



Corporation of the Municipality of South Huron  
Agenda - Regular Council Meeting

Tuesday, April 18, 2017, 6:00 p.m.  
Council Chambers - Olde Town Hall

Accessibility of Documents:

Documents are available in alternate formats upon request. If you require an accessible format or communication support, please contact the Clerk's Department at 519-235 -0310 or by email at [g.scharback@southhuron.ca](mailto:g.scharback@southhuron.ca) to discuss how best we can meet your needs.

Pages

1. Meeting Called To Order

Welcome & O Canada

2. Public Meeting

3. Amendments to the Agenda, as Distributed and Approved by Council

**Recommendation:**

**That South Huron Council approves the Agenda as presented.**

4. Disclosure of Pecuniary Interest and the General Nature Thereof

5. Delegations

5.1 Randy Wagler - Avon Maitland District School Board Municipal Update 2017

1

5.2 T.A.L.K. Walk/run - September 16, 2017

12

**Recommendation:**

**That South Huron Council receives the delegation as presented by Randy Wagler, Avon Maitland District School Board and the T.A.L.K. Walk/Run presentation.**

6. Minutes

6.1 Minutes of the Regular Council Meeting of April 3, 2017

16

**Recommendation:**

**That South Huron Council adopts the minutes of the Regular Council Meeting of April 3, 2017, as printed and circulated.**

## 7. Councillor Board and Committee Reports

### **Recommendation:**

**That the reports and minutes of the following committees and / or boards be received as presented to Council:**

**Economic Development Advisory Committee - March 30, 2017**

**Kirkton-Woodham Pool Committee - April 4, 2017 & August 25, 2016**

7.1	Economic Development Advisory Committee - Draft Minutes March 30, 2017	28
-----	--	----

7.2	Kirkton-Woodham Pool Committee - Minutes April 4, 2017 & August 25, 2016	31
-----	--	----

## 8. Staff Reports

### 8.1 Financial Services

8.1.1	Budget Variance Report - First Quarter	37
-------	--	----

#### **Recommendation:**

**That South Huron Council receives the report from S. Becker, Financial Services Manager/Treasurer re: Budget Variance Report - First Quarter.**

8.1.2	2017 Capital Projects Status Report Completed as of March 31, 2017	51
-------	--	----

#### **Recommendation:**

**That South Huron Council receives the report from S. Becker, Financial Services Manager/Treasurer re: 2017 Capital Projects Status Report completed as of March 31, 2017.**

## 8.2 Transportation Services

- 8.2.1 Tender Results - 2017 Supply and Application of Dust Suppressant on Gravel Roads 60

**Recommendation:**

That South Huron Council receive the report from Jason Parr, Transportation Services Manager RE: Tender Results - 2017 Supply and Application of Dust Suppressant on Gravel Roads AND;

That South Huron Council accept the tender received from 552976 Ontario Limited o/a Cliff Holland Trucking and award a contract for the supply and application of 364 flake tonnes of dust suppressant at \$198.00 per tonne for a total cost of \$72,072.00 plus HST.

## 8.3 Community Services

- 8.3.1 Dashwood Community Centre Washroom Project – FCC Farm Credit AgriSpirit Fund 65

**Recommendation:**

That South Huron Council receives the report from Jo-Anne Fields, Community Services Manager re: Dashwood Community Centre Washroom Project – FCC Farm Credit AgriSpirit Fund; and

That the Municipality of South Huron authorize staff to prepare a grant submission to the FCC Farm Credit AgriSpirit Fund to offset washroom project renovation costs at the Dashwood Community Centre.

- 8.3.2 Kirkton-Woodham Pool Accessibility Lift – Hydro One Funding 68

**Recommendation:**

That South Huron Council receives the report from Jo-Anne Fields, Community Services Manager re: Kirkton-Woodham Pool Accessibility Lift – HydroOne Funding; and

That the Municipality of South Huron Council authorize the Clerk and the Mayor to execute an Agreement with HydroOne to accept a \$10,000.00 grant for this project; and

That the necessary By-law be forwarded to Council for the required three readings.

## 8.4 Development Services

- 8.4.1 Discharge of Site Plan Agreement - 103 Alexander Street West, Exeter 71

**Recommendation:**

**That South Huron Council receives the report from D. McNab, Manager of Development Services/CBO re: Discharge of Site Plan Agreement - 103 Alexander Street West, Exeter.**

## 8.5 Administration

- 8.5.1 Talk Walk/Run 75

**Recommendation:**

**That South Huron Council receives the report of Dan Best, Chief Administrative Officer regarding the TALK Walk/Run; and**

**That Staff be authorized to coordinate with the South Huron Optimist Club and Organizers of the TALK Walk/Run to hold a 1.5 km Children's Run and a 5 km Family run on September 16, 2017.**

- 8.5.2 Bill 68 Update 77

**Recommendation:**

**That South Huron Council receives the report of Dan Best, Chief Administrative Officer regarding an update on Bill 68.**

- 8.5.3 Bylaw 34-2015 Fees and Charges Schedule F 157

**Recommendation:**

**That South Huron Council receives the report of Dan Best, Chief Administrative Officer regarding By-law 34-2015 Fees and Charges Schedule F; and**

**That direction be provided to Staff regarding the request received by Staff seeking an exemption from By-law 34-2015.**

## 8.5.4 CAO Workplan

160

**Recommendation:**

That the memo of Daniel Best, Chief Administrative Officer dated April 18, 2017, regarding the establishment of a CAO Workplan be received; and

That Council will establish priorities for the upcoming 2017-18 period through a Committee of the Whole meeting on April 24, 2017; and

That the establishment of Council priorities will assist in the development of the CAO Workplan; and

That a formal quarterly reporting and monitoring be established effective for the second quarter of 2017 that will assist Council in the review and monitoring of Council priorities and the CAO Workplan;

That the Council Priorities, Implementation Schedule, Reporting and CAO Workplan be posted on the Municipal website.

## 8.5.5 Park Use Policy and By-law – Elliot Park

166

**Recommendation:**

That the memo of Daniel Best, Chief Administrative Officer dated April 18, 2017, 2017 regarding a Park Use Policy and By-law – Elliot Park be received;

That Council authorize Staff to proceed with the development and draft of a Park Use Policy and By-law – Elliot Park for the consideration of Council.

9. Deferred Business10. Notices of Motion11. Mayor & Councillor Comments and Announcements12. Communications

## 12.1 Ministry of Natural Resources and Forestry - Extension for Draft Shoreline Management Plan 2016

168

## 12.2 South West LHIN – Peer Support Strategy update

170

12.3	Peel Regional Council – Resolution Support - Recommend that the Provincial Government clarify and assume their legislative role in community water fluoridation.	175
12.4	Municipality of Port Hope – Resolution Support- Banning incineration of waste	177
12.5	Township of Madawaska Valley – Resolution Support - Opposed to proposed change to Building Code B-08-09-03	179
12.6	South Huron Optimist –Accessible washroom/ changeroom facility at the Splashpad	181
12.7	Ian Palmatier, Chair of the Canada Day 150 Committee – Requesting donation toward Canada Day 150 Celebrations in South Huron	182
12.8	Frank Fernandez, Stop The Great Lakes Nuclear Dump – Open letter to Minister McKenna	183

**Recommendation:**

**That South Huron Council receives correspondence items not otherwise dealt with.**

13. Closed Session

**Recommendation:**

**That South Huron Council proceeds in Closed Session at 8:01 p.m. for the purpose of addressing a proposed or pending acquisition or disposition of land by the municipality or local board.**

14. Report From Closed Session

15. By-Laws

15.1	By-Law No. 17-2017 - Bean Zoning	187
------	----------------------------------	-----

**Recommendation:**

**That the South Huron Council gives third and final reading to By-Law #17-2017, to amend By-Law #013-84, being the Zoning By-Law for the former Township of Usborne for the lands known as Conc 1 PT Lot 15, Usborne Ward, Municipality of South Huron.**

- 15.2 By-Law No. 23-2017 – Agreement with Hydro One Networks Inc 193

**Recommendation:**

That the South Huron Council gives first, second and third and final reading to By-Law #23-2017, being a by-law to authorize an Agreement with Hydro One Networks Inc., for the purpose of receiving the Hydro One Safe Communities Grant Program.

- 15.3 By-Law No. 24-2017 – Repeal By-Law 47-2014- Site Plan Agreement 196

**Recommendation:**

That the South Huron Council gives first, second and third and final reading to By-Law #24-2017, being a by-law to repeal By-Law 47-2014, being a by-law to a authorize the execution of a Site Plan Agreement between the Municipality of South Huron and 2139740 Ontario Limited c/o John and Linda Wuerth in the Municipality of South Huron in the County of Huron.

- 15.4 By-Law No. 25-2017 – To adopt Policy 01-2017 – Post-Traumatic Stress Disorder Prevention Plan Policy 197

**Recommendation:**

That the South Huron Council gives first, second and third and final reading to By-Law #25-2017, being a by-law to adopt Policy 01-2017 – Post-Traumatic Stress Disorder Prevention Plan Policy.

16. Confirming By-Law

- 16.1 By-Law No. 26-2017 – Confirming By-Law 219

**Recommendation:**

That the South Huron Council gives first, second and third and final reading to By-Law #26-2017, being a by-law to confirm matters addressed at the April 18, 2017 Council meeting.

17. Adjournment

**Recommendation:**

That South Huron Council hereby adjourns at 8:40 p.m., to meet again on May 1, 2017 at 6:00 p.m. or at the Call of the Chair.



