

If you have any questions, do not hesitate to call.

Sincerely,

Terry Batcock, C.P.H.I.(c)
Environmental Health Officer III

cc/ Ron Goulding, Eng. Tech. III
Dept. of Environment & Labour
Water Resources Division

Cal Morgan, Environmental Health Coordinator
Dept. of Health & Community Services

Randy Dillon, Regional Engineer
Eastern Regional Office
Dept. of Municipal & Provincial Affairs

Wayne Churchill, Executive Director (Engineering)
Dept. of Municipal & Provincial Affairs
August 30th, 2000

Local Service District of Harcourt-Monroe-Waterville
P.O. Box 5957
Clarenville, NF
A0E 1J0

Dear Chairperson:

I am pleased to advise you that the Department of Municipal & Provincial Affairs has approved a Special Assistance Grant in the amount of $325 to cover the cost of repairs to the chlorination system.

With the reduction of the G.S.T. rebate, which you are hereby given approval to utilize as part of the project, the actual funding provided will be $314.

A cheque in the amount of $314 has been requisitioned with the Department of Finance and will be forwarded to you within the next two to three weeks.

Yours sincerely,

JOAN MARIE AYLWARD, M.I.A.
St. John's Centre
Minister of Municipal & Provincial Affairs

cc  Mr. Ross Wiseman, M.I.A.
cc  Mr. Robert Newhook, P. Eng.
cc  Eastern Regional Office
2000 10 06

Guy Perry
Regional Director
Dept. of Government Services & Lands
Government Service Centre
P.O. Box 1148
Clarenville, NF
A0E 1J0

RE: BOIL WATER ADVISORY

This is to indicate that as of October 6, 2000 the boil order for the community of Harcourt has been lifted.

Sincerely,

Terry Battcock, C.P.H.I.(c)
Environmental Health Officer III

TB/gp

cc/ Ron Goulding, Eng. Tech. III
Dept. of Environment & Labour

Cal Morgan, Environmental Health Coordinator
Dept. of Health & Community Services

Randy Dillon, Regional Engineer
Dept. of Municipal & Provincial Affairs

Wayne Churchill, Exec. Director (Engineering)
Dept. of Municipal & Provincial Affairs
October 13, 2000

Mr. Kitchener Pelley, Chairman
Local Service District Committee-Harcourt et al
P.O. Box 5957
Clarenville
Trinity Bay, NF
A0E 1J0

Dear Sir:

RE: Supply/Installation of Replacement Chlorination Equipment

Your committee has been forwarded funds by this department totalling $1855.50 to cover cost of chlorine equipment installation by Flotech Enterprises Ltd. It is understood that this equipment is operating satisfactorily and payment to Flotech Enterprises in the invoiced amount can be recommended.

Please contact the undersigned at 729-5337 should you have any questions or concerns.

Yours truly,

N. C. PARSONS, P. ENG.
Municipal Engineering Services

cc: R.G. Dillon, P. Eng.
Flotech Enterprises Ltd.
FACSIMILE TRANSMISSION

TO:  
John O’Leary
Sec’y Finance Comm.

FROM:  
Norm Parsons
pl 5337

Fax: (709)729-6391

DATE:  
Nov. 21, 2000

NOTES:  
Re: Harcourt (LSD) Chlorination Improv

As discussed by phone this date,
Committee has been billed & payment
recommended. The Committee has $1541. Appro

On hand from Security Holdback Release &
now requires balance of approved funds
($325 est & $7) to allow full payment.

Documentation attached

Mail to: (LSD Chairman - Kitchener Pellely)

We are transmitting 3 page(s), including cover.

Original to follow by mail: YES NO
GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Municipal and Provincial Affairs
Eastern Regional Office

October 13, 2000

Mr. Kitchener Pelley, Chairman
Local Service District Committee-Harcourt et al
P.O. Box 5957
Clareville
Trinity Bay, NF
A0E 1J0

Dear Sir:

RE: Supply/Installation of Replacement Chlorination Equipment

Your committee has been forwarded funds by this department totalling $1855.50 to cover cost of chlorine equipment installation by Flotech Enterprises Ltd. It is understood that this equipment is operating satisfactorily and payment to Flotech Enterprises in the invoiced amount can be recommended.

Please contact the undersigned at 729-5337 should you have any questions or concerns.

Yours truly,

N. C. PARSONS, P. ENG.
Municipal Engineering Services

cc: R.G. Dillon, P. Eng.
Flotech Enterprises Ltd.

Viking Building, P. O. Box 8700 • St. John's, Newfoundland, Canada, A1B 4J6 • Telephone (709) 729-0405 • Facsimile (709) 729-5381
INVOICE NUMBER 4211

INVOICE DATE September 6, 2000
PURCHASE ORDER NO. N.C. Parsons - Municipal and Provincial Affairs

TERMS Net 30 Days
SALES PERSON Paul Chafe
SHIPPED VIA Flotech Enterprises Ltd.
F.O.B. St. John's, NF

<table>
<thead>
<tr>
<th>QTY</th>
<th>DESCRIPTION</th>
<th>PRICE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>SUPPLY AND INSTALLATION OF REPLACEMENT CHLORINATION CONTROLLER EQUIPMENT FOR THE HARCOURT CHLORINATION SYSTEM</td>
<td>1612.00</td>
<td>1612.00</td>
</tr>
</tbody>
</table>

SUBTOTAL  1612.00
TAX RATE  15.000%
$241.80

$1,853.80
TOTAL DUE

THANK YOU FOR YOUR BUSINESS!
GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of
Municipal and Provincial Affairs

E.P.R.

November 22nd, 2000

ACCOUNTANT

Local Service District of Harcourt-Monroe-Waterville
PO Box 5957
Clareville, NF
A0E 1J0

Special Assistance Grant $314.00

Please requisition a Special Assistance Grant in the above amount payable to the Local Service District of Harcourt-Monroe-Waterville. The purpose of this grant is to cover a shortfall on a chlorination project.

Approved at FC 00-10

[Signature]
SECRETARY
FINANCE COMMITTEE
2001 02 02

Mr. Lloyd Hyde
Clarenville, NF
A0E 1J0

RE: BOIL WATER ADVISORY

This is to confirm that as of February 2, 2001, your community (Harcourt) has been placed on a boil water advisory due to the lack of free chlorine residuals and/or the presence of coliform bacteria in recent samples. All residents in the community must be notified to this effect.

This boil water advisory cannot be discontinued until we have collected two consecutive samples with satisfactory chlorine residuals and no bacterial growth.

Please notify the undersign when it is felt that adequate chlorine dosage has been attained so that water sampling can be resumed in your community.

If you have any questions, do not hesitate to call.

Sincerely,

Terry Battcock, C.P.H.I.(c)
Environmental Health Officer III

cc/ Ron Goulding, Eng. Tech III
Dept. of Environment and Labour

Cal Morgan, Environmental Health Coordinator
Dept. of Health and Community Services

Randy Dillon, Regional Engineer
Dept. of Municipal and Provincial Affairs

Wayne Churchill, Executive Director (Engineering)
Dept. of Municipal and Provincial Affairs

2 Masonic Terrace, P.O. Box 1148, Clarenville, Newfoundland, Canada, A0E 1J0
Mr. Lloyde Hyde  
Clareville, NF  
A0E 1J0  

Dear Mr. Hyde  

RE: Boil Water Advisory  

This is to indicate that as of June 20, 2001, the boil order for the community of Harcourt has been lifted.  

Sincerely,  

[Signature]  

Terry Battcock, C.P.H.I.(c)  
Environmental Health Officer III  

cc/  
Guy Perry  
Ron Goulding  
Cal Morgan  
Randy Dillon  
Wayne Churchill
GOVERNMENT OF Government Service Centre

Department of Telephone: (709) 466-4060
Government Services and Lands Facsimile: (709) 466-4070

2001 06 20

Mr. Lloyd Hyde
Clarenville, NF
A0E 1J0

Dear Mr. Hyde

RE: Boil Water Advisory

This is to indicate that as of June 20, 2001, the boil order for the community of Harcourt has been lifted.

Sincerely,

Terry Battock, C.P.H.I.(c)
Environmental Health Officer III

cc/ Guy Perry
    Ron Goulding
    Cal Morgan
    Randy Dillion
    Wayne Churchill

2 Masonic Terrace, P.O. Box 1148, Clarenville, Newfoundland, Canada, A0E 1J0
September 19, 2001

Mr. Paul Pelley
Clarenville, NF
A0E 1JO

Dear Mr. Pelley:

Subject: Boil Water Advisory

This letter is a follow up to our telephone conversation on 2001-09-19 concerning total coliform count is more than 10 (counts per 100mI) detected in the community water system at Harcourt.

Recent tests on your water system revealed unsatisfactory bacteriological water sample and chlorine residual results. In light of these results, it is recommended that a “Boil Water Advisory” be implemented until all of the following criteria are met:

1. At least two (2) successive satisfactory bacteriological water analysis are obtained (0 colonies of total coliform and E. coli per 100ml of sample).

2. A satisfactory free chlorine residual is maintained at the entry to the distribution system.

3. A chlorine residual is detectable & maintained throughout the distribution system.

This “Boil Water Advisory” shall remain in effect until such time as the water is deemed acceptable based upon tests carried out by this office. A Boil Water Advisory Notice, applicable boil water advisory pamphlets, sample warning signs and public service announcement are attached.

If you have any questions, please do not hesitate to give me a call at 466-4066.

Sincerely yours,

[Signature]

Terry Batcock, C.P.H.I.(c)
Environmental Health Officer III
September 19, 2001

Mr. Paul Pelley
Clarenville, NF
A0E 1J0

Dear Mr. Pelley,

Subject: Boil Water Advisory
Harbour

This letter is a follow up to our telephone conversation on 2001-09-19 concerning total coliform count is more than 10 (counts per 100ml) detected in the community water system at Harcourt.

Recent tests on your water system revealed unsatisfactory bacteriological water sample and chlorine residual results. In light of these results, it is recommended that a "Boil Water Advisory" be implemented until all of the following criteria are met.

1. At least two (2) successive satisfactory bacteriological water analysis are obtained (0 colonies of total coliform and E. coli per 100ml of sample).

2. A satisfactory free chlorine residual is maintained at the entry to the distribution system.

3. A chlorine residual is detectable & maintained throughout the distribution system.

This "Boil Water Advisory" shall remain in effect until such time as the water is deemed acceptable based upon tests carried out by this office. A Boil Water Advisory Notice, applicable boil water advisory pamphlets, sample warning signs and public service announcement are attached.

If you have any questions, please do not hesitate to give me a call at 466-4066.