Avon Maitland District School Board  
Engage, Inspire, Innovate ...Always Learning

# AMDSB Municipal Update 2017

Randy Wagler, Chair of the Board  
Lisa Walsh, Director of Education

# Outline

- **Our District by the Numbers**
- **Renewed Strategic Plan**
- **Inclusion**
- **Renewed Math Strategy**
- **Pathways to Success**
- **International Education**
- **Looking Ahead**

# Our District by the Numbers

- **15,250 students**
  - **10,072 Elementary**
  - **5,178 Secondary**
- **30 Elementary Schools**
- **10 Secondary Schools**
  - **7 are Grades 7 to 12**
  - **2 are Grades 9 to 12**
  - **1 E-Learning School**
- **Over 2,400 full and part-time staff**
- **2016-2017 Operating Budget: \$200M**



# Renewed Strategic Plan

- **Strategic Plan for 2016-2020 approved in June 2016**

## We Will

Create Positive, Inclusive Learning Environments

## And

Maximize Outcomes for Students

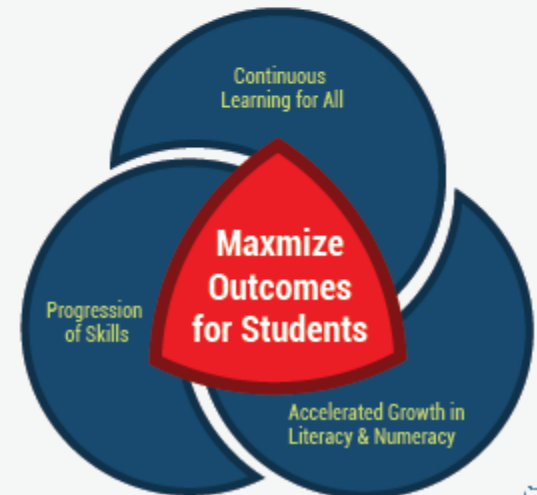
## By

Engaging our students, staff, families, communities and our world

Inspiring with evidence-informed teaching and learning

Innovating through the creative potential of emerging technologies

Guided by the Principles of Equity, Character, & Stewardship



# Inclusion

- **More students in regular classrooms**
- **Elimination of self-contained classrooms**
- **Extra supports in place for classroom teachers**
- **Amazing success stories**
- **Review of our work in progress**



**WE WILL**  
Create Positive, Inclusive  
Learning Environments



# Renewed Math Strategy

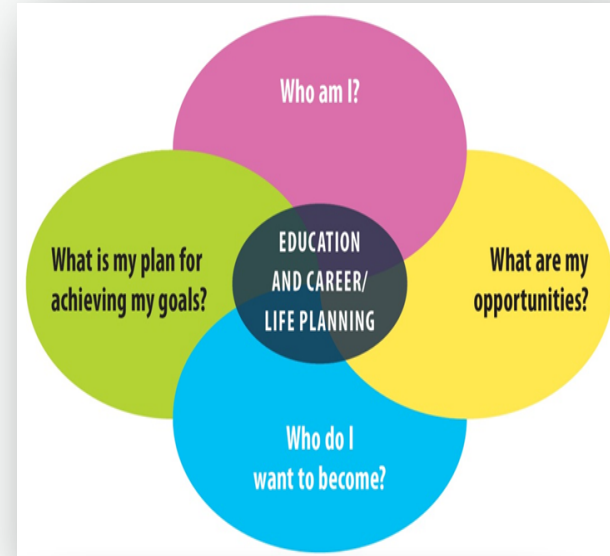
**Ontario's renewed math strategy (RMS) will help students, teachers, schools and districts in achieving stronger math results and better position our young people for the jobs of today and tomorrow.**

**There are four key objectives of the RMS:**

- **to increase student achievement in mathematics**
- **to increase educator math knowledge and pedagogical expertise**
- **to increase leader capacity to support effective math pedagogy and school improvement**
- **to increase parent engagement in their children's math learning**

# Pathways to success

- **We believe:**
  - All students can be successful.
  - Success comes in many forms.
  - There are many pathways to success
- Students now begin education & career planning in elementary school
- We are a provincial leader in providing opportunities to explore different pathways:
  - Co-op
  - College Dual-credits
  - Ontario Youth Apprenticeship Program (OYAP)
  - Specialist High Skills Major programs



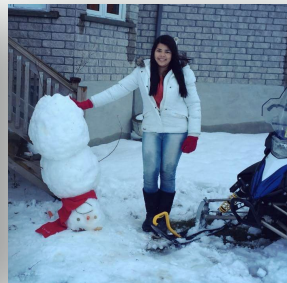
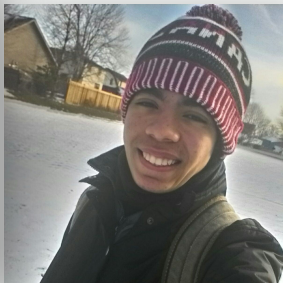
my **Blueprint**

# High Skills Majors

- **CHSS – Health & Wellness, Information & Com. Tech, Manufacturing**
- **FEMSS – Health & Wellness, Construction**
- **GDCI – Environment, Hospitality & Tourism**
- **LDSS – Construction, Health & Wellness, Manufacturing**
- **MDHS – Agriculture, Hospitality & Tourism**
- **SHDHS – Transportation**
- **St. Mary's DCVI – Environment**
- **SCSS – Arts & Culture, Information & Com. Tech**
- **SNSS – Energy, Health & Wellness, Hospitality & Tourism, Manufacturing, Transportation**

# International Education 2016-2017

- Over 256 international students, most since launch
- Students from Brazil, Mexico, Spain, Germany, Switzerland, Italy, South Korea, Japan, Vietnam, Denmark, Thailand, Finland and China
- Students placed at every high school and some elementary schools
- Internationalization includes travel opportunities for our students to countries including Taiwan, Italy and St. Maarten
- International student summer program – **Capture Canada** . Up to 50 international students will learn English and explore Huron and Perth counties in an immersive experience



# Looking Ahead

- **Declining enrolment slowing, already stable in our elementary schools; Secondary enrolment has some challenges**
- **International Education is growing and providing more opportunities for our students**
- **The future is bright for Avon Maitland Students:**
  - **Continued focus on literacy and numeracy**
  - **Pursuing innovation to improve student outcomes**
  - **Maximizing outcomes for students**
  - **Creating inclusive environments**
  - **Ongoing research to ensure program effectiveness**





Avon Maitland District School Board

Engage, Inspire, Innovate ...Always Learning

# Thank You

## T.A.L.K. walk/run – Town Council Presentation – April 18, 2017

Sponsored by the South Huron Optimist Club, the TALK walk/run is a fundraiser for the children of Kara Gosleigh to be held on September 16, 2017 during the Great Community Challenge weekend. Kara is a 46 year old mother of three, Noel 11, Sophie 10 and Madelyn who is 8 years old. Over the past 5 years Kara has bravely fought cervical cancer and now is losing the battle. This walk is being organized to provide a trust fund for her three children.

**TALK** stands for:

**Teal** -the awareness ribbon colour of cervical cancer

**Awareness** -as we are using this opportunity to educate and encourage people to have their routine screening done, education on cervical cancer and prevention, and make sure people know how to be an advocate of their own health

**Life** celebration of

**Kara**

The vision is to have a day of celebration for families. We will be starting at 9:30am with opening ceremonies which will include a welcome and guest speaker who will discuss cervical cancer and prevention. Afterwards, we will have a 1.5 km children's route followed by a 5km family route, where people can walk, run, ride a bike, or whatever they would like. The routes will start at the north end of Pryde Blvd and will circle around the streets on the east side of Exeter. Along the routes we hope to connect with the residents to see if they will decorate their homes in teal so that people will have a route clearly marked out for them. There will also be people designated at the beginning and end to ensure no one is lost or injured. We will also have some ATVs designated to keep an eye as well with a first aid box and water should anyone need it. After the Walk/Run there will be food available at the Ag building and a silent auction and raffle draws.

We would like to thank the Municipality of South Huron for their support of this event and also would like to take this opportunity to share the appreciation Kara's family has for the generosity and support of this community.

The South Huron Optimist Club is excited to partner with the TALK Teal Walk/Run committee and sponsor their event in conjunction with our annual Great Community Challenge already underway on that date.

### **What is the Great Community Challenge?**

The Great Community Challenge is a weekend event put on by the South Huron Optimist Club and enjoyed by all community members who wish to participate in it. It is a fun recreational weekend that hosts a co-ed ball tournament, holey board tournament, music and children's activities. This new added partnership with the TALK Teal Walk/Run committee adds a whole new component in the same spirit of fun and camaraderie that already exists with this current weekend's events and can only enhance and make the event even more successful.

The Great Community Challenge had 32 Corporate sponsors last year that allowed us to make the most of our money raised so that as a club, we can invest in the very community we serve in and that those sponsors work and employ people in. We are all in it for the betterment of our community and the lives that we touch each day.

To give you an idea of what this event has meant for our communities in South Huron, here is a list of benefactors that have received funds from our annual event:

2011 – Centralia Playground was planned and installed thanks to a group of local community members who worked with our club and helped us to host the event, secure grants and purchase the playground equipment that you see there today. A great and necessary park for the residents and visitors to Centralia.

2012 – Crediton Playground was enhanced through the proceeds from the Great Community Challenge where once again we partnered with residents who wanted to improve the playground for the children of their community and visitors.

2013 – Funds were raised to assist the South Huron Optimist Club and other local supporters to bring the Exeter Splash Zone to life. We were also able to raise money for a local family who was going through some tough times. (A Noble Cause)

2014 – Funds were raised for Phase 2 of the splash pad project which is the adjacent playground that you see there today. Beautiful and well used structures enjoyed by kids of many ages.

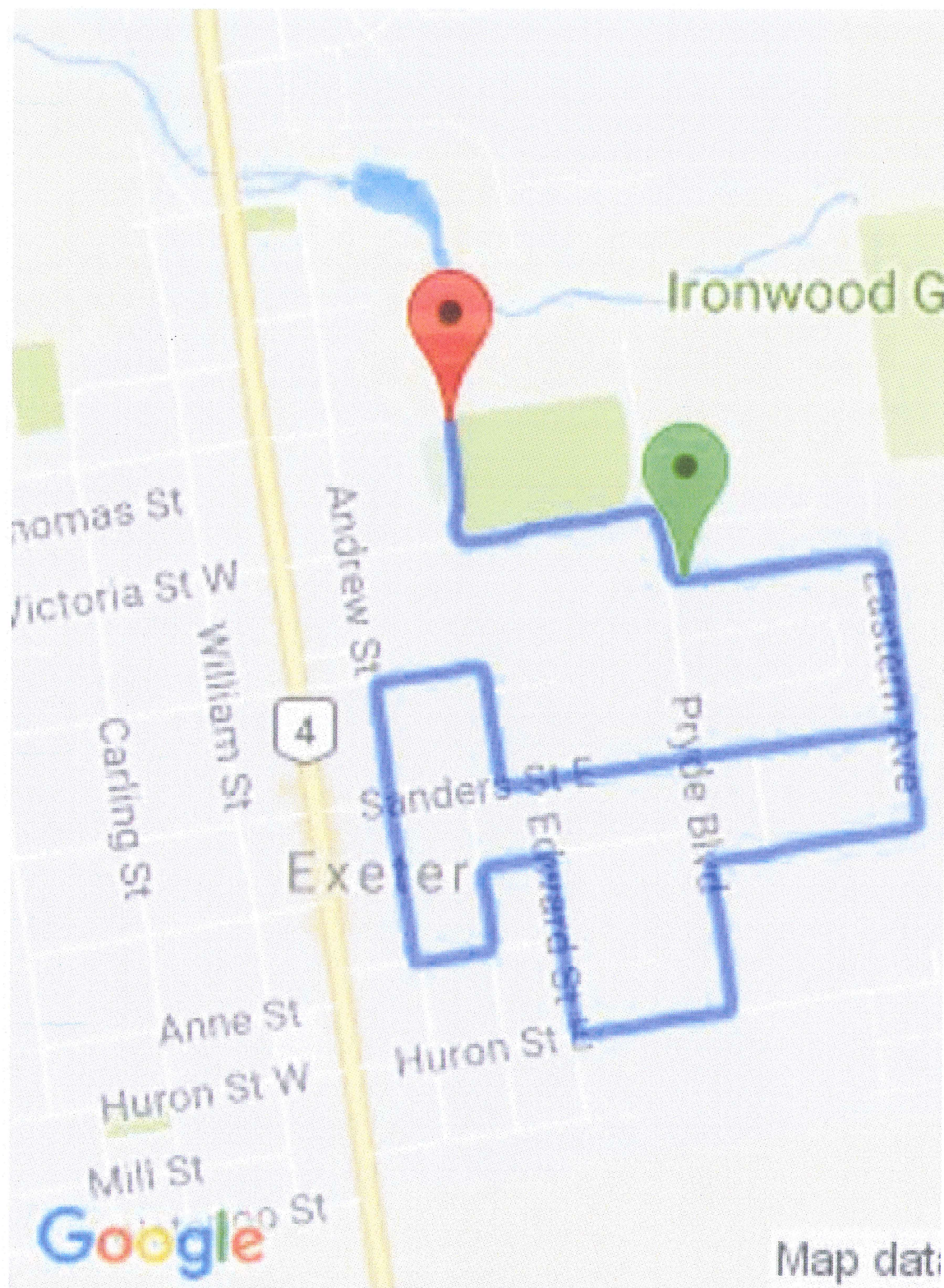
2015 – With no concrete projects in the works within the communities of South Huron that we were aware of, we used the funds raised from this year's Great Community Challenge and purchased a commercial cooler for the Exeter Food Bank. This allowed the food bank to be able to store the dairy, produce and meat necessary to help those less fortunate in our community. Before the new cooler they were unable to accept donations of those products in any large quantity.

2016 – As part of a series of events for the club, the Great Community Challenge used the proceeds of this year's events to add to the "pot" to be able to give a generous donation to a cause that has been welcomed by a large majority of our community members, and that cause is "Jessica's House". The club has a few more events lined up in 2017 that will also benefit Jessica's House and we will present that committee with a large donation from our efforts once these events are completed.

2017 – It is our goal this year to be able to raise money at the Great Community Challenge for the 3<sup>rd</sup> phase of the splash pad project which is accessible washrooms at the splash pad/playground as there are not suitable facilities there at present. We will also take this opportunity to assist the TALK Teal Walk/Run in raising additional funds for their cause through our Holey Board tournament.

**What is the Mutual Benefit to the Partnership of South Huron Optimist Club and the Talk Teal Walk/Run?**

The South Huron Optimist Club already has the facilities rented and our community event is already underway we are therefore able to provide shared space for the Talk Teal Walk/Run at no additional cost to them allowing them to raise more funds for their cause. The South Huron Optimist Club benefits from having more people attend their event and enjoying the festivities. We will be speaking to our insurance provider Gaiser Kneale insurance about adding the Talk Teal Walk/Run onto our liability policy for the weekend as well.



5.0017 km

Distance

Map data



## **Corporation of the Municipality of South Huron**

### **Minutes for the Regular Council Meeting Monday April 3, 2017 – 6:00 p.m. Council Chambers - Olde Town Hall**

#### Members:

Mayor Maureen Cole  
Deputy Mayor Dave Frayne  
Councillor Tom Tomes – Ward 1  
Councillor Marissa Vaughan – Ward 1  
Councillor Wayne DeLuca – Ward 2  
Councillor Craig Hebert – Ward 2  
Councillor Ted Oke – Ward 3

#### Staff:

Dan Best, Chief Administrative Officer/Deputy Clerk  
Genevieve Scharback, Manager of Corporate Services/Clerk  
Andrew Baird, Manager of Emergency Services/Fire Chief  
Sandy Becker, Manager of Financial Services/Treasurer  
Jo-Anne Fields, Manager of Community Services  
Don Giberson, Environmental Services Director  
Dwayne McNab, Manager of Development Services/CBO  
Jason Parr, Manager of Transportation Services

#### Others:

Media

1. Meeting Called to Order

Mayor Cole called the meeting to order at 6:00 p.m.

2. Public Meeting

None.

3. Amendments to the Agenda, as Distributed and Approved by Council

**Motion:** #111-2017  
**Moved:** Councillor DeLuca  
**Seconded:** Deputy Mayor Frayne

**That South Huron Council approves the amendments to the Agenda, being that an item be added to the Closed Session pertaining to personal matters about an identifiable individual.**

**Disposition:** Carried.

**Motion:** #112-2017  
**Moved:** Councillor Vaughan  
**Seconded:** Councillor Hebert

**That the agenda be further amended to include an item under Section 7.4 – CAO Performance Appraisal Process, being a report from Councillor Vaughan.**

**Disposition: Carried.**

4. Disclosure of Pecuniary Interest and the General Nature Thereof

None.

5. Delegations

5.1 Patrick Nagle & Sid Bruinsma, Dutch – Canadians – Remember as One – Liberation Memorial Park

Mr. Bruinsma and Mr. Nagle provided a presentation noting that the Liberation Memorial Park in Goderich honours the historical special friendship between the Netherlands and Canada. He requested \$760.00 for work on the park to mark Canada's 150<sup>th</sup> anniversary. The amount represents the approximately 760 lives from Huron County that were lost between the two world wars.

It was noted that King Willem-Alexander of the Netherlands has approved the attendance of Princess Margriet at the Canada 150 celebration hosted by Dutch-Canadians Remember As One committee. The program will be approved by the Netherlands and the embassy in Ottawa. Details will be published and promoted closer to the date of the event.

Mayor Cole thanked Mr. Bruinsma and Mr. Nagle for the presentation.

5.2 Deb Homuth – Jessica's House Update

Ms. Homuth provided a power point presentation on the progress to date on the Jessica's House residential hospice project. She noted that more than \$2 million in donations of cash and pledges have been received to date. She reviewed the research and work the committee has completed regarding the land, building, and staffing as well as accreditation with Hospice Palliative Care Ontario for the hospice. She advised that April 21, 2017 is the ceremonial groundbreaking date.

Mayor Cole advised of emails received regarding the LHIN's decision on two hospice sites, one in Clinton and one in Stratford, for the Huron-Perth area. She noted that the Patients First Act requires residential hospices are accountable to the LHIN. They require LHIN approval to be considered a health care facility. She noted concerns regarding accreditation and LHIN approval.

Ms. Homuth thanked CAO Dan Best for his work on behalf of Jessica's

House. Deputy Mayor Frayne thanked Ms. Homuth for the presentation.

6. Minutes

- 6.1 Minutes of the Regular Council Meeting and Public Meeting of March 20, 2017.