Sincerely yours,

2 Maison Terrace, P.O. Box 1148, Clarenville, Newfoundland, Canada, A0E 1J0
GOVERNMENT OF Government Service Centre

NEWFOUNDLAND AND LABRADOR

Department of Telephone: (709) 466-4060
Government Services and Lands Facsimile: (709) 466-4070

Terry Battcock, C.P.H.I.(c)
Environmental Health Officer III

2 Masonic Terrace, P.O. Box 1148, Clarenville, Newfoundland, Canada, A0E 1J0
2002 01 03

Mr. Lloyd Hyde
Clarenville, NF
A0E 1J0

Dear Mr. Hyde:

RE: Boil Water Advisory - Harcourt

This is to indicate that as of December 21, 2001, the boil water advisory for the community of Harcourt has been lifted. Chlorine residuals are being maintained satisfactorily.

Sincerely,

[Signature]
Terry Battcock, C.P.H.I.(c)
Environmental Health Officer III

cc/ Ron Goulding
Randy Dillon
Wayne Churchill

TB/gp

2 Masonic Terrace, P.O. Box 1148, Clarenville, Newfoundland, Canada, A0E 1J0
18 June 2002

Town of Harcourt
Box 5957
Clarenville, NF
A0E 1J0

Dear Sir/Madam:

Subject: Boil Water Advisory
(Community of Harcourt)

This letter is a follow up to our telephone conversation concerning:

1. Coliform count of 36 found in recent water sample from the community water system at Harcourt.

Recent tests on your water system revealed unsatisfactory bacteriological water sample and chlorine residual results. In light of these results, it is recommended that a “Boil Water Advisory” be implemented until all of the following criteria are met.

1. At least two (2) successive satisfactory bacteriological water analysis are obtained (0 colonies of total coliform and E. coli per 100ml of sample).
2. A satisfactory free chlorine residual is maintained at the entry to the distribution system.
3. A chlorine residual is detectable & maintained throughout the distribution system.

This “Boil Water Advisory” shall remain in effect until such time as the water is deemed acceptable based upon tests carried out by this office. A Boil Water Advisory Notice, applicable boil water advisory pamphlets, sample warning signs and public service announcement are attached.

If you have any questions, please do not hesitate to give me a call at 466-4060.

Sincerely yours,

Douglas Howse, C.P.H.I.(c)
Environmental Health Officer III

cc/ Ron Goulding
    Wayne Churchill
    Brad Penney
    Randy Dillon
    Cal Morgan

2 Masonic Terrace, P.O. Box 1148, Clarenville, Newfoundland, Canada, A0E 1J0
September 27, 2002

Local Service District of Harcourt
P.O. Box 5914
Clarenville, NF
A0E 1J0

Dear Sir:

Please be advised the Boil Water Advisory previously issued for the community of Harcourt has now been lifted as of the above noted date.

Sincerely,

[Signature]

Douglas Howse, C.P.H.I.(c)
Environmental Health Officer

cc: Ron Goulding
    Wayne Churchill
    Randy Dillon
    Brad Penney

DH/gp
Date: 5/16/2017 10:21:16 AM
From: "Terry Hardwick"
To: "Clarke, David"
Subject: RE: LSD Focus Group
Hi David
Just wanted to follow up on our telcon yesterday.
I spoke to Emily and got the scoop on subj. The focus group was set up to provide additional input from LSDs on the Regional Government Advisory Committees potential model for a regional government system, that was somewhat lacking in LSD perspective. Therefore they put together this focus group and invited select LSD who they thought may be able to provide additional insight to the concept. So I was able to get one of the other members, the Vice-Chair, to attend along with myself.

So, I will be in your building on the 24 May. Maybe get a chance to meet and chat.

Cheers
Terry

---

From: smith-sound-lsd@googlegroups.com [mailto:smith-sound-lsd@googlegroups.com] On Behalf Of Clarke, David
Sent: May 9, 2017 1:33 PM
To: 'smith-sound-lsd@googlegroups.com'
Subject: RE: Smith Sound LSD Committee changes

Acknowledged with thanks,
David

---

From: Smith-Sound-Lsd-Griff [mailto:cstofsmithsound@gmail.com]
Sent: Tuesday, May 09, 2017 12:24 PM
To: Clarke, David
Subject: RE: Smith Sound LSD Committee changes

Hi David

As per our AGM the newly elected committee member was sworn in on May 8, 2017, particulars of new member:

Jamie Carbery. 

At our Committee meeting same date, the member from Gin Cove was elected Vice-Chairperson:

Terry Ings.

As a side note, as per our discussions and the discussion I had with Ian Dufft, I expect to be sending an email to Mr. Hounsell requesting guidance on the termination of the Water Service we are currently providing, as soon as this item gets to the top of the pile.

Any questions/comments, give me a shout.

Cheers
Terry

---

From: Clarke, David [mailto:wdclarke@gov.nl.ca]
Sent: April 27, 2017 12:22 PM
To: 'lsdo@smithsound@gmail.com'; Evoy, Lori
Subject: FW: Smith Sound 2017 Budget and AGM

Acknowledged with thanks,
David
Hi David,

Please find subj docs attached.
Also note, that the member holding the office of Vice-Chairperson resigned effective 14 March 2017. At our AGM on 19 April 2017 a new member was "elected" and we will have an election for the position of Vice-Chairman at our next LSD committee meeting on 8 May 2017. I will advise the results shortly thereafter.

Any questions or problems please advise.

Thanks

Cheers
Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clarenville, NL, A5A 3A2
(709) 427-7633
Email: smith-sound-LSD@googlegroups.com

This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender.
From: "Khan, Haseen"
To: "Dave, Paula V" , "Tobin, Annette" , "Hanchar, Dorothea"
Subject: FW: LSD of Smith Sound - Water Service
FYI

From: Duffett, Ian
Sent: Thursday, September 14, 2017 3:55 PM
To: Khan, Haseen
Cc: Hounsell, Sandy
Subject: FW: LSD of Smith Sound - Water Service

FYI.

Ian Duffett
Director, Municipal Infrastructure
Department of Municipal Affairs and Environment
Phone: 709-729-7482
Email: ianduffett@nov.nl.ca

From: lsdofsmithsound@gmail.com [mailto:lsdofsmithsound@gmail.com]
Sent: Thursday, September 14, 2017 3:46 PM
To: Hounsell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr Hounsell,

My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clarenville, NL, A5A 3A2
(709) 427-7633
Email: smith-sound-lsd@googlegroups.com
Ian Duffett
Director, Municipal Infrastructure
Department of Municipal Affairs and Environment
Phone: 709-729-7482
Email: ianduffett@gov.nl.ca

From: Evoy, Lori
Sent: Friday, September 22, 2017 4:05 PM
To: Duffett, Ian
Subject: FW: LSD of Smith Sound - Water Service

Ian,

Please see below:

Can we discuss next week?

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Hounsell, Sandy
Sent: Monday, September 18, 2017 10:50 AM
To: Evoy, Lori
Subject: FW: LSD of Smith Sound - Water Service

For discussion.

From: lsdofsmithsound@gmail.com [mailto:lsdofsmithsound@gmail.com]
Sent: Thursday, September 14, 2017 3:46 PM
To: Hounsell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr Hounsell,
My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telcon at your earliest convenience.

Thank You

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clarenville, NL, A5A 3A2
(709) 427-7633
Email: smith-sound-Lsd@googlegroups.com
Date: 9/25/2017 4:34:19 PM
From: "Hounsell, Sandy"
To: "Evoy, Lori"
Subject: Re: LSD of Smith Sound - Water Service
See me tomorrow on this.

Sandy

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Evoy, Lori
Sent: Monday, September 25, 2017 3:08 PM
To: Hounsell, Sandy
Subject: FW: LSD of Smith Sound - Water Service

Sandy,

Based on the below, did you want to set a meeting to discuss with MAE officials? Or with the LSD?

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Oley, Mary
Sent: Monday, September 25, 2017 12:18 PM
To: Dawe, Paula V; Evoy, Lori; Drover, Mark
Cc: Hounsell, Sandy; Duffett, Ian
Subject: RE: LSD of Smith Sound - Water Service

Hi Lori:

I don't see anything in the MA that specifically addresses an LSD divesting itself of responsibility for a water system that it currently owns and operates. Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

I agree with you, Lori, that the LSD would need to seek independent legal advice on this issue.

Mary

Mary Oley, B.Sc. LL.B.
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: maryoley@gov.nl.ca
Telephone: 709-729-1953

From: Dawe, Paula V
Sent: Monday, September 25, 2017 10:51 AM
To: Evoy, Lori <lori.evoy@gov.nl.ca>; Drover, Mark <mark.drover@gov.nl.ca>; Oley, Mary <mary.oley@gov.nl.ca>
Cc: Hounsell, Sandy <sandy.hounsell@gov.nl.ca>; Duffett, Ian <ian.duffett@gov.nl.ca>
Subject: RE: LSD of Smith Sound - Water Service

Lori,

There is a developed spring servicing a population of 35 people in Harcourt-Manrose-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a BWA (last BWA was in 2015). The source infrastructure is in somewhat poor condition. Up gradient of the source is a dairy farm and there are issues with the dairy farmer not being able to spread manure in the area. FracFlow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list) and appears to be operated properly. If the LSD refuses to operate the system, it would have to come off of the public drinking water system list and would no longer be sampled.

Paula Dawe, P.Eng.
Manager
Drinking Water & Wastewater Section, Dam Safety Program
From: Evoy, Lori
Sent: Monday, September 25, 2017 10:20 AM
To: Dave, Paula V; Drover, Mark; Oley, Mary
Cc: Houssell, Sandy; Duffett, Ian
Subject: FW: LSD of Smith Sound - Water Service

Please see the e-mail below.

Can you advise, Paula, anything from water resources?

Mary/Mark, is this allowable under the current legislation?

I have several concern including the LSD would need to seek legal advice, transfer of assets, and insurance liabilities just to name a few.

Perhaps a meeting with those on this e-mail to discuss before we follow up with the LSD?

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Houssell, Sandy
Sent: Monday, September 18, 2017 10:50 AM
To: Evoy, Lori
Subject: FW: LSD of Smith Sound - Water Service

For discussion.

From: lsdoofsmithsound@gmail.com
Sent: Thursday, September 14, 2017 3:46 PM
To: Houssell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr Houssell

My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convience.

Thank You

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clarenville, NL, A5A 3A2
(709) 427-7633
Email: smith-sound.hrd@icooglebags.com
Date: 10/4/2017 1:05:44 PM
From: "Evey, Lori"
To: "Duffett, Ian"; "Hounsell, Sandy"
Subject: RE: LSD of Smith Sound - Water Service

Ian,

I mentioned that in a previous e-mail, but had no response. The draft e-mail below is based on the feedback that had been received.

Lori

Lori Evey
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Duffett, Ian
Sent: Wednesday, October 04, 2017 12:29 PM
To: Evey, Lori; Hounsell, Sandy
Subject: Re: LSD of Smith Sound - Water Service

Didn't we talk about pulling together a quick meeting with water resources, you guys and us before we responded?

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Evey, Lori
Sent: Wednesday, October 4, 2017 10:47 AM
To: Hounsell, Sandy
Cc: Duffett, Ian
Subject: Re: LSD of Smith Sound - Water Service

Sandy/Ian,

Please see draft reply below. (Sandy, the e-mail originally came to you and copied Ian. Ian, I noticed you had also forward Haseen Khan. Who would be the best person to respond? Haseen?)

Chairman Harwick,

Thank you for your e-mail regarding the Local Service District (LSD) of Smith Sound and the water service for 14 families in the community of Harcourt.

In reviewing the request, it was determined that there is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a boil water advisory (BWA) last BWA was in 2015. The source infrastructure is in somewhat poor condition. FracFlow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria of a public drinking water system (owned by LSD, serves more than 14 people, listed on the public drinking water system list). If the LSD terminates the service and no longer operates the system, then it would have to come off of the public drinking water system list and would no longer be sampled.

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

If the committee would like to schedule a meeting with departmental officials to discuss further, please contact me at your earliest convenience.

Sincerely,


From: lsdofsmithsound@gmail.com [mailto:lsdofsmithsound@gmail.com]
Sent: Thursday, September 14, 2017 3:46 PM
To: Hounsell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr Hounsell

My name is Terry Harwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The
committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You.

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
P.O. Box 5957, Clarenville, NL, A5A 3A2
(709) 427-7633
Email: smith-sound-ldk@googlegroups.com
Date: 10/5/2017 6:34:24 PM
From: "Houssell, Sandy"
To: "Evoy, Lori"
Subject: Re: LSD of Smith Sound - Water Service
Lori, he sent the initial email to me so I don’t mind it going out from me, but I’m OK with you sending the response as well. Whatever you are more comfortable with.

By the way, thanks for pulling this together...great job.

Sandy

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Evoy, Lori
Sent: Wednesday, October 4, 2017 10:47 AM
To: Houssell, Sandy
Cc: Duffett, Ian
Subject: RE: LSD of Smith Sound - Water Service

Sandy/Ian,

Please see draft reply below. (Sandy, the e-mail originally came to you and copied Ian. Ian, I noticed you had also forward Haseem Khan. Who would be the best person to respond? Haseem?)

Chairman Hardwick,

Thank you for your e-mail regarding the Local Service District (LSD) of Smith Sound and the water service for 14 families in the community of Harcourt.

In reviewing the request, it was determined that there is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a boil water advisory (BWA) (last BWA was in 2015). The source infrastructure is in somewhat poor condition. 

This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list). If the LSD terminates the service and no longer operates the system, then it would have to come off of the public drinking water system list and would no longer be sampled.

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows: 392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

If the committee would like to schedule a meeting with departmental officials to discuss further, please contact me at your earliest convenience.

Sincerely,

XX

From: kdsfsmithsound@gmail.com [mailto:kdsfsmithsound@gmail.com]
Sent: Thursday, September 14, 2017 3:45 PM
To: Houssell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr. Houssell

My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You

Terry

Terry Hardwick
Chairman
Lori Enay
Eastern Regional Manager
Department of Municipal Affairs and Environment

Dear Sandy,

Please see draft reply below. (Sandy, the e-mail originally came to you and copied Ian. Ian, I noticed you had also forward Haseen Khan. Who would be the best person to respond? Haseen?)

Chairman Hardwick,

Thank you for your e-mail regarding the Local Service District (LSD) of Smith Sound and the water service for 14 families in the community of Harcourt.

In reviewing the request, it was determined that there is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a boil water advisory (BWA) (last BWA was in 2015). The source infrastructure is in somewhat poor condition. FreeFlow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list). If the LSD terminates the service and no longer operates the system, then it would have to come off of the public drinking water system list and would no longer be sampled.

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392: A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

If the committee would like to schedule a meeting with departmental officials to discuss further, please contact me at your earliest convenience.

Sincerely,

XOCOCOCOCOC

From: lsdofsmithsound@gmail.com [mailto:lsdofsmithsound@gmail.com]
Sent: Thursday, September 14, 2017 3:46 PM
To: Hounsell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr Hounsell,

My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance or assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telephone at your earliest convenience.

Thank You

Terry
Terry Hardwick
Date: 10/24/2017 12:47:32 PM
From: "Gilbert, Marie"
To: "Clarke, David"
Subject: Please call Randy George/Harcourt re: termination of water system
Attachment: image001.png;

Marie Gilbert
Clerk, Typist III
Municipal Affairs and Environment
[Eastern Regional Office]
P.O. Box 8700
St. John's, N.L. A1B 4J6
Phone: 709/729-0359 Fax: 709/729-7491
Date: 10/24/2017 3:43:42 PM
From: "Gilbert, Marie"
To: "Clarke, David"
Subject: Randy George returned your call.
Attachment: image001.png
Date: 11/16/2017 9:52:15 AM
From: "Khan, Haseen"
To: "Tobin, Annette"; "Evoy, Lori"; "Oley, Mary"; "Hounsell, Sandy"
Cc: "Dawe, Paula V"; "Duffett, Ian"
Subject: RE: LSD of Smith Sound - Water Service

I think MAE should provide needed and reasonable support to keep the system properly operated and maintained. Thanks.

Haseen Khan, P.Eng.
Director
Water Resources Management Division
Department of Municipal Affairs and Environment
4th Floor, Confederation Building West Block
PO Box 8700
St. John's, NL Canada A1B 4J6
T (709) 729-2563
F (709) 729-0320
E: Khan@geo.gov.nl.ca
www.gov.nl.ca/wm

From: Tobin, Annette
Sent: Thursday, November 16, 2017 9:15 AM
To: Evoy, Lori; Oley, Mary; Hounsell, Sandy
Cc: Dawe, Paula V; Duffett, Ian; Khan, Haseen
Subject: RE: LSD of Smith Sound - Water Service

Hello,

I have received another call from a different person in Smith's Sound (Harcourt) regarding their drinking water system. I informed me that the LSD has informed them via letter that their system will be shut off with the power cut to the building effective January 1, 2018 if the residents do not take over the ownership and operation of the well. I stated that the Chairperson is saying that their license expired in 2006 and they are currently operating it illegally. I know of nothing on our end that would have an expiry date. I was trying to get in contact with Sandy to see what the legal requirements were on the municipal side. It appears that they do pay a water fee for the service and are willing to operate it but want to keep the ability to access funding should the system need upgrades of the well or disinfection system.

This system is of good water quality and effectively chlorinated. There has been no BWA since 2015 with only 2 short term BWA since 2003.

I have provided her the information required from the Environment side but I can't speak to the municipalities side of the issue. Would someone be able to contact [REDACTED] to see if we can provide the remainder of the information they are looking for?

Thank you,
Annette

From: Evoy, Lori
Sent: Monday, October 30, 2017 3:22 PM
To: Tobin, Annette; Oley, Mary; Hounsell, Sandy
Cc: Dawe, Paula V; Duffett, Ian
Subject: RE: LSD of Smith Sound - Water Service

Annette,

I have copied Sandy on this e-mail as I believe he provided the response back to the Town.

I have also copied Ian on the e-mail. Ian, is there a requirement for a LSD to maintain the water system for a period of time if received MCW funding?

I do not have any additional information.

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Tobin, Annette
Sent: Monday, October 30, 2017 3:13 PM
To: Evoy, Lori; Oley, Mary
Cc: Dawe, Paula V
Subject: FW: LSD of Smith Sound - Water Service

Lori/Mary,
Has there been any update on this request from the Town? I receive a call from [redacted] of Harcourt-Monroe-Waterville inquiring as to the licensing requirements for public water supplies. She is on the water system in question and said all 15 families received a registered letter from the LSD stating that they were not authorized to operate the water system and the system would become the responsibility of the individual families. She was enquiring regarding the licensing requirements for a public water supply. I told her I would check into it for her and get back to her. I am not aware of any licensing requirements or authorization as MAE does currently classify it as a public water supply with excellent water quality with no BWA.

[redacted] provided some background on the water system which you may or may not be aware of. More than 20 years ago all the houses were on individual wells under the well became contaminated due to agricultural activities. The existing water supply was provided by the provincial government to rectify the issue. Approximately 6-7 years ago, the water supply required substantial upgrades and the LSD obtained a capital works grant to conduct the required work. The 10% LSD funding was provided by the 15 families currently on the water supply. The families are concerned that if the supply is not a public water supply that they will not have the ability to obtain funding through any capital works programs.

Regards,
Annette

From: Dave, Paula V
Sent: Monday, October 30, 2017 9:10 AM
To: Tobin, Annette
Subject: FW: LSD of Smith Sound - Water Service

From: Oley, Mary
Sent: Monday, September 25, 2017 12:16 PM
To: Dave, Paula V; Evoy, Lori; Drove, Mark
Cc: Hounsell, Sandy; Duffett, Ian
Subject: RE: LSD of Smith Sound - Water Service

Hi Lori:

I don’t see anything in the MA that specifically addresses an LSD divesting itself of responsibility for a water system that it currently owns and operates. Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may, in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

I agree with you, Lori, that the LSD would need to seek independent legal advice on this issue.

Mary
Mary Oley, B.Sc., LL.B.
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: marley@nl.ca
Telephone: 709-729-1952

From: Dave, Paula V
Sent: Monday, September 25, 2017 10:51 AM
To: Evoy, Lori <Lori.Evoy@gov.nl.ca>; Drove, Mark <Mark.Drove@gov.nl.ca>; Oley, Mary <Mary.Oley@gov.nl.ca>
Cc: Hounsell, Sandy <Sandy.Hounsell@gov.nl.ca>; Duffett, Ian <Ian.Duffett@gov.nl.ca>
Subject: RE: LSD of Smith Sound - Water Service

Lori,

There is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a BWA (last BWA was in 2015). The source infrastructure is in somewhat poor condition. Up gradient of the source is a dairy farm and there are issues with the dairy farmer not being able to spread manure in the area. FracFlow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list) and appears to be operated properly. If the LSD refuses to operate the system, it would have to come off of the public drinking water system list and would no longer be sampled.

Paula Dave, P.Eng.
Manager
Drinking Water & Wastewater Section, Dams Safety Program
From: Evey, Lori  
Sent: Monday, September 25, 2017 10:20 AM  
To: Dave, Paula V; Drover, Mark; Oley, Mary  
Cc: Housnell, Sandy; Duffett, Ian  
Subject: FW: LSD of Smith Sound - Water Service

Please see the e-mail below.

Can you advise? Paul, anything from water resources?