**Motion:** #113-2017  
**Moved:** Councillor Oke  
**Seconded:** Councillor Tomes

**That South Huron Council adopts the minutes of the Regular Council Meeting and Public Meeting of March 20, 2017, as printed and circulated.**

**Disposition: Carried.**

7. Councillor Board and Committee Reports

- 7.1 Communities in Bloom – April 5, 2017 Agenda and e-mail request dated March 20, 2017  
 7.2 ABCA – Annual Meeting Minutes of February 16, 2017 and General Manager's Report of March 23, 2017  
 7.3 BRA - Board of Directors Meeting Highlights of March 16, 2017

Mayor Cole noted concerns regarding Communities in Bloom committee quorum for meetings.

**Motion:** #114-2017  
**Moved:** Councillor DeLuca  
**Seconded:** Councillor Hebert

**That Council hereby approves a donation in the amount of \$1,000.00 to the Communities in Bloom Committee for a garden competition, advertising and prizes from the Canada 150 fund that has been set aside for use in 2017 for Canada 150 celebrations and events.**

**Disposition: Carried.**

Deputy Mayor Frayne will provide a copy of correspondence from the Ministry of Natural Resources that is referenced in item #7.2, Ausable Bayfield Conservation Authority minutes at a future meeting.

- 7.4 Report from Councillor Vaughan – CAO Performance Appraisal

Councillor Vaughan provided a hand-out summary of the CAO performance review process carried out to complete the six month review on March 28, 2017. She advised of next steps identified through this process for future CAO performance reviews, including a documented policy and process. It was noted that the CAO will provide Council with a work plan for review and priority setting at the April 18,

2017 Council meeting.

**Motion:** #115-2017  
**Moved:** Councillor Hebert  
**Seconded:** Deputy Mayor Frayne

That the minutes of the following committees and / or boards be received as presented to Council:

- Communities in Bloom – April 5, 2017 Agenda and e-mail request dated March 20, 2017
- ABCA – Annual Meeting Minutes of February 16, 2017 and General Manager's Report of March 23, 2017
- BRA - Board of Directors Meeting Highlights of March 16, 2017
- Report from Marissa Vaughan – Initial Process – CAO's Performance Appraisal Review

**Disposition:** Carried.

## 8. Staff Reports

### 8.1 Environmental Services

8.1.1 D. Giberson, Environmental Services Director re: Engineering Services for James Street East Reconstruction

**Motion:** #116-2017  
**Moved:** Councillor DeLuca  
**Seconded:** Councillor Hebert

That South Huron Council receives the report from D. Giberson, Environmental Services Director re: Engineering Services for James Street East Reconstruction; and

That South Huron Council amend the engineering services contract with BM Ross Engineers to add the amount of \$53,750 plus HST for professional services related to James Street East Reconstruction project.

**Disposition:** Carried.

8.1.2 D. Giberson, Environmental Services Director re: Engineering services for the William, Simcoe and George Street Reconstruction Projects

**Motion:** #117-2017  
**Moved:** Deputy Mayor Frayne  
**Seconded:** Councillor Oke

That South Huron Council receives the report from D. Giberson, Environmental Services Director re: Engineering services for the William, Simcoe and George Street Reconstruction Projects; and

**That South Huron Council amend the engineering services contract with GMBLuePlan Engineers to add the amount of \$72,774.95 plus HST for professional services related to William, Simcoe and George Street Reconstruction Projects.**

**Disposition: Carried.**

8.1.3 D. Giberson, Environmental Services Director re: Crediton Sewage Pumping Station Pump Rebuild

**Motion: #118-2017**  
**Moved: Councillor Tomes**  
**Seconded: Councillor Vaughan**

**That South Huron Council receives the report from D. Giberson, Environmental Services Director re: Crediton Sewage Pumping Station Pump Rebuild; and**

**That South Huron Council authorizes an expenditure of over \$10,000 and less than \$25,000 in accordance with the Procurement By-law #32-2013 to rebuild a pump at the Crediton Sewage Pumping Station.**

**Disposition: Carried.**

## 8.2 Transportation Services

8.2.1 J. Parr, Transportation Services Manager re: Tender Results - 2017 Provision of Crushed Granular "M" for Road Maintenance

**Motion: #119-2017**  
**Moved: Councillor Hebert**  
**Seconded: Councillor Tomes**

**That South Huron Council receives the report from J. Parr, Transportation Services Manager re: Tender Results - 2017 Provision of Crushed Granular "M" for Road Maintenance; and**

**That South Huron Council accept the tender received from Jennison Construction Ltd and award a contract for the supply of 33,900 tonnes of Crushed Granular "M" at \$9.75 per tonne for a total cost of \$330,525.00 plus HST.**

**Disposition: Carried.**

## 8.3 Corporate Services

8.3.1 G. Scharback, Corporate Services Manager/Clerk re: Municipal Insurance Renewal

**Motion: #120-2017**  
**Moved: Councillor Hebert**

**Seconded: Councillor DeLuca**

**That South Huron Council receives the report from G. Scharback, Corporate Services Manager/Clerk re: Municipal Insurance Renewal; and**

**That the Clerk be authorized to accept the Municipal Insurance Renewal Proposal, as provided by Jardine Lloyd Thompson for the year 2017; and**

**That a Request for Proposal for municipal insurance be prepared and issued in 2017 for the 2018 underwriting year for the purpose of ensuring the principles of fair, open and transparent procurement of insurance services.**

**Disposition: Carried.**

#### **8.4 Administration**

**8.4.1 D. Best, Chief Administrative Officer/ Deputy Clerk re: Community Emergency Management Coordinator (CEMC)**

**Motion: #121-2017  
Moved: Councillor DeLuca  
Seconded: Councillor Hebert**

**That South Huron Council receives the report from D. Best, Chief Administrative Officer/ Deputy Clerk re: Community Emergency Management Coordinator (CEMC);**

**And that the Municipality of South Huron endorses the concept the County of Huron providing a Community Emergency Management Coordinator (CEMC) to provide emergency management planning services, in accordance with the requirements of the Emergency Management & Civil Protection Act and its regulations;**

**And that the County of Huron provides “permanent” office space for the CEMC position;**

**And that the Municipality of South Huron will provide “as needed” office space for the CEMC;**

**And that the Municipality appoint by by-law the CEMC at the first official Council meeting following the CEMC’s selection;**

**And that the municipal CAO’s meet at least once annually with the County CAO to review input on the CEMC’s performance in each municipality;**

**And that the CEMC begin to meet with each Council and commence an assessment of each municipalities’ emergency preparedness;**

**And that the CEMC ensures that the requirements for compliance contained within the Emergency Management & Civil Protection Act are achieved and completed within the annual timeframes required for each municipality and the County.**

**Disposition: Carried.**

8.4.2 D. Best, Chief Administrative Officer/ Deputy Clerk re: Shared Post Traumatic Stress Disorder (PTSD) Prevention Plan

**Motion: #122-2017**  
**Moved: Councillor Oke**  
**Seconded: Councillor DeLuca**

**That South Huron Council receives the report from D. Best, Chief Administrative Officer/ Deputy Clerk re: Shared Post Traumatic Stress Disorder (PTSD) Prevention Plan;**

**And that Council approves the Post Traumatic Stress Disorder (PTSD) Prevention Plan;**

**And that Staff are authorized to submit the Post Traumatic Stress Disorder (PTSD) Prevention Plan to the Ministry of Labour as presented.**

**Disposition: Carried.**

8.4.3 D. Best, Chief Administrative Officer/ Deputy Clerk re: Shared Services Update

**Motion: #123-2017**  
**Moved: Deputy Mayor Frayne**  
**Seconded: Councillor Vaughan**

**That South Huron Council receives the report from D. Best, Chief Administrative Officer/ Deputy Clerk re: Shared Services Update.**

**Disposition: Carried.**

## 9. Deferred Business

Council directed the Clerk at the February 21, 2017 Regular Council Meeting, to include a motion on the April 3 Regular Council Meeting Agenda to confirm a tentative date of April 24, 2017 for a Committee of the Whole meeting for the purpose of discussing Committees of Council.

**Motion: #124-2017**  
**Moved: Councillor Hebert**  
**Seconded: Councillor Oke**

**That South Huron Council schedule a Committee of the Whole meeting on April 24, 2017 at 6:00 p.m., for the purpose of discussing Committees of Council.**

**Disposition: Carried.**

## 10. Notices of Motion

## 10.1 Notice of Motion

Councillor Tomes withdrew the notice of motion he had submitted regarding the appointment of a CAO Performance Appraisal Committee.

## 10.2 Notice of Motion

**Motion: #125-2017**  
**Moved: Councillor Oke**  
**Moved: Councillor Vaughan**

**That South Huron Council support the resolution from the Township of Killaloe, Hagarty and Richards dated February 21, 2017;**

**Whereas the MMAH has proposed a change to the building code, B-08-09-03, requiring mandatory five year septic tank pump out and records retention by the owner; and**

**Whereas that same change requires Municipalities to administer and enforce this change; and**

**Whereas the change document fails to identify the administrative costs to Municipalities; and**

**Whereas the change document fails to identify any transfer of Provincial funding to offset these downloaded costs; and**

**Whereas many Municipalities already have bylaws to regulate septic systems especially near waterways; and**

**Whereas the majority of homeowners pump out their septic tanks on a regular basis whether regulated to or not; and**

**Whereas there are many more important issues on which to spend taxpayer's money than "enhancing" maintenance on existing functioning systems; and**

**Whereas adequate legislation already exists to correct malfunctioning systems; and**

**Whereas Premier Wynne stated on Monday, January 30th, 2017 at the ROMA conference that the Province recognizes that "one size fits all" solutions do not always work in rural Ontario;**

**Therefore be it resolved that the Municipality of South Huron request the Honorable Bill Mauro, Minister of Municipal Affairs, to rescind proposed building code change B- 08-09-03; and**

**That a copy of this resolution is sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Bill Mauro, Minister of Municipal Affairs, Mr. Patrick Brown, Leader of the Progressive Conservative Party, Ms. Andrea**

**Horwath, Leader of the New Democratic Party, and all Members of Provincial Parliament in the Province of Ontario; and**

**That a copy of this resolution is sent to the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA), the Federation of Northern Ontario Municipalities (FONOM), and to all Ontario Municipal Mayors for consideration.**

**Disposition: Carried.**

**11. Mayor & Councillor Comments and Announcements**

**11.1 Mayor Memo to Council re: Canada 150 Budget Authorization for Municipal Purposes**

Mayor Cole reviewed her report noting that she will extend the invitation to the Canada 150 dinner for past and present Council members and their spouses to senior staff and their spouses. It will be on May 11, 2017 at the Exeter Legion.