Mary/Mark, is this allowable under the current legislation?

I have several concern including; the LSD would need to seek legal advice, transfer of assets, and insurance liabilities just to name a few.

Perhaps a meeting with those on this e-mail to discuss before we follow up with the LSD?

Lori

Lori Evey  
Eastern Regional Manager  
Department of Municipal Affairs and Environment

From: Housnell, Sandy  
Sent: Monday, September 18, 2017 10:50 AM  
To: Evey, Lori  
Subject: FW: LSD of Smith Sound - Water Service

For discussion.

From: LSDofsmithsound@gmail.com [mailto:lsdofsmithsound@gmail.com]  
Sent: Thursday, September 14, 2017 3:46 PM  
To: Housnell, Sandy  
Cc: Duffett, Ian; Clarke, David  
Subject: LSD of Smith Sound - Water Service

Good Day Mr Housnell
My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You

Terry  
Terry Hardwick  
Chairman  
Local Service District of Smith Sound Committee  
PO Box 5857, Clarenville, NL, A5A 3A2  
(709) 427-7533  
Email: smithsound-lsd@googlegroups.com
Date: 11/21/2017 2:48:44 PM
From: "Evoy, Lori"
To: "Oley, Mary", "Tobin, Annette", "Hounsell, Sandy"
Cc: "Dave, Paula V", "Duffett, Ian", "Khan, Hasseen"
Subject: RE: LSD of Smith Sound - Water Service

Thanks everyone. I am proposing we meet to discuss.

I will coordinate and send a meeting invite shortly.

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Oley, Mary
Sent: Thursday, November 16, 2017 11:24 AM
To: Evoy, Lori; Tobin, Annette; Hounsell, Sandy
Cc: Dave, Paula V; Duffett, Ian; Khan, Hasseen
Subject: RE: LSD of Smith Sound - Water Service

I am happy to meet to discuss.

Mary Oley, B.Sc. LL.B.
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: maryoley@gov.nl.ca
Telephone: 709-729-1953

From: Evoy, Lori
Sent: Thursday, November 16, 2017 10:59 AM
To: Oley, Mary <MaryOley@gov.nl.ca>; Tobin, Annette <AnnetteTobin@gov.nl.ca>; Hounsell, Sandy <SandyHounsell@gov.nl.ca>
Cc: Dave, Paula V <PaulaDaVe@gov.nl.ca>; Duffett, Ian <IanDuffett@gov.nl.ca>; Khan, Hasseen <Hasseen@gov.nl.ca>
Subject: RE: LSD of Smith Sound - Water Service

Mary,

I believe you did as well. I still think we should copy this e-mail to get together to discuss?

I will give you a call back, but there is very little from a municipal/local service district perspective I can add outside of what the legislation states.

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Oley, Mary
Sent: Thursday, November 16, 2017 10:36 AM
To: Evoy, Lori; Tobin, Annette; Hounsell, Sandy
Cc: Dave, Paula V; Duffett, Ian; Khan, Hasseen
Subject: RE: LSD of Smith Sound - Water Service

I am in agreement with the highlighted portions - I think I may have weighed in on this previously.

Mary Oley, B.Sc. LL.B.
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: maryoley@gov.nl.ca
Telephone: 709-729-1953

From: Evoy, Lori
Sent: Thursday, November 16, 2017 9:54 AM
To: Tobin, Annette <AnnetteTobin@gov.nl.ca>; Oley, Mary <MaryOley@gov.nl.ca>; Hounsell, Sandy <SandyHounsell@gov.nl.ca>
Cc: Dave, Paula V <PaulaDaVe@gov.nl.ca>; Duffett, Ian <IanDuffett@gov.nl.ca>; Khan, Hasseen <Hasseen@gov.nl.ca>
Subject: RE: LSD of Smith Sound - Water Service

Mary (and all),
Based on the information below (previous e-mails), I believe Sandy sent the LSD an e-mail. (Sandy will be back next week to confirm).

Basically, I believe the e-mail would have included the following (based on the draft):

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

If the committee would like to schedule a meeting with departmental officials to discuss further, please contact me at your earliest convenience.

I am suggesting that we have a meeting to discuss.

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Tobin, Annette
Sent: Thursday, November 16, 2017 9:15 AM
To: Evoy, Lori; Oley, Mary; Hounsell, Sandy
Cc: Dave, Paula V; Duffett, Ian; Khan, Hasen
Subject: RE: LSD of Smith Sound - Water Service

Hello,

I have received another call from a different person in Smith's Sound (Harcourt) regarding their drinking water system. I informed me that the LSD has informed them via letter that the system will be shut off with the power cut to the building effective January 1, 2018 if the residents do not take over the ownership and operation of the well. I stated that the Chairperson is saying that their license expired in 2006 and they are currently operating it illegally. I know of nothing on our end that would have an expiry date. I was trying to get in contact with Sandy to see what the legal requirements were on the municipal side. It appears that they do pay a water fee for the service and are willing to operate it but want to keep the ability to access funding should the system need upgrades of the well or disinfection system.

This system is of good water quality and effectively chlorinated. There has been no BWA since 2015 with only 2 short term BWA since 2003.

I have provided the information required from the Environment side but I can't speak to the municipalities side of the issue. Would someone be able to contact to see if we can provide the remainder of the information looking for?

Thank you,

Annette

From: Evoy, Lori
Sent: Monday, October 30, 2017 3:22 PM
To: Tobin, Annette; Oley, Mary; Hounsell, Sandy
Cc: Dave, Paula V; Duffett, Ian
Subject: RE: LSD of Smith Sound - Water Service

Annette,

I have copied Sandy on this e-mail, as I believe he provided the response back to the Town.

I have also copied Ian on the e-mail. Ian, is there a requirement for a LSD to maintain the water system for a period of time, if received MCW funding?

I do not have any additional information.

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Tobin, Annette
Sent: Monday, October 30, 2017 3:13 PM
To: Evoy, Lori; Oley, Mary
Cc: Dave, Paula V
Lori/Mary,

Has there been any update on this request from the Town? I receive a call from [redacted] of Harcourt-Monroe-Waterville inquiring as to the licensing requirements for public water supplies. She is on the water system in question and said all 15 families received a registered letter from the LSD stating that they were not authorized to operate the water system and the system would become the responsibility of the individual families. She was enquiring regarding the licensing requirements for a public water supply. I told her I would check into it for her and get back to her. I am not aware of any licensing requirements or authorization as MAE does currently classify it a public water supply with excellent water quality with no BWA.

[redacted] provided some background on the water system which you may or may not be aware of. More than 20 years ago all the houses were on individual wells under the well became contaminated due to agricultural activities. The existing water supply was provided by the provincial government to rectify the issue. Approximately 6-7 years ago, the water supply required substantial upgrades and the LSD obtained a capital works grant to conduct the required work. The 10% LSD funding was provided by the 15 families currently on the water supply. The families are concerned that if the supply is not a public water supply that they will not have the ability to obtain funding through any capital works programs.

Regards,
Annette

From: Dawe, Paula V  
Sent: Monday, October 30, 2017 9:10 AM  
To: Tobin, Annette  
Subject: FW: LSD of Smith Sound - Water Service

From: Oley, Mary  
Sent: Monday, September 25, 2017 12:16 PM  
To: Dawe, Paula V; Evoy, Lori; Drover, Mark  
Cc: Hounsell, Sandy; Duffett, Ian  
Subject: RE: LSD of Smith Sound - Water Service

Hi Lori:

I don’t see anything in the MA that specifically addresses an LSD divesting itself of responsibility for a water system that it currently owns and operates. Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

I agree with you, Lori, that the LSD would need to seek independent legal advice on this issue.

Mary
Mary Oley, B.Sc. LL.B.
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: marvelsey@gov.nl.ca
Telephone: 709-729-1953

From: Dawe, Paula V  
Sent: Monday, September 25, 2017 10:51 AM  
To: Evoy, Lori <Lori.Evoy@gov.nl.ca>; Drover, Mark <Mark.Drover@gov.nl.ca>; Oley, Mary <Mary.Oley@gov.nl.ca>  
Cc: Hounsell, Sandy <Sandy.Hounsell@gov.nl.ca>; Duffett, Ian <Ian.Duffett@gov.nl.ca>  
Subject: RE: LSD of Smith Sound - Water Service

Lori,

There is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a BWA (last BWA was in 2015). The source infrastructure is in somewhat poor condition. Up gradient of the source is a dairy farm and there are issues with the dairy farmer not being able to spread manure in the area. FracFlow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list) and appears to be operated properly. If the LSD refuses to operate the system, it would have to come off of the public drinking water system list and would no longer be sampled.
From: Evoy, Lori  
Sent: Monday, September 25, 2017 10:20 AM  
To: Dawe, Paula V; Drover, Mark; Oley, Mary  
Cc: Hounsell, Sandy; Duffett, Ian  
Subject: FW: LSD of Smith Sound - Water Service

Please see the e-mail below.

Can you advise? Paula, anything from water resources?

Mary/Mark, is this allowable under the current legislation?

I have several concerns including the LSD would need to seek legal advice, transfer of assets, and insurance liabilities just to name a few.

Perhaps a meeting with those on this e-mail to discuss before we follow up with the LSD?

Lori

Lori Evoy  
Eastern Regional Manager  
Department of Municipal Affairs and Environment

From: Hounsell, Sandy  
Sent: Monday, September 18, 2017 10:50 AM  
To: Evoy, Lori  
Subject: FW: LSD of Smith Sound - Water Service

For discussion.

From: tsdoftsmithsound@gmail.com [mailto:tsdoftsmithsound@gmail.com]  
Sent: Thursday, September 14, 2017 3:46 PM  
To: Hounsell, Sandy  
Cc: Duffett, Ian; Clarke, David  
Subject: LSD of Smith Sound - Water Service

Good Day Mr Hounsell  
My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You

Terry  
Terry Hardwick  
Chairman  
Local Services District of Smith Sound Committee  
PO Box 5957, Clarenville, NL A5A 3A2  
(709) 427-7633  
Email: tsdoftsmithsound@googlegroups.com
I will provide everyone with a draft of the e-mail, once complete – to review.

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

---

Tobin, Annette

Tobin, Annette
Sent: Monday, December 04, 2017 11:34 AM
To: Evoy, Lori
Cc: Khan, Haseen; Spracklin, Deneen; Dawe, Paula V; Khan, Ali; Oley, Mary; Duffett, Ian; Hounsell, Sandy
Subject: RE: REMINDER: LSD of Smith Sound - Water Service

Lori – please find below text from WRMD. Please ensure the red text is reviewed by Sandy or Ian to ensure this is accurate on the MA side. Text in purple is for MA information only.

The groundwater system that services Smith's Sound is classified as a public water supply by the Province. The water supply provides excellent water quality and is effectively chlorinated. The Department has no issues with this water supply at this time. It is recommended that this public water supply be retained by the LSD as a public water supply.

The LSD currently does not have a Permit to Operate. The Permit to Operate provides best management practices for operating the drinking water system. The Department would encourage the LSD to contact Water Resources Management Division to establish a Permit to Operate.

A Water Use License (WUA 96-113) was issued to the LSD on November 28, 1996 which expired on December 1, 2006. The LSD is permitted to continue using the groundwater system as a drinking water supply. The Department would encourage the LSD to contact Water Resources Management Division to renew the Water Use License.

If this supply is absorbed from the LSD, a water committee is a possibility but would have to be approved by MAE and would only provide water quality analysis services. Capital works funding would not be available to a water committee.

FYI: In 2013, the chairperson for Smith's Sound requested MA provide compensation of the LSD's 10% contribution for work completed in 2009/2010 due to the fact that the work should have been part of the original construction in 1997. Unsure as to the resolution by MA for this request.

---

Evoy, Lori
Sent: Monday, December 04, 2017 8:56 AM
To: Oley, Mary; Tobin, Annette; Duffett, Ian
Cc: Hounsell, Sandy
Subject: REMINDER: LSD of Smith Sound - Water Service

Morning,

As per our meeting last week, if you have not done so already, can you send me an e-mail with regards to the information you will be providing from your division with respect to the Smith Sound water supply?

ERO will then compile the information and draft the e-mail to send.

We would like to be able to send this e-mail early this week.

Thank you,

Lori

---

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Oley, Mary
Sent: Thursday, November 16, 2017 11:24 AM
To: Evoy, Lori; Tobin, Annette; Hounsell, Sandy  
Cc: Dave, Paula V; Duffett, Ian; Khan, Haseen  
Subject: RE: LSD of Smith Sound - Water Service

I am happy to meet to discuss.

Mary Oley, B.Sc. LL.B.  
Director of Local Governance and Planning  
Municipal Affairs and Environment  
Email: maryoley@gov.nl.ca  
Telephone: 709-729-1953

From: Evoy, Lori  
Sent: Thursday, November 16, 2017 10:59 AM  
To: Oley, Mary <MaryOley@gov.nl.ca>; Tobin, Annette <AnnetteTobin@gov.nl.ca>; Hounsell, Sandy <SandyHounsell@gov.nl.ca>  
Cc: Dave, Paula V <PaulaDawe@gov.nl.ca>; Duffett, Ian <IanDuffett@gov.nl.ca>; Khan, Haseen <Hkhan@gov.nl.ca>  
Subject: RE: LSD of Smith Sound - Water Service

Mary,

I believe you did as well. I still think we (those copied on this e-mail) may need to get together to discuss?

I will give [redacted] a call back, but there is very little from a municipal/local service district perspective I can add, outside of what the legislation states.

Lori

Lori Evoy  
Eastern Regional Manager  
Department of Municipal Affairs and Environment

From: Oley, Mary  
Sent: Thursday, November 16, 2017 10:36 AM  
To: Evoy, Lori; Tobin, Annette; Hounsell, Sandy  
Cc: Dave, Paula V; Duffett, Ian; Khan, Haseen  
Subject: RE: LSD of Smith Sound - Water Service

I am in agreement with the highlighted portions – I think I may have weighed in on this previously.

Mary Oley, B.Sc. LL.B.  
Director of Local Governance and Planning  
Municipal Affairs and Environment  
Email: maryoley@gov.nl.ca  
Telephone: 709-729-1953

From: Evoy, Lori  
Sent: Thursday, November 16, 2017 9:54 AM  
To: Tobin, Annette <AnnetteTobin@gov.nl.ca>; Oley, Mary <MaryOley@gov.nl.ca>; Hounsell, Sandy <SandyHounsell@gov.nl.ca>  
Cc: Dave, Paula V <PaulaDawe@gov.nl.ca>; Duffett, Ian <IanDuffett@gov.nl.ca>; Khan, Haseen <Hkhan@gov.nl.ca>  
Subject: RE: LSD of Smith Sound - Water Service

Mary (and all),

Based on the information below (previous e-mails), I believe Sandy sent the LSD an e-mail. (Sandy will be back next week to confirm)

Basically, I believe the e-mail would have included the following (based on the draft):

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392 A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipient of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

If the committee would like to schedule a meeting with departmental officials to discuss further, please contact me at your earliest convenience.

I am suggesting that we have a meeting to discuss.

Lori
Hello,

I have received another call from a different person in Smith's Sound (Harcourt), regarding their drinking water system. I informed them that the LSD has informed them via letter that their system will be shut off with the power cut to the building effective January 1, 2018 if the residents do not take over the ownership and operation of the well. I stated that the Chairperson is saying that their license expired in 2006 and they are currently operating it illegally. I know of nothing on our end that would have an expiry date. I was trying to get in contact with Sandy to see what the legal requirements were on the municipal side. It appears that they do pay a water fee for the service and are willing to operate it but want to keep the ability to access funding should the system need upgrades of the well or disinfection system.

This system is of good water quality and effectively chlorinated. There has been no BWA since 2015 with only 2 short term BWA since 2003.

I have provided the information required from the Environment side but I can't speak to the municipalities side of the issue. Would someone be able to contact Sandy to see if we can provide the remainder of the information she is looking for?

Thank you,
Annette

From: Tobin, Annette
Sent: Monday, October 30, 2017 3:22 PM
To: Tobin, Annette; Oley, Mary; Hounsell, Sandy
Cc: Dave, Paula V; Duffett, Ian
Subject: RE: LSD of Smith Sound - Water Service

Annette,

I have copied Sandy on this e-mail, as I believe she provided the response back to the Town.

I have also copied Ian on the e-mail. Ian, is there a requirement for a LSD to maintain the water system for a period of time, if received MCW funding?

I do not have any additional information.

Lori

Lori Evey
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Tobin, Annette
Sent: Monday, October 30, 2017 3:13 PM
To: Evey, Lori; Oley, Mary
Cc: Dave, Paula V
Subject: FW: LSD of Smith Sound - Water Service

Lori/Mary,

Has there been any update on this request from the Town? I received a call from [redacted] of Harcourt-Monroe-Waterville inquiring as to the licensing requirements for public water supplies. She is on the water system in question and said all 15 families received a registered letter from the LSD stating that they were not authorized to operate the water system and the system would become the responsibility of the individual families. She was enquiring regarding the licensing requirements for a public water supply. I told her I would check into it for her and get back to her. I am not aware of any licensing requirements or authorization as MAE does currently classify it a public water supply with excellent water quality with no BWA.

[Redacted] provided some background on the water system which you may or may not be aware of. More than 20 years ago all the houses were on individual wells under the well became contaminated due to agricultural activities. The existing water supply was provided by the provincial government to rectify the issue. Approximately 6-7 years ago, the water supply required substantial upgrades and the LSD obtained a capital works grant to conduct the required work. The 10% LSD funding was provided by the 15 families currently on the water supply. The families are concerned that if the supply is not a public water supply that they will not have the ability to obtain funding through any capital works programs.
From: Oley, Mary  
Sent: Monday, September 25, 2017 12:16 PM  
To: Dawe, Paula V; Evoy, Lori; Drover, Mark  
Cc: Hounsell, Sandy; Duffett, Ian  
Subject: RE: LSD of Smith Sound - Water Service

Hi Lori:

I don’t see anything in the MA that specifically addresses an LSD divesting itself of responsibility for a water system that it currently owns and operates. Section 392 of the Municipalities Act, 1999, address water services in LDSs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

I agree with you, Lori, that the LSD would need to seek independent legal advice on this issue.

Mary

Mary Oley, B Sc LL B.  
Director of Local Governance and Planning  
Municipal Affairs and Environment  
Email: marvoley@gov.nl.ca  
Telephone: 709-729-1953

From: Dawe, Paula V  
Sent: Monday, September 25, 2017 10:51 AM  
To: Evoy, Lori <lorievo@gov.nl.ca>; Drover, Mark <MarkDrover@gov.nl.ca>; Oley, Mary <MaryOley@gov.nl.ca>  
Cc: Hounsell, Sandy <SandyHounsell@gov.nl.ca>; Duffett, Ian <ianDuffett@gov.nl.ca>  
Subject: RE: LSD of Smith Sound - Water Service

Lori,

There is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2003 and is of excellent quality. The drinking water system is chlorinated and is currently not on a BWA (last BWA was in 2015). The source infrastructure is in somewhat poor condition. Up gradient of the source is a dairy farm and there are issues with the dairy farmer not being able to spread manure in the area. FracFlow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list) and appears to be operated properly. If the LSD refuses to operate the system, it would have to come off of the public drinking water system list and would no longer be sampled.

Paula Dawe, P.Eng.  
Manager  
Drinking Water & Waterworks Section, Dam Safety Program

From: Evoy, Lori  
Sent: Monday, September 25, 2017 10:20 AM  
To: Dawe, Paula V; Drover, Mark; Oley, Mary  
Cc: Hounsell, Sandy; Duffett, Ian  
Subject: FW: LSD of Smith Sound - Water Service

Please see the e-mail below.

Can you advise? Paula, anything from water resources?

Mary/Mark, is this allowable under the current legislation?

I have several concern including: the LSD would need to seek legal advice, transfer of assets, and insurance liabilities just to name a few.
Perhaps a meeting with those on this e-mail to discuss before we follow up with the LSD?

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Hounsell, Sandy
Sent: Monday, September 18, 2017 10:50 AM
To: Evoy, Lori
Subject: FW: LSD of Smith Sound - Water Service

For discussion.

From: lsdofsmithsound@gmail.com [mailto:lsdofsmithsound@gmail.com]
Sent: Thursday, September 14, 2017 3:46 PM
To: Hounsell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr. Hounsell,

My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telephone at your earliest convenience.

Thank You

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clareville, NL A5A 3A2
(709) 427-7633
Email: smith-sound-lsd@googlegroups.com
Please see below for the info requested under the Municipalities Act, 1999:

1. A local service district is not a municipality, and is not treated as one with respect to the disposition of assets/infrastructure, including water systems (see section 389).
2. A LSD may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply (see section 392). Note, there is no authority to dispose of/ sell the system; therefore, LSDs do not have the authority to sell/dispose of a water system. However, it appears that there may be authority to terminate service. Further, under subsection 401(2) allows LSDs to disconnect the service provided by a water system where the service fees are in arrears (this does not seem to be the case in this matter).

Again, I would suggest to both parties that they seek independent legal advice on this matter.

I hope this helps.