**Motion: #126-2017**  
**Moved: Councillor Oke**  
**Seconded: Councillor Vaughan**

**That South Huron Council receives the memo of Mayor Maureen Cole regarding the Canada 150 Budget Authorization for Municipal Purposes; and**

**That Council authorizes the Canada 150 budget expenditures as presented.**

**Disposition: Carried.**

Mayor Cole advised that she attended the United Way gala in Stratford and also participated in the Board of Health strategic plan development. New Public Health standards will be coming forward soon, Huron County Council has invited lower tier municipalities to attend the April 5 Council meeting, and MPP Lisa Thompson will be celebrating Canada's 150 and the anniversary of the vote for women in Exeter and Kincardine. A request for the donation of the recreation hall will be coming to Council in the near future.

Deputy Mayor Frayne advised that the next Kirkton Community Centre Board meeting will be on April 10, 2017.

Councillor Oke advised that six of the eight South Huron girls hockey teams will be going to the provincial finals in Toronto. He noted that the Kirkton Fair comedy night fundraiser was very successful.

Councillor DeLuca requested information regarding the direction from the Committee of the Whole for a CAO's report on the recreation projects. CAO Best advised that a Committee of the Whole meeting will be required to present the project options.

**Motion:** #127-2017  
**Moved:** Councillor DeLuca  
**Seconded:** Councillor Tomes

**That a Committee of the Whole meeting be scheduled on May 8, 2017 at 10:00 a.m. for the purpose of receiving a report from the CAO regarding recreation projects.**

**Disposition: Carried.**

Council agreed to add Priority Setting, CAO Work-Plan to the April 24, 2017 Committee of the Whole agenda and will amend the agenda by resolution at meeting time.

## 12. Communications

- 12.1 South Huron Hospital Association – Thank you for use of South Huron Recreation Centre
- 12.2 United Way Perth-Huron – Request for Funding
- 12.3 Ontario Association of Fire Chiefs – OACF 2017 Municipal Officials Seminar
- 12.4 Huron County Farm and Home Safety Association – Request for Donation
- 12.5 Heart & Stroke Big Bike Event –Annual Big Bike Event
- 12.6 Bach Music Festival Run, Bach Music Festival & Victim Services – Request Temporary Road Closure

**Motion:** # 128-2017  
**Moved:** Councillor DeLuca  
**Seconded:** Councillor Hebert

**That South Huron Council hereby approves the official closure of Main Street from Wellington Street to Huron Street on Saturday July 8, 2017 from 8:30 a.m. to 9:30 a.m., for the purpose of the Bach Musical Festival Run.**

**Disposition: Carried.**

**Motion:** #129-2017  
**Moved:** Councillor Hebert  
**Seconded:** Deputy Mayor Frayne

**That South Huron Council proceed past the 9:00 p.m. curfew for the purpose of addressing remaining matters on the agenda.**

**Disposition: Carried.**

- 12.7 Middlesex Centre – Resolution Request – Support for Policy to Install AEDs in all Schools
- 12.8 Town of Ingersoll – Resolution Request - Support for Policy to Install AEDs in all Schools
- 12.9 Township of East Zorra-Tavistock – Resolution Request - Support for

Policy to Install AEDs in all Schools  
 12.10 Heather Alcock, Exeter United Church – Thank you for your Support

**Motion:** # 130-2017  
**Moved:** Councillor Oke  
**Seconded:** Councillor Vaughan

**That South Huron Council receives correspondence items not otherwise dealt with.**

**Disposition:** Carried.

13. Closed Session

**Motion:** #131-2017  
**Moved:** Councillor Hebert  
**Seconded:** Deputy Mayor Frayne

**That South Huron Council proceeds in Closed Session at 8:54 p.m. for the purpose of addressing matters pertaining to personal matters about an identifiable individual, including municipal or local board employees and for the purpose of addressing matters pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board.**

**Disposition:** Carried.

14. Report From Closed Session

Council reconvened in open session at 9:33 p.m.

**Motion:** #132-2017  
**Moved:** Councillor Oke  
**Seconded:** Councillor Vaughan

**That the CAO proceed with the exploration of a land purchase and report back to Council on the findings.**

**Disposition:** Carried.

**Motion:** #133-2017  
**Moved:** Councillor Vaughan  
**Seconded:** Councillor Hebert

**That the Council of the Municipality of South Huron authorize the probation period of the CAO/Deputy Clerk as being satisfied.**

**Disposition:** Carried.

**Motion:** #134-2017  
**Moved:** Deputy Mayor Frayne  
**Seconded:** Councillor DeLuca

**That staff be authorized to develop an education and training on Freedom of Information for Council.**

**Disposition:** Carried.

15. By-Laws

15.1 By-Law No. 17-2017 – Bean Zoning

**Motion:** #135-2017  
**Moved:** Councillor Hebert  
**Seconded:** Councillor Tomes

**That the South Huron Council defers the third and final reading to By-Law #17-2017 to the April 18, 2017 meeting.**

**Disposition:** Carried.

16. Confirming By-Law

16.1 Confirming By-Law

**Motion:** #136-2017  
**Moved:** Councillor Hebert  
**Seconded:** Councillor Vaughan

**That the South Huron Council gives first, second and third and final reading to By-Law #22-2017, being a by-law to confirm matters addressed at the April 3, 2017 Council meeting.**

**Disposition:** Carried.

17. Adjournment

**Motion:** #137-2017  
**Moved:** Deputy Mayor Frayne  
**Seconded:** Councillor Tomes

**That South Huron Council hereby adjourns at 9:40 p.m., to meet again on April 18, 2017 at 6:00 p.m. or at the Call of the Chair.**

**Disposition:** Carried.



**Corporation of the Municipality of South Huron  
Economic Development Advisory Committee  
Minutes**

**Thursday, March 30, 2017 – 6:00 p.m.  
Verity Room, Olde Town Hall**

**Members:**

Jon Gaiser, Vice Chair  
Leanne Comeau-Alternate  
Pat O'Rourke  
Allen Plant  
Larry Taylor  
Marissa Vaughan, South Huron Councillor

**Regrets:**

Wayne DeLuca, Chair  
Yegor Kubrak

**Staff:**

Dan Best, Chief Administrative Officer  
Carla Preston, Deputy Clerk

Members of the Public

**1. Meeting Called To Order**

Jon Gaiser, co-chair called the meeting to order at 6:04 p.m.

**2. Agenda Update**

**3. Disclosure of Pecuniary Interest and the General Nature Thereof**

None.

**4. Approval of Minutes**

4.1 Minutes of the South Huron Economic Development Advisory Committee Meeting of January 26, 2017

**Motion: 7-2017**

**Moved: P. O'Rourke**

**Seconded: A. Plant**

**That South Huron Economic Development Advisory Committee adopts the minutes of January 26, 2017, as printed and circulated.**

**Disposition: Carried.**

## 5. Delegation

### 5.1 Britany Wise, Exeter BIA – Presentation: Finding South Huron on the Digital Map

Ms. Wise, BIA Manager provided a presentation on the lack of South Huron's online presence on Trip Advisor and Google. The Exeter BIA is strongly encouraging South Huron businesses to add their business to Google and would like the Municipality to add their assets. They will be supporting businesses by contributing to half of the cost for members that participate in Google 360 which costs \$350 per listing.

The Exeter BIA is requesting the following:

- A municipal staff member to work with BIA to enhance Wikipedia listing for Exeter
- To list all the assets on Google and Trip Advisor
- To support the Google 360 campaign by listing a few municipal assets

The committee thanked Ms. Wise for coming.

## 6. Ambassador Sub-Committee

### 6.1 Agenda & Minutes of March 20, 2017 and Verbal update from Councillor Vaughan

**Motion: 8-2017**  
**Moved: P. O'Rourke**  
**Seconded: L. Taylor**

#### **Recommendation:**

**That South Huron Economic Development Advisory Committee supports the proposed model of the Ambassador Program and directs the sub-committee to continue to develop the Ambassador Program within that framework.**

**Disposition: Carried.**

## 7. Discussion

### 7.1 Huron County Economic Development Update

Councillor Vaughan provided the committee members with a copy of the Huron County Economic Development Board Report that was distributed at the Breakfast held on March 27, 2017.

CAO Dan Best commented on the success of the Huron County Local Immigration Partnership event on March 28<sup>th</sup> held at the South Huron Recreation Centre. The event was well attended and success stories of hiring immigrant workers were shared.

Mr. Best suggested that the committee have a joint meeting with the Huron County Economic Development Board in the near future.

**Motion:** 9-2017  
**Moved:** P. O'Rourke  
**Seconded:** A. Plant

**Recommendation:**

**That South Huron Economic Advisory Committee invite the Huron County Economic Development Committee to a future meeting.**

**Disposition: Carried.**

8. Communications

8.1 Exeter BIA – South Huron Map & Guide

That South Huron Economic Development received the request.

9. Adjournment

**Motion:** 10-2017  
**Moved:** L. Taylor  
**Seconded:** M. Vaughan

**Recommendation:**

**That South Huron Economic Development Committee hereby adjourns at 7:48 p.m., to meet again on May 25, 2017 at 6:00 p.m. or at the Call of the Chair.**

**Disposition: Carried.**

---

Jon Gaiser, Vice Chair

---

Carla Preston, Recording Secretary

Kirkton Woodham Pool Committee  
Minutes of April 4, 2017 Meeting

Attending: Sonya Henderson, Lori Bearss, Candice Harris, Jodi Froud, Michelle Ferguson, Pam Benoit, Melinda Zurbrigg, Rebecca Clothier Shepard, Dan Best, Ted Oke

Sonya called the meeting to order with a welcome and a request for introductions.

We were pleased to have Rebecca Clothier Shepard, Administrator, Treasurer and Deputy Clerk of Perth South and Dan Best, COA of South Huron join us as well as Michelle Ferguson, a possible new committee member.

Motion to accept the minutes of August 25, 2016 was made by Lori Bearss, seconded by Jodi Froud. Carried

A conversation was had pertaining to the communication of the committee and it is apparent that many discussions are taking place without correct information or inclusion of the entire committee. It was suggested that in order to improve the efficiency of the committee all communication flow through the Chairperson and it would be dealt with accordingly. Members of the committee and Municipal reps are to ensure emails, texts or any information sharing be done in a positive and professional manner.

#### Accessibility and Maintenance

Lori B successfully secured a grant from Hydro One. The grant money of \$10,000 will be used towards purchasing a permanent accessible lift. There are three options available at this time.

Other grant opportunities were denied.

Other grant money available from the Municipality of Perth South (PS) will be used immediately to purchase paint for the floors and lighting for the change rooms.

The Accessibility Project is a work in progress with many details left to finish. The committee has suggested a May 12<sup>th</sup> completion date in order to have everything in place for a June opening.

Detailed notes from Dave Atthill were available and are included in these minutes.

Other projects such as aesthetic improvements of paint, new lockers, counter top etc were all discussed. We are pleased to have Michelle Ferguson volunteer to paint the exterior wall of the guard room for the summer season and years forward. It will have a fun theme to be decided upon after suggestions are available.

#### Municipal Reports:

PS has approved a budget of \$23,090 towards the operating expenses of the pool for the 2017 season. This is an increase of approx. \$5000. over last year.

A Sunscreen Dispenser program is available through the Perth District Health Unit. Rebecca requested a dispenser be installed at the pool. Sunscreen is supplied by the Health Unit. Staff is asked to monitor the need for more sunscreen and ensure the dispenser is working properly.

A motion to participate in this project was put forth by Ted Oke, Seconded by Lori Bearss. Carried.

Municipality of South Huron (MOSH) approved a budget of \$23, 090 towards the operating expenses of the pool for the 2017 season. This too was an increase of approx. \$5000 over last year.

Financial, Council, Facilities Management and all Personnel is gratefully appreciated.

#### Staff Report:

Jodi and Candice accepted resumes and interviewed the candidates for guard positions. Nine applications were received and it is the intention to hire all candidates. This is an increase in staff numbers but it is deemed necessary due to the applicants scheduling requests.

A full staff report is included with these minutes.

Jodi and Candice will be creating a schedule for this year and the guards will be asked to adhere to the schedule. Time spent working at the pool will be time paid. Should a staff member(s) choose to remain at the pool during down hours they will not be paid for this time. Only scheduled hours will be paid.

Jodi and Candice recommended a change in staff titles from Head Guard to Senior Guard. This is to be the title for upcoming seasons.

It was recommended that a Day Camp be offered again this year. This year the camp will run full days with a minimum number of participants to ensure viability. Dates and details to be determined prior to the registration night so public can be made aware of our intentions.

#### Registration Night:

The 2017 Registration Night will take place at the Kirkton Community Centre from 5:30 to 7:30 p.m on May 10<sup>th</sup>, pending hall availability. A note was made to ensure enough registration forms were available. It was suggested new forms should be available from MOSH.

Amendment: The date of the pool registration is May 11<sup>th</sup>, time and place remain as set.

#### Pool Opening:

It is the wish of the committee to have the pool open mid June. This will require the renovation project to be completed by the date requested (May 12<sup>th</sup>). The Health Unit will be called for inspection to take place on or before June 9<sup>th</sup> 2017.

#### Fundraising Night (Community Night):

It will take place this year and Pam volunteered to organize this event. Dates and details will be determined at a later date.

#### Optimist Ball Tournament Food Booth:

This discussion was tabled to a later meeting pending information and discussion with the Optimist Club.

#### Elections:

Elections were postponed in order to involve new members to the committee. At this point, Sonya will remain as chair. This will be her last season as Chair. Pam will remain in the Secretary position and Jodi and Candice will facilitate the Staffing responsibilities. Confirmation that Jenna Becker will

remain as FaceBook Communication and Media Rep is pending. Jodi will manage our page on Kirkton.ca.

We were saddened to receive a letter of resignation from Lori as Co-Chair of the pool committee. Lori has been on the committee for many years and was an integral part of the accessibility project. The many hours (way too many to count!) Lori dedicated to the pool have made numerous positive improvements to the pool and to the community at large. Sincere Thanks to Lori and best wishes!

New Business:

Responsibilities for the next meeting include....

FIND VOLUNTEERS! Each member is asked to pursue neighbours, community members, school families and anyone else who would be interested in joining our committee. We are in desperate need of volunteers. If it is the intention to have a say in our community pool we must maintain a volunteer committee. Please spread the word!!

Pam to book the hall for the registration night.

Senior Guard to contact the Health Unit for an inspection appointment. Date June 9<sup>th</sup> 2017.

Pam to request registration forms from MOSH.

Sonya to follow up with Dave A and Dan regarding project completion.

Jenna to update the website with information pertaining to Registration Night and post a Request for Volunteers.

Next Meeting :

May 10<sup>th</sup> at the Pool 7:45 p.m. (following Registration night)

Amendment: the meeting will be May 11<sup>th</sup> , date change only.

Meeting Adjourned by Lori, Seconded by Candice.

Kirkton- Woodham Pool  
Committee Meeting  
August 25, 2016  
Kirkton-Woodham Community Centre

Attendance:

Sonya Henderson, Lori Bearss, Jodi Froud, Candice Harris, Melinda Zurbrigg, Ted Oke and Pam Benoit

Chairperson Sonya Henderson called the meeting to order at 7:04

Welcome to Candice Harris a new member of the committee....we are pleased to have her join us.

Motion to approve the minutes of March 30, 2016, as distributed by Lori Bearss, seconded by Sonya Henderson. Carried.

Business arising from the minutes:

- Solar panels held up very well this summer..no leaks to speak of.
- Paint did not start peeling until mid August.

Maintenance:

- Report as attached from Dave Atthill.(MOSH)
- No major concerns
- accessibility renovation work will be done by Feltz Build and Design of Stratford. Confirmed dates are not available at this time however, a September start date is expected.

Municipal Report:

- Perth South....nothing to report at this time.
- South Huron....council is looking for input as to budget requirements for 2017.

Budget 2017

- Sonya will forward information to Joanne Fields.
- Inclusion to the budget is a requirement for 6 guards to be hired for 2017.

Staff Report:

- Report attached as provided by Megan Berg (Head Guard)
- good staff overall...worked well together
- Staff was provided lunch the third week of August and they were appreciative. Lunch was purchased at The Cheese Shoppe in St. Marys
- The committee thanked Jodi Froud for all her effort working with the students. They all benefited from her committment.
- Notes for review:

- be specific as to expectations in the initial interview regarding hours and duties
- keep the 2:00 – 8:00 swim times for weekends
- manage the FB page with a better degree of diplomacy....pool closed for maintenance as opposed to “fouling”
- focus on Volunteer numbers to assist staff for 2017
- review swim team practice times and promotion
- review lane swim times and consider it an Adult Swim
- Bronze classes require more teaching hours....allow 2 weeks as in previous years
- review staff work ethic around friends visiting and hours actually scheduled vs billed. i.e staff staying during 2 hour break as opposed to driving home.
- Re-visit cleaning responsibilities and include Maintenance time on the schedule
- review closing duties and staff school departures
- Concerns regarding Customer Satisfaction Policy:
- Request the parent/caregiver speak with the staff....take their name and number and have staff contact them. Staff to report in to Employee Supervisor with results. Document details for future reference. If the parent/caregiver does not wish to speak with staff. Take the information and report it to the Employee Supervisor for them to deal with as they see fit. Should it be a major concern it should be shared with the committee.
- 

#### Fun Day Event:

organized by Pam Benoit....notes as attached.

#### Ball Tournament:

- organized by Sonya Henderson
- volunteer youth are required
- health inspection went very well and the booth passed inspection

#### Accessibility:

- Lori Bearss showed pictures of possible lift equipment available... purchase is pending

#### New Business:

- Jodi Froud will have a permanent weather friendly sign made to advise patrons of the pool policy around thunder and lightning. Details will be provided by Megan as to the correct wording and Municipal policy. This is intended to eliminate the confusion and negative perception of weather and pool operations
- ensure sufficient registration forms are available for registration night.
- 
- 

#### Pool Closing Date:

- closing will take place after the evening swim on Saturday September 3, 2016
- facility closing will take place Sunday September 4, 2016
- Robin Henderson, Michael Benoit and Peter Black will be working the closing

#### Next Meeting:

February 2017...date, location and time to be determined

Motion to close the meeting at 9:07 was made by Lori Bearrs, seconded by Jodi Froud.  
Adjourned



## Staff Report

---

**To:** Dan Best, Chief Administrative Officer

**From:** Sandy Becker, Financial Services Manager/Treasurer

**Date:** April 18, 2017

**Report:** FIN.17.08

**Subject:** Budget Variance Report – First Quarter

---

### **Recommendation:**

**That** South Huron Council receives the report from S. Becker, Financial Services Manager/Treasurer re: Budget Variance Report – First Quarter for information only.

### **Background and Analysis:**

The department managers are accountable to monitor their departmental revenues and expenditures and project to the end of the fiscal period to ensure that they remain within the approved budget.

The quarterly financial report represents the municipal financial activity for the period ending March 31, 2017 on a basis consistent with that of the budget adopted by Council.

First quarter highlights are provided per department on the respective statements attached.

**Budget Variance Report****Operational Considerations:**

As this report is being presented for information purposes only, no alternatives are presented.

**South Huron's Strategic Plan:**

The recommendation(s) included in this Staff Report support the following goals identified in the 2015-2019 Strategic Plan:

Administrative Efficiency and Fiscal ResponsibilityTransparent, Accountable and Collaborative Governance

The quarterly variance reporting framework assists managers in identifying emerging issues along with steps or processes required to adjust activities to stay within the budget or to respond to those emerging issues.

The consistency of providing these accountability and information reports assist council in better understanding the operational and budgetary issues facing various costing centres.

**Financial Impact:**

There is no immediate, direct financial impact as a result of the first quarter variance report. All respective budgets are within the approved parameters and represent only the first three months of operations.

In theory, all things considered equal, the percentage variances at this point should be close to 25%. However, the seasonal nature and timing of the budget process will impact these estimates.

**Legal Impact:**

There are no legal implications for the Corporation resulting from the proposed recommendation.

**Staffing Impact:**

There are no staffing implications for the Corporation resulting from the proposed recommendation.

**Policies/Legislation:**

By-Law 20-2017 – By-law to adopt 2017 Budget  
Budget Development and Financial Reporting Policy & Procedure

**Budget Variance Report**

Reserves and Reserves Fund Policy & Procedure

**Consultation:**

The following department managers provided an update on each of their respective areas of responsibility;

Dwayne McNab, Development Services Manager  
Andrew Baird, Emergency Services Manager/Fire Chief  
Jo-Anne Fields, Community Services Manager  
Jason Parr, Transportation Services Manager  
Don Giberson, Environmental Services Director

**Attachments:**

Appendix A - Actual vs Budget Year to Date by Department reports

Respectfully submitted,

Sandy Becker

Financial Services Manager/Treasurer

I concur with this report.

A handwritten signature in black ink, appearing to read 'Dan Best', with a stylized flourish at the end.

Dan Best MPA,BA

Chief Administrative Officer

**Budget Variance Report**

## Appendix "A"

---

Actual vs Budget Year to Date by Department reports for;

- Building and Development Services
- Cemetery Services
- Emergency Services
- General Administration
- Recreation Services
- Sewer Services
- Solid Waste
- Streetlighting
- Transportation Services
- Water Services

## Appendix A: Actual vs Budget Year to Date by Department

### Building & Development Services

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Fines/Penalties	5,500	515	(4,986)	9.35%
Other Revenue	35,000	278	(34,722)	0.80%
Permits/Licenses	199,730	74,579	(125,151)	37.34%
Transfer from Reserves <sup>1</sup>	44,456	0	(44,456)	0.00%
User Fees/Charges	26,500	6,092	(20,408)	22.99%
<b>Total Revenue</b>	<b>311,186</b>	<b>81,464</b>	<b>(229,722)</b>	<b>26.18%</b>
<b>Expense:</b>				
Contracted Services	102,182	7,978	(94,204)	7.81%
Materials	75,691	5,719	(69,971)	7.56%
Transfer to Reserves	3,230	808	(2,422)	25.00%
Wages & Benefits	290,318	50,021	(240,297)	17.23%
<b>Total Expense</b>	<b>471,421</b>	<b>64,526</b>	<b>(406,895)</b>	<b>13.69%</b>
<b>Net Total</b>	<b>(160,235)</b>	<b>16,938</b>	<b>177,172</b>	<b>-10.57%</b>

The year-to-date budget is within normal means. Revenues are right on target for first quarter and expenses are slightly low, which could be attributed to the timing of budget approval. It is even fair to expect that revenues will increase through quarters 2 and 3 as a result of seasonal building and development.

<sup>1</sup> Transfers to/from reserves generally occur as part of the year end processes.

## Cemetery Services

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Cemetery	88,300	19,455	(68,845)	22.03%
Donations/Fundraising	350	0	(350)	0.00%
Investment Income	17,400	1,979	(15,421)	11.38%
<b>Total Revenue</b>	<b>106,050</b>	<b>21,434</b>	<b>(84,616)</b>	<b>20.21%</b>
<b>Expense:</b>				
Contracted Services <sup>2</sup>	4,839	3,398	(1,441)	70.23%
Materials	49,495	2,022	(47,473)	4.09%
Transfer to Reserves	10,080	1,645	(8,435)	16.32%
Wages & Benefits	83,101	8,766	(74,335)	10.55%
<b>Total Expense</b>	<b>147,516</b>	<b>15,831</b>	<b>(131,684)</b>	<b>10.73%</b>
<b>Net Total</b>	<b>(41,466)</b>	<b>5,603</b>	<b>47,069</b>	<b>-13.51%</b>

Currently there are greater revenues reported than expenses which can be attributed to the seasonal nature of the services offered by the Cemetery, such as grounds maintenance.

<sup>2</sup> An annual maintenance fee is reflected here which will equalize over the fiscal period.

## Emergency Services

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Donations/Fundraising	22,700	5,936	(16,764)	26.15%
Grant Revenues	25,000	0	(25,000)	0.00%
Other Revenue	4,000	50	(3,950)	1.25%
User Fees/Charges	18,941	9,457	(9,484)	49.93%
<b>Total Revenue</b>	<b>70,641</b>	<b>15,443</b>	<b>(55,198)</b>	<b>21.86%</b>
<b>Expense:</b>				
Contracted Services <sup>3</sup>	100,860	33,546	(67,314)	33.26%
Materials	239,753	38,736	(201,017)	16.16%
Transfer to Reserves	169,686	42,421	(127,265)	25.00%
Wages & Benefits	430,709	91,743	(338,966)	21.30%
<b>Total Expense</b>	<b>941,008</b>	<b>206,446</b>	<b>(734,561)</b>	<b>21.94%</b>
<b>Net Total</b>	<b>(870,366)</b>	<b>(191,004)</b>	<b>679,363</b>	<b>21.95%</b>

Overall the Fire Department is within normal means up to and including March 31, 2017.

<sup>3</sup> Dispatching fees are billed at the beginning of the year which is increasing the variance in contracted services. This is expected to equalize over the year and be within target.

## First Quarter Variance Report

for the quarter ended March 31, 2017

## General Administration

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Fines/Penalties	193,230	48,913	(144,317)	25.31%
Grant Revenues	1,373,013	340,549	(1,032,464)	24.80%
Investment Income	70,000	11,577	(58,423)	16.54%
Other Revenue	2,500	737	(1,763)	29.48%
Permits/Licenses	12,200	2,520	(9,680)	20.65%
Taxation Levy <sup>4</sup>	8,010,330	3,765,272	(4,245,058)	47.01%
Transfer from Reserves <sup>5</sup>	120,767	0	(120,767)	0.00%
User Fees/Charges	21,400	4,760	(4,715)	22.24%
<b>Total Revenue</b>	<b>9,803,440</b>	<b>4,174,328</b>	<b>(5,617,187)</b>	<b>42.58%</b>
<b>Expense:</b>				
Contracted Services	1,997,274	494,580	(1,502,694)	24.76%
External Transfers <sup>6</sup>	272,772	7,970	(264,802)	2.92%
Grant Expenses <sup>7</sup>	67,784	21,534	(46,250)	31.77%
Materials	315,155	57,605	(257,549)	18.28%
Transfer to Reserves	51,287	11,072	(40,215)	21.59%
Wages & Benefits	1,008,935	221,479	(787,456)	21.95%
<b>Total Expense</b>	<b>3,713,206</b>	<b>814,240</b>	<b>(2,898,966)</b>	<b>21.93%</b>
<b>Net Total</b>	<b>6,090,234</b>	<b>3,372,013</b>	<b>(2,718,221)</b>	<b>55.37%</b>

All expenses for administration are well within normal means for the first quarter. Revenues are greater than expected, primarily due to the levy which is billed in two installments. It is expected to normalize throughout the remainder of the fiscal period.

<sup>4</sup> This figure includes two of four tax installments and should reflect approximately 50% of the annual levy amount. It is within normal means.

<sup>5</sup> Reserve transfers occur as needed or as part of the year-end accounting entries.

<sup>6</sup> The external transfer represents the amount forwarded to the Conservation Authority which is paid throughout the year. It is expected to remain within normal means.

<sup>7</sup> The grant expenses are for the approved 2017 Community Grants and are reflective of when events occur.