Mary

Mary Oley, B.Sc. LL.B.
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: maryoley@gov.nl.ca
Telephone: 709-729-1953

From: Evoy, Lori
Sent: Monday, December 4, 2017 8:56 AM
To: Oley, Mary <maryoley@gov.nl.ca>; Tobin, Annette <annettetobin@gov.nl.ca>; Duffett, Ian <ianduffett@gov.nl.ca>
Cc: Housnell, Sandy <sandyhousnell@gov.nl.ca>
Subject: REMINDER: LSD of Smith Sound - Water Service

Morning,

As per our meeting last week, if you have not done so already, can you send me an e-mail with regards to the information you will be providing from your division, with respect to the Smith Sound water supply?

ERO will then compile the information and draft the e-mail to send.

We would like to be able to send this e-mail early this week.

Thank you,

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Oley, Mary
Sent: Thursday, November 16, 2017 11:24 AM
To: Evoy, Lori; Tobin, Annette; Housnell, Sandy
Cc: Dave, Paula V; Duffett, Ian; Khan, Haseen
Subject: RE: LSD of Smith Sound - Water Service

I am happy to meet to discuss.

Mary Oley, B.Sc. LLB
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: maryoley@gov.nl.ca
Telephone: 709-729-1953
From: Evoy, Lori
Sent: Thursday, November 16, 2017 10:59 AM
To: Oley, Mary <MaryOley@gov.nl.ca>; Tobin, Annette <AnnetteTobin@gov.nl.ca>; Hounsell, Sandy <SandyHounsell@gov.nl.ca>
Cc: Davie, Paula V <PaulaDawie@gov.nl.ca>; Duffett, Ian <IanDuffett@gov.nl.ca>; Khan, Haseen <HKhan@gov.nl.ca>
Subject: RE: LSD of Smith Sound - Water Service

Mary,

I believe you did as well. I still think we (those copied on this e-mail) may need to get together to discuss.

I will give [redacted] a call back, but there is very little from a municipal/local service district perspective I can add, outside of what the legislation states.

Lori

---

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Oley, Mary
Sent: Thursday, November 16, 2017 10:36 AM
To: Evoy, Lori; Tobin, Annette; Hounsell, Sandy
Cc: Davie, Paula V; Duffett, Ian; Khan, Haseen
Subject: RE: LSD of Smith Sound - Water Service

I am in agreement with the highlighted portions – I think I may have weighed in on this previously.

Mary Oley, B.Sc. LL.B.
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: maryoley@gov.nl.ca
Telephone: 709-778-1953

---

From: Evoy, Lori
Sent: Thursday, November 16, 2017 9:54 AM
To: Tobin, Annette <AnnetteTobin@gov.nl.ca>; Oley, Mary <MaryOley@gov.nl.ca>; Hounsell, Sandy <SandyHounsell@gov.nl.ca>
Cc: Davie, Paula V <PaulaDawie@gov.nl.ca>; Duffett, Ian <IanDuffett@gov.nl.ca>; Khan, Haseen <HKhan@gov.nl.ca>
Subject: RE: LSD of Smith Sound - Water Service

Mary (and all),

Based on the information below (previous e-mails), I believe Sandy sent the LSD an e-mail. (Sandy will be back next week to confirm).

Basically, I believe the e-mail would have included the following (based on the draft):

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

If the committee would like to schedule a meeting with departmental officials to discuss further, please contact me at your earliest convenience.

I am suggesting that we have a meeting to discuss.

Lori

---

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Tobin, Annette
Sent: Thursday, November 16, 2017 9:15 AM
To: Evoy, Lori; Oley, Mary; Hounsell, Sandy
Cc: Davie, Paula V; Duffett, Ian; Khan, Haseen
Subject: RE: LSD of Smith Sound - Water Service

Hello,
I have received another call from a different person in Smith’s Sound (Harcourt) regarding their drinking water system. I informed me that the LSD has informed them via letter that the system will be shut off with the power cut to the building effective January 1, 2018 if the residents do not take over the ownership and operation of the well. I stated that the Chairperson is saying that their license expired in 2008 and they are currently operating it illegally. I know of nothing on our end that would have an expiry date. I was trying to get in touch with Sandy to see what the legal requirements were on the municipal side. It appears that they do pay a water fee for the service and are willing to operate it but want to keep the ability to access funding should the system need upgrades of the well or disinfection system.

This system is of good water quality and effectively chlorinated. There has been no BWA since 2015 with only 2 short term BWA since 2003.

I have provided the information required from the Environment side but I can’t speak to the municipalities side of the issue. Would someone be able to contact to see if we can provide the remainder of the information is looking for?

Thank you,
Annette

---

From: Evoy, Lori
Sent: Monday, October 30, 2017 3:22 PM
To: Tobin, Annette; Oley, Mary; Hounsell, Sandy
Cc: Dave, Paula V; Duflett, Ian
Subject: RE: LSD of Smith Sound - Water Service

Annette,

I have copied Sandy on this e-mail as I believe he provided the response back to the Town.

I have also copied Ian on this e-mail. Ian, is there a requirement for a LSD to maintain the water system for a period of time, if received MCW funding?

I do not have any additional information.

Lori

---

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Tobin, Annette
Sent: Monday, October 30, 2017 3:13 PM
To: Evoy, Lori; Oley, Mary
Cc: Dave, Paula V
Subject: FW: LSD of Smith Sound - Water Service

Lori/Mary,

Has there been any update on this request from the Town? I receive a call from [Redacted] of Harcourt-Monroe-Waterville inquiring as to the licensing requirements for public water supplies. She is on the water system in question and said all 15 families received a registered letter from the LSD stating that they were not authorized to operate the water system and the system would become the responsibility of the individual families. She was inquiring regarding the licensing requirements for a public water supply. I told her I would check into it for her and get back to her. I am not aware of any licensing requirements or authorization as MAE does currently classify it a public water supply with excellent water quality with no BWA.

[Redacted] provided some background on the water system which you may or may not be aware of. More than 20 years ago all the houses were on individual wells under the well became contaminated due to agricultural activities. The existing water supply was provided by the provincial government to rectify the issue. Approximately 6-7 years ago, the water supply required substantial upgrades and the LSD obtained a capital works grant to conduct the required work. The 10% LSD funding was provided by the 15 families currently on the water supply. The families are concerned that if the supply is not a public water supply that they will not have the ability to obtain funding through any capital works programs.

Regards,
Annette

---

From: Dave, Paula V
Sent: Monday, October 30, 2017 9:10 AM
To: Tobin, Annette
Subject: FW: LSD of Smith Sound - Water Service

---

From: Oley, Mary
Sent: Monday, September 25, 2017 12:16 PM
Hi Lori:

I don’t see anything in the MA that specifically addresses an LSD divesting itself of responsibility for a water system that it currently owns and operates. Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

I agree with you, Lori, that the LSD would need to seek independent legal advice on this issue.

Mary

Mary Oley, B.Sc, LL.B.
Director of Local Governance and Planning
Municipal Affairs and Environment
Email: maryoley@gov.nl.ca
Telephone: 709-729-1953

From: Dawe, Paula V
Sent: Monday, September 25, 2017 10:51 AM
To: Evoy, Lori <lorievoy@gov.nl.ca>; Drover, Mark <MarkDrover@gov.nl.ca>; Oley, Mary <MaryOley@gov.nl.ca>
Cc: Hounsell, Sandy <SandyHounsell@gov.nl.ca>; Duffett, Ian <IanDuffett@gov.nl.ca>
Subject: RE: LSD of Smith Sound - Water Service

Lori,

There is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2003 and is of excellent quality. The drinking water system is chlorinated and is currently not on a BWA (last BWA was in 2015). The source infrastructure is in somewhat poor condition. Up gradient of the source is a dairy farm and there are issues with the dairy farmer not being able to spread manure in the area. FracFlow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list) and appears to be operated properly. If the LSD refuses to operate the system, it would have to come off of the public drinking water system list and would no longer be sampled.

Paula Dawe, P.Eng.
Manager
Drinking Water & Wastewater Section, Dam Safety Program

From: Evoy, Lori
Sent: Monday, September 25, 2017 10:20 AM
To: Dawe, Paula V; Drover, Mark; Oley, Mary
Cc: Hounsell, Sandy; Duffett, Ian
Subject: FW: LSD of Smith Sound - Water Service

Please see the e-mail below.

Can you advise? Paula, anything from water resources?

Mary/Mark, is this allowable under the current legislation?

I have several concerns including; the LSD would need to seek legal advice, transfer of assets, and insurance liabilities just to name a few.

Perhaps a meeting with those on this e-mail to discuss before we follow up with the LSD?

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Hounsell, Sandy
Sent: Monday, September 18, 2017 10:50 AM
To: Evoy, Lori
Subject: FW: LSD of Smith Sound - Water Service
For discussion.

From: ludofsmithsound@gmail.com [mailto:ludofsmithsound@gmail.com]
Sent: Thursday, September 14, 2017 3:46 PM
To: Hoursell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr. Hoursell,

My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clareville, NL, A5A 3A2
(709) 427-7633
Email: smith.sound-lsd@brookermouse.com
DRAFT email to review based on the information received to date. Please review and respond back asap, so we can forward to the Town.

Ian, do you have anything else to add?

As per Annette’s email:
FYI: In 2013, the chairperson for Smith’s Sound requested MA provide compensation of the LSD’s 10% contribution for work completed in 2009/2010 due to the fact that the work should have been part of the original construction in 1997. Unsure as to the resolution by MA for this request.

Chairman Hardwick.

Since providing the e-mail below to the Local Service District (LSD) of Smith Sound, Department officials determined that the LSD may benefit from receiving additional information to assist in making decisions with respect to the LSD’s current water supply.

With respect to the Municipalities Act, 1999, a LSD is not a municipality, and is not treated as one with respect to the disposition of assets/infrastructure, including water systems (as per section 389).

Furthermore, a LSD may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply (as per section 392). Note, there is no authority to dispose of sell the system, therefore, LSDs do not have the authority to sell/distribute a water system. However, it appears that there may be authority to terminate service. Further, under subsection 401(2) allows LSDs to disconnect the service provided by a water system where the service fees are in arrears (However, this does not seem to be the case in this matter).

With respect to the water supply, it is noted that the groundwater system that services Smith’s Sound is classified as a public water supply by the Province. The water supply provides excellent water quality and is effectively chlorinated. The Department of Municipal Affairs and Environment (MAE) has no issues with this water supply at this time. It is recommended that this public water supply be retained by the LSD as a public water supply.

The LSD currently does not have a Permit to Operate. The Permit to Operate provides best management practices for operating the drinking water system. The Department would encourage the LSD to contact Water Resources Management Division to establish a Permit to Operate.

A Water Use License (WUL 96-113) was issued to the LSD on November 28, 1996 which expired on December 1, 2006. The LSD is permitted to continue using the groundwater system as a drinking water supply. Once again, the Department would encourage the LSD to contact Water Resources Management Division to renew the Water Use License.

If this supply is absorbed from the LSD, a water committee is a possibility but would have to be approved by MAE and would only provide water quality analysis services. Capital works funding would not be available to a water committee.

Please be advised that the Department has received inquiries from a couple of residents who are currently using the water system. Those residents are copied on this e-mail.

Please note that the mandate of the Department of Municipal Affairs and Environment is limited to providing general information and advice. In other words, the comments above are not a formal legal opinion and both parties (LSD Committee and individual residents) may wish to consider consulting with legal counsel for a definitive opinion.

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

Chairman Hardwick.
Thank you for your e-mail regarding the Local Service District (LSD) of Smith Sound and the water service for 14 families in the community of Harcourt.

In reviewing the request, it was determined that there is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a boil water advisory (BWA) (last BWA was in 2015). The source infrastructure is in somewhat poor condition. FreeFlow tried drilling alternative source wells in the area with no success. The system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list). If the LSD terminates the service and no longer operates the system, then it would have to come off the public drinking water system list and would no longer be sampled.

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392 A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

If the committee would like to schedule a meeting with departmental officials to discuss further, please contact me at your earliest convenience.

From: lsdofsmithsound@gmail.com [mailto:lsdofsmithsound@gmail.com]
Sent: Thursday, September 14, 2017 3:46 PM
To: Hounsell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr. Hounsell,

My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clareville, NL, A5A 3A2
(709) 427-7533
Email: smith_sound_hsd@googlegroups.com
From: "Evoy, Lori"
Sent: Monday, December 11, 2017 9:12 AM
To: Duffett, Ian
Cc: Hounsell, Sandy
Subject: FW: LSD of Smith Sound - Water Service

Ian,

Do you think you can review the e-mail below today. I am hoping we can send it out today or tomorrow?

Thanks,

Lori

Lori Evoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Oley, Mary
Sent: Wednesday, December 06, 2017 5:33 PM
To: Evoy, Lori; Hounsell, Sandy; Duffett, Ian; Tobin, Annette
Cc: Dawe, Paula V; Khan, Haseen; Spracklin, Deneen; Khan, Ali
Subject: Re: LSD of Smith Sound - Water Service

Looks good to me.

Thanks for coordinating Lori

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Evoy, Lori
Sent: Wednesday, December 6, 2017 4:20 PM
To: Hounsell, Sandy; Oley, Mary; Duffett, Ian; Tobin, Annette
Cc: Dawe, Paula V; Khan, Haseen; Spracklin, Deneen; Khan, Ali
Subject: RE: LSD of Smith Sound - Water Service

DRAFT email to review based on the information received to date. Please review and respond back asap, so we can forward to the Town.

Ian, do you have anything else to add?

As per Annette's email:
FYI: In 2013, the chairperson for Smith's Sound requested MA provide compensation of the LSD's 10% contribution for work completed in 2009/2010 due to the fact that the work should have been part of the original construction in 1997. Unsure as to the resolution by MA for this request.

Chairman Hardwick,

Since providing the e-mail below to the Local Service District (LSD) of Smith Sound, Department officials determined that the LSD may benefit from receiving additional information to assist in making decisions with respect to the LSD's current water supply.

With respect to the Municipalities Act, 1999, a LSD is not a municipality, and is not treated as one with respect to the disposition of assets/infrastructure, including water systems (as per section 389).

Furthermore, a LSD may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply (as per section 392). Note, there is no authority to dispose of sell the system; therefore, LSDs do not have the authority to sell/dispose of a water system. However, it appears that there may be authority to terminate service. Further, under subsection 401(2) allows LSDs to disconnect the service provided by a water
system where the service fees are in arrears (However, this does not seem to be the case in this matter).

With respect to the water supply, it is noted that the groundwater system that services Smith's Sound is classified as a public water supply by the Province. The water supply provides excellent water quality and is effectively chlorinated. The Department of Municipal Affairs and Environment (MAE) has no issues with this water supply at this time. It is recommended that this public water supply be retained by the LSD as a public water supply.

The LSD currently does not have a Permit to Operate. The Permit to Operate provides best management practices for operating the drinking water system. The Department would encourage the LSD to contact Water Resources Management Division to establish a Permit to Operate. A Water Use License (WUA 96-113) was issued to the LSD on November 28, 1996 which expired on December 1, 2006. The LSD is permitted to continue using the groundwater system as a drinking water supply. Once again, the Department would encourage the LSD to contact Water Resources Management Division to renew the Water Use License.

If this supply is absorbed from the LSD, a water committee is a possibility but would have to be approved by MAE and would only provide water-quality analysis services. Capital works funding would not be available to a water committee.

Please be advised that the Department has received inquiries from a couple of residents who are currently using the water system. Those residents are copied on this e-mail.

Please note that the mandate of the Department of Municipal Affairs and Environment is limited to providing general information and advice. In other words, the comments above are not a formal legal opinion and both parties (LSD Committee and individual residents) may wish to consider consulting with legal counsel for a definitive opinion.

Lori Enoy
Eastern Regional Manager
Department of Municipal Affairs and Environment

From: Enoy, Lori
Sent: Wednesday, October 4, 2017 10:47 AM
To: Housnell, Sandy
Cc: Duffett, Ian
Subject: RE: LSD of Smith Sound - Water Service

Chairman Housnell,

Thank you for your e-mail regarding the Local Service District (LSD) of Smith Sound and the water service for 14 families in the community of Harcourt.

In reviewing the request, it was determined that there is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a boil water advisory (BWA) (last BWA was in 2015). The source infrastructure is somewhat poor condition. Fracflow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria for a public drinking water system (owned by LSD, serves more than 14 people, listed on the public drinking water system list). If the LSD terminates the service and no longer operates the system, then it would have to come off of the public drinking water system list and would no longer be sampled.

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district council may, subject to the Water Resources Act, contrast for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

If the committee would like to schedule a meeting with departmental officials to discuss further, please contact me at your earliest convenience.

From: lsdofsmithsound@gmail.com (mailto: lsdofsmithsound@gmail.com)
Sent: Thursday, September 14, 2017 3:46 PM
To: Housnell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr. Housnell,

My name is Tony Haddock and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The
committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clarenville, NL A5A 3A2
(709) 427-7633
Email: smith-sound-task@goosecousps.com
From: "Clarke, David"
To: "Keough-Hackett, Trim", "Byrne, Matthew"
Subject: FW: LSD of Smith Sound - Water Service

Chairman Hardwick,

Since providing the e-mail below to the Local Service District (LSD) of Smith Sound, Department officials determined that the LSD may benefit from receiving additional information to assist in making decisions with respect to the LSD’s current water supply.

With respect to the Municipalities Act, 1999, a LSD is not a municipality, and is not treated as one with respect to the disposition of assets/infrastructure, including water systems (as per section 389).

Furthermore, a LSD may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply (as per section 392). Note, there is no authority to dispose of/sell the system; therefore, LSDs do not have the authority to sell/dispose of a water system. However, it appears that there may be authority to terminate service. Further, subsection 401(2) allows an LSD to disconnect the service provided by a water system where the service fees are in arrears (however, this does not appear to be the case in this matter).

With respect to the water supply, it is noted that the groundwater system that services Smith’s Sound is classified as a public water supply by the Province. The water supply provides excellent water quality and is effectively chlorinated. The Department of Municipal Affairs and Environment (MAE) has no issues with this water supply at this time. It is recommended that this public water supply be retained by the LSD as a public water supply.

The LSD currently does not have a Permit to Operate. The Permit to Operate provides best management practices for operating the drinking water system. The Department would encourage the LSD to contact Water Resources Management Division to establish a Permit to Operate. A Water Use License (WUA 96-113) was issued to the LSD on November 28, 1996, which expired on December 1, 2006. The LSD is permitted to continue using the groundwater system as a drinking water supply. Once again, the Department would encourage the LSD to contact Water Resources Management Division to renew the Water Use License.

If this supply is absorbed from the LSD, a water committee is a possibility but would have to be approved by MAE and would only provide water quality analysis services. Capital works funding would not be available to a water committee.

Please be advised that the Department has received inquiries from residents who are currently using the water system. Those residents are copied on this e-mail.

Please note that the mandate of the Department of Municipal Affairs and Environment is limited to providing general information and advice. In other words, the comments above are not a formal legal opinion and both parties (LSD Committee and individual residents) may wish to consider consulting with legal counsel for a definitive opinion.

Regards
Sandy

Mr. Sandy Hounsell, M.B.A., B.A.Sc., C.P.H.I.
Director of Municipal Support
Department of Municipal Affairs and Environment
P.O. Box 8700
St. John’s, NL A1B 4J6
(709) 729-7390

From: Hounsell, Sandy
Sent: Tuesday, December 12, 2017 10:25 AM
To: "smith-sound-lsd@googlegroups.com"
Cc: Duffett, Ian; Clarke, David; Evoy, Lori
Subject: RE: LSD of Smith Sound - Water Service

Chairman Hardwick,

Thank you for your e-mail regarding the Local Service District (LSD) of Smith Sound and the water service for 14 families in the community of Harcourt.

In reviewing the request, it was determined that there is a developed spring servicing a population of 35 people in Harcourt-Minnis-Watersville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a boil water advisory (BWA). Last BWA was in 2015. The source infrastructure is in somewhat poor condition. FracFlow tried drilling alternative source wells in the area with no success.
This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list). If the LSD terminates the service and no longer operates the system, then it would have to come off of the public drinking water system list and would no longer be sampled.

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:

392. A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD divesting itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

Sincerely,

Mr. Sandy Housnell, M.B.A., B.A.Sc., C.P.H.I.
Director of Municipal Support
Department of Municipal Affairs and Environment
P.O. Box 8700
St. John’s, NL A1B 4J6
(709) 729-7390

From: lsdofsmithsound@gmail.com
Sent: Thursday, September 14, 2017 3:49 PM
To: Housnell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr. Housnell,

My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You,

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 6507, Clarenville, NL A5A 3A2
(709) 427-7633
Email: smith-sound-lsd@googlegroups.com
Local Service District of Smith Sound  
PO Box 5957  
Clarenville, NL  
A5A 3A2  

October 16, 2017  

Re: Harcourt Water System  

Householders utilizing the Harcourt Water System  

At the LSD committee meeting held October 09, 2017, we unanimously passed the following resolution.  

Title: Resolution to Terminate LSD Water Service  

Whereas, WS-G-0337 is a public water supply locally known and herein referred to as the Harcourt Water System; and  
Whereas, we do not have a License to Operate the Harcourt Water System as required by the Water Resources Act; and  
Whereas, we consider the Harcourt Water System to actually be a private water system shared amongst a limited number of households in the community of Harcourt; and  
Whereas, the Harcourt Water System is solely supported by those limited number of householders rather than the all householders within the LSD; therefore be it.  