## Recreation Services

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Donations/Fundraising <sup>8</sup>	18,800	10,600	(8,200)	56.38%
Grant Revenues	23,088	0	(23,088)	0.00%
Other Revenue <sup>9</sup>	10,378	11,443	1,065	110.26%
User Fees/Charges	716,085	141,359	(574,726)	19.74%
<b>Total Revenue</b>	<b>768,351</b>	<b>163,403</b>	<b>(604,948)</b>	<b>21.27%</b>
<b>Expense:</b>				
Contracted Services	98,330	12,031	(86,299)	12.24%
Debt - Interest Payments <sup>10</sup>	31,609	0	(31,609)	0.00%
Debt - Principal payments <sup>11</sup>	33,132	0	(33,132)	0.00%
Grant Expenses	30,591	0	(30,591)	0.00%
Materials	755,886	139,917	(615,970)	18.51%
Transfer to Reserves <sup>12</sup>	104,204	36,051	(68,153)	34.60%
Wages & Benefits	986,092	175,627	(810,465)	17.81%
<b>Total Expense</b>	<b>2,039,844</b>	<b>363,626</b>	<b>(1,676,218)</b>	<b>17.83%</b>
<b>Net Total</b>	<b>(1,271,493)</b>	<b>(200,223)</b>	<b>1,071,270</b>	<b>15.75%</b>

<sup>8</sup> This includes an allocation from Huron County for the South Huron Recreation Centre for \$8,000. for water re-fill stations that will be offset by purchase of same.

<sup>9</sup> The YTD for this line item includes a grant from Hydro One that has currently been received. This is offset by a transfer to reserve for capital project.

<sup>10</sup> Debt payments are based on semi-annual payment schedules.

<sup>11</sup>

<sup>12</sup> The transfer to reserves includes Hydro One grant transfer to reserve for capital project.

## Sewer Services

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Fines/Penalties <sup>13</sup>	0	637	637	
Other Revenue	30,000	0	(30,000)	0.00%
User Fees/Charges	1,963,518	447,734	(1,254,014)	26.31%
<b>Total Revenue</b>	<b>1,993,518</b>	<b>448,371</b>	<b>(1,545,147)</b>	<b>22.49%</b>
<b>Expense:</b>				
Contracted Services	286,155	3,643	(282,512)	1.27%
Debt - Interest Payments	419,675	100,370	(319,306)	23.92%
Debt - Principal payments	322,291	105,630	(216,661)	32.77%
Materials	287,606	84,956	(202,650)	29.54%
Transfer to Reserves	468,584	117,146	(351,438)	25.00%
Wages & Benefits	185,015	41,241	(143,774)	22.29%
<b>Total Expense</b>	<b>1,969,326</b>	<b>452,985</b>	<b>(1,516,341)</b>	<b>23.00%</b>
<b>Net Total</b>	<b>24,192</b>	<b>(4,614)</b>	<b>(28,806)</b>	<b>-19.07%</b>

Sewer services revenues and expenses are well within normal means for the first operation quarter of the fiscal period. Utility billing cycle does not match quarterly financial reporting.

<sup>13</sup> Utility penalty revenues, budgeted amount was included under user fees/charges.

## First Quarter Variance Report

for the quarter ended March 31, 2017

## Solid Waste

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Other Revenue	34,000	2,537	(31,463)	7.46%
User Fees/Charges	1,133,326	138,395	(994,932)	12.21%
<b>Total Revenue</b>	<b>1,167,326</b>	<b>140,931</b>	<b>(1,026,395)</b>	<b>12.07%</b>
<b>Expense:</b>				
Contracted Services	557,781	129,371	(428,410)	23.19%
Materials	362,557	27,745	(334,812)	7.65%
Transfer to Reserves <sup>14</sup>	124,063	4,848	(119,215)	3.91%
Wages & Benefits	174,232	27,387	(146,845)	15.72%
<b>Total Expense</b>	<b>1,218,632</b>	<b>189,350</b>	<b>(1,029,282)</b>	<b>15.54%</b>
<b>Net Total</b>	<b>(51,306)</b>	<b>(48,419)</b>	<b>2,887</b>	<b>94.37%</b>

Solid Waste services revenues and expenses are well within normal means for the first operation quarter of the fiscal period. Utility billing cycle does not match quarterly financial reporting. Solid Waste disposal revenues generally increase in the second quarter of the fiscal year.

<sup>14</sup> Reserve transfers occur as part of the year end process. There is no reason at this time to believe this number will not meet target.

## First Quarter Variance Report

for the quarter ended March 31, 2017

## Streetlighting

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
General Revenue <sup>15</sup>	161,579	80,515	(81,064)	49.83%
<b>Total Revenue</b>	<b>161,579</b>	<b>80,515</b>	<b>(81,064)</b>	<b>49.83%</b>
<b>Expense:</b>				
Materials	138,000	23,216	(114,784)	16.82%
Transfer to Reserves	23,580	5,780	(17,801)	24.51%
<b>Total Expense</b>	<b>161,580</b>	<b>28,995</b>	<b>(132,585)</b>	<b>17.94%</b>
<b>Net Total</b>	<b>(1)</b>	<b>51,519</b>	<b>51,521</b>	

Expenses are within normal means for the first quarter.

<sup>15</sup> The interim levy billing is reflected here for the streetlight portion and represents approximately 50% of the fiscal period revenues.

## Transportation Services

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Grant Revenues <sup>16</sup>	41,777	0	(41,777)	0.00%
Other Revenue <sup>17</sup>	40,000	33,073	(6,927)	82.68%
Permits/Licenses	0	600	600	
User Fees/Charges <sup>18</sup>	14,476	14,476	0	100.00%
<b>Total Revenue</b>	<b>96,253</b>	<b>48,149</b>	<b>(48,104)</b>	<b>50.02%</b>
<b>Expense:</b>				
Contracted Services	28,856	7,530	(21,326)	26.09%
Debt - Interest Payments <sup>19</sup>	1,989	0	(1,989)	0.00%
Debt - Principal payments	40,937	0	(40,937)	0.00%
Grant Expenses <sup>20</sup>	83,555	0	(83,555)	0.00%
Materials <sup>21</sup>	1,205,581	181,312	(1,024,269)	15.04%
Transfer to Reserves	690,497	172,624	(517,873)	25.00%
Wages & Benefits	912,003	221,297	(690,706)	24.26%
<b>Total Expense</b>	<b>2,963,418</b>	<b>582,764</b>	<b>(2,380,654)</b>	<b>19.67%</b>
<b>Net Total</b>	<b>(2,867,165)</b>	<b>(534,614)</b>	<b>2,332,550</b>	<b>18.65%</b>

<sup>16</sup> These revenues are for the municipal drains superintendent and maintenance grant.

<sup>17</sup> The bulk of these revenues are from Goshen Wind as per the agreement.

<sup>18</sup> This is an annual land rental amount and will equalize over the fiscal period.

<sup>19</sup> Internal accounting entries are required to reflect these debt expenses and will be processed during the fiscal period.

<sup>20</sup> Grant expenses reflect the superintendent costs that are billed quarterly and is an example of a current timing difference.

<sup>21</sup> Materials are well within normal means, however, the Transportation Manager has identified an unfavourable variance with respect to vehicle repairs. The Transportation Manager will bring a report back to Council to provide details on the equipment repairs expenses.

## Water Services

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
<b>Revenue:</b>				
Fines/Penalties	18,000	3,665	(14,335)	20.36%
Other Revenue	50,000	13,756	(36,244)	27.51%
Transfer from Reserves <sup>22</sup>	25,000	0	(25,000)	0.00%
User Fees/Charges	3,797,470	602,843	(3,059,799)	16.46%
<b>Total Revenue</b>	<b>3,890,470</b>	<b>620,264</b>	<b>(3,270,207)</b>	<b>15.94%</b>
<b>Expense:</b>				
Contracted Services	88,500	10,552	(77,948)	11.92%
Debt - Interest Payments <sup>23</sup>	557,249	842	(556,407)	0.15%
Debt - Principal payments	421,847	13,719	(408,128)	3.25%
Materials	999,475	108,594	(890,882)	10.87%
Transfer to Reserves	800,000	200,000	(600,000)	25.00%
Wages & Benefits	545,045	107,320	(437,725)	19.69%
<b>Total Expense</b>	<b>3,412,116</b>	<b>441,027</b>	<b>(2,971,089)</b>	<b>12.93%</b>
<b>Net Total</b>	<b>478,354</b>	<b>179,237</b>	<b>(299,117)</b>	<b>37.47%</b>

Water services revenues and expenses are well within normal means for the first operation quarter of the fiscal period. Utility billing cycle does not match quarterly financial reporting.

<sup>22</sup> Reserve transfers occur as needed or as part of the year end processes.

<sup>23</sup> There are debt charges budgeted that do not occur on a monthly basis. This is expected to equalize over the fiscal period.



## Staff Report

---

**To:** Dan Best, Chief Administrative Officer

**From:** Sandy Becker, Financial Services Manager/Treasurer

**Date:** April 18, 2017

**Report:** FIN.17.09

**Subject:** 2017 Capital Projects Status Report

---

### **Recommendation:**

**That** South Huron Council receives the report from S. Becker, Financial Services Manager/Treasurer re: 2017 Capital Projects Status Report completed as of March 31, 2017 for information only.

### **Purpose:**

The purpose of this staff report is to provide Council with a summary of the status of the 2017 capital projects.

### **Background and Analysis:**

Each department manager has provided a status update for each of their respective approved capital project. Due to the seasonality of many of the capital projects most are in the planning or tendering phase with construction to start in spring/summer.

### **Operational Considerations:**

As this report is being presented for information purposes only, no alternatives are presented