Resolved, That effective 31 December 2017 we discontinue Financing, Managing, Operating and Maintaining the Harcourt Water System  

Resolved, That we endeavour to reach an agreement with the affected householders or other interested party to transfer total responsibility of the Harcourt Water System including sale of the associated infrastructure, where is, as is, for the sum of One Dollar ($1.00).  

Resolved, That barring a transfer agreement, the water supply will be turned off, the power disconnected and the system will be abandoned in place, effective 01 January 2018.  

Resolved, that affected householders be advised in writing by registered mail of this resolution.  

We suggest the householders utilizing the Harcourt Water System as listed below, come together collectively to plan a way forward to take responsibility for their water system.  

We stand ready to meet and work co-operatively to reach an agreement and ensure a smooth transition, at your earliest convenience.  

.../over
Date: 10/24/2017 1:59:47 PM
From: "Terry Hardwick"
To: "Clarke, David"
Subject: Letter FYI
Attachment: letter re Harcourt Water System.pdf
Here is the letter we sent
Kindest Regards

Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957
Clareville, NL
A5A 3A2
709-427-7633
Email: smith-sound-lsd@googlegroups.com

List of Householders

s. 40.1
Date: 12/12/2017 10:44:05 AM  
From: "Hounsell, Sandy"  
To: [Redacted], "King, Neil"  
Cc: "Evoy, Lor"  
Subject: RE: Harcourt Water Supply  
Attachment: RE: LSD of Smith Sound - Water Service;  

Mr. King,

Please see the attached e-mail I sent to the LSD this morning.

Regards,
Sandy

Mr. Sandy Hounsell, M.B.A., B.A.Sc., C.P.H.I.
Director of Municipal Support
Department of Municipal Affairs and Environment
P.O. Box 8700
St. John's, NL A1B 4H6
(709) 729-7950

From: [Redacted]  
Sent: Monday, December 11, 2017 6:41 PM  
To: King, Neil  
Cc: Hounsell, Sandy  
Subject: Harcourt Water Supply

Mr King,

Just a follow up on the meeting held at the Smith Sound Fire Hall 30 Oct 17.

First of all, I would like to thank you for taking the time to attend the meeting, hear our concerns and for your offer of assistance as we work through this challenge.

As I see it, there are a number of questions/concerns that need to be addressed. I will try to summarize below:

Refs: A. Consolidated Newfoundland and Labrador Regulation 747/96, Local Service District Regulations under the Municipalities Act (O.C. 96-259)
B. Letter from Local Service District of Smith Sound to Householders utilizing the Harcourt Water System, dated 16 October, 2017
C. Public Mtg at Smith Sound Fire Department (at householders' request) 30 Oct 2017

Background:

The Department of Municipal Affairs registered licence number WS-00237 as the Harcourt Water System under the umbrella of the Local Service District (LSD) of Smith Sound. Ref A, para 24 describes how this water supply is afforded protection by the Municipal Affairs Act. The creation of this system was a joint effort of the LSD to work with government and resolve the loss of pre-existing water supplies of approximately 15 households in the mid-late 80s. Funding provided by government in an attempt to locate suitable and sufficient water replacement resulted in the establishment of a reservoir system which has since been maintained and recently upgraded using a cost share program between the provincial government and the LSD. In fairness to the households not affected by this environmental mishap, the homeowners utilizing the Harcourt Water System have paid for and maintained this service over and above the other services through additional fees as determined and collected by the LSD. Community members would (and still do) come together during system failures and the LSD resolved to establish protocols for individual responsibilities as well as collective responsibilities with respect to maintenance. By minimizing the impact on the community at large and reducing committee support to the administration of fees collection in concert with those collected from other community households for garbage collection, fire protection and recreational services, the Harcourt Water System has been an effective solution to an otherwise insurmountable problem. While some water accounts may be in arrears, the same may be said of any service provided and is subject to normal collection protocols (ref A, para 25).

A recent letter received from the LSD chair (ref B) sent shock waves through this aging community as homeowners on the Harcourt Water System were advised the committee would no longer support the administration of the service due to the fact they were not compliant with current regulations. Despite acknowledging it as “public”, they decided to deliver an ultimatum to affected homeowners, advising them to either purchase the system or have the electrical supply of the pumping station terminated effective 1 January 2018.

The follow-on meeting, organized by one of the homeowners, confirmed the LSD Committee’s concern with non-compliance (expired permit, lack of SOPs) and their intent to remove themselves from the liability of a public water system, regardless of the consequences to those affected.

Questions:

1. Is the water system considered a “Public” water supply by the Department of Municipal Affairs?
2. On what grounds can a LSD terminate such a service?
3. Can the 6 member LSD Committee (of which no members are affected by this decision and only the Fire Chief is from Harcourt) arbitrarily decide to remove a service that has been in place for over 20 years without consulting those affected, attempting to work towards a realistic resolution, and/or notifying the Department of Municipal Affairs of their intent prior to passing resolution?
4. Can the LSD sell a publicly funded water system as a means of avoiding the requirement to renew an existing licence ($400) and implementation of regulated protocols designed to protect the health and safety of those utilizing this system (Priceless)?
5. What recourse is available to the affected residents as they are currently faced with an ultimatum to either purchase a publicly funded system from the LSD for $1 (Ref B) or have the system turned off as of 1 Jan 18.

[Redacted] assistance in resolving this time sensitive issue and encourage you to discuss these concerns with the Department of Municipal Affairs and Environment (cc'd) so we might reduce the incredible stress this is placing on the affected residents of Harcourt and bring resolution to this matter prior to the holiday season.

Very Respectfully,

Sent from Mail for Windows 10
Since providing the e-mail below to the Local Service District (LSD) of Smith Sound, Department officials determined that the LSD may benefit from receiving additional information to assist in making decisions with respect to the LSD’s current water supply.

With respect to the Municipalities Act, 1999, a LSD is not a municipality, and is not treated as one with respect to the disposition of assets/infrastructure, including water systems (as per section 369).

Furthermore, a LSD may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply (as per section 392). Note, there is no authority to dispose of/sell the system; therefore, LSDs do not have the authority to sell/dispose of a water system. However, it appears that there may be authority to terminate service. Further, subsection 401(2) allows an LSD to disconnect the service provided by a water system where the service fees are in arrears (however, this does not appear to be the case in this matter).

With respect to the water supply, it is noted that the groundwater system that services Smith’s Sound is classified as a public water supply by the Province. The water supply provides excellent water quality and is effectively chlorinated. The Department of Municipal Affairs and Environment (MAE) has no issues with this water supply at this time. It is recommended that this public water supply be retained by the LSD as a public water supply.

The LSD currently does not have a Permit to Operate. The Permit to Operate provides best management practices for operating the drinking water system. The Department would encourage the LSD to contact Water Resources Management Division to establish a Permit to Operate. A Water Use License (WUA 96-113) was issued to the LSD on November 28, 1996, which expired on December 1, 2006. The LSD is permitted to continue using the groundwater system as a drinking water supply. Once again, the Department would encourage the LSD to contact Water Resources Management Division to renew the Water Use License.

If this supply is absorbed from the LSD, a water committee is a possibility but would have to be approved by MAE and would only provide water quality analysis services. Capital works funding would not be available to a water committee.

Please be advised that the Department has received inquiries from residents who are currently using the water system. Those residents are copied on this e-mail.

Please note that the mandate of the Department of Municipal Affairs and Environment is limited to providing general information and advice. In other words, the comments above are not a formal legal opinion and both parties (LSD Committee and individual residents) may wish to consider consulting with legal counsel for a definitive opinion.

Regards
Sandy

Mr. Sandy Hounsell, M.B.A., B.A.Sc., C.P.H.I.
Director of Municipal Support
Department of Municipal Affairs and Environment
P.O. Box 8700
St. John’s, NL A1B 4J6
(709) 729-7390

From: Hounsell, Sandy
Sent: Friday, October 13, 2017 4:09 PM
To: "smith-sound-lsd@googlegroups.com"
Cc: Duffett, Ian; Clarke, David
Subject: RE: LSD of Smith Sound - Water Service

Chairman Hardwick,

Thank you for your e-mail regarding the Local Service District (LSD) of Smith Sound and the water service for 14 families in the community of Harcourt.

In reviewing the request, it was determined that there is a developed spring servicing a population of 35 people in Harcourt-Monroe-Waterville. The water quality has been sampled by WRMD since 2001 and is of excellent quality. The drinking water system is chlorinated and is currently not on a boil water advisory (BWA) last BWA was in 2015. The source infrastructure is in somewhat poor condition. FracFlow tried drilling alternative source wells in the area with no success.

This system currently meets the criteria of a public drinking water system (owned by LSD, services more than 14 people, listed on the public drinking water system list). If the LSD terminates the service and no longer operates the system, then it would have to come off of the public drinking water system list and would no longer be sampled.

Section 392 of the Municipalities Act, 1999, address water services in LSDs as follows:
A local service district committee may, subject to the Water Resources Act, contract for or construct, acquire, establish, own and operate a public water supply system and may in relation to the public water supply system determine the time, manner, extent, nature and recipients of the supply.

The legislation does not specifically address the issue of an LSD deviating itself of the responsibility for a water system that it currently owns and operates. The LSD may wish to seek independent legal advice on this issue regarding transfer of assets, insurance liabilities, etc.

Sincerely,

Mr. Sandy Hounsell, M.B.A., B.A.Sc., C.P.H.I.
Director of Municipal Support
Department of Municipal Affairs and Environment
P.O. Box 8700
St. John's, NL A1B 4J6
(709) 729-7390

From: thpsmithsound@gmail.com
Sent: Thursday, September 14, 2017 3:46 PM
To: Hounsell, Sandy
Cc: Duffett, Ian; Clarke, David
Subject: LSD of Smith Sound - Water Service

Good Day Mr Hounsell
My name is Terry Hardwick and I am the Committee Chair for the LSD of Smith Sound. Since this past spring our committee has been discussing the situation with a very limited water service in Harcourt, one of the communities within the LSD. The general consensus is that we should not be providing this as a LSD service and the 14 families that share this common well and its distribution system should be responsible for it themselves. The committee recently passed a resolution to investigate terminating this water service with the intent of introducing a formal resolution terminating the service effective December 31, 2017.

Any guidance/assistance you can provide would be greatly appreciated. It may be appropriate and I would welcome the opportunity to discuss this issue via telecon at your earliest convenience.

Thank You

Terry
Terry Hardwick
Chairman
Local Service District of Smith Sound Committee
PO Box 5957, Clarenville, NL A5A 3A2
(709) 427-7633
Email: smith-sound-lsd@googlegroups.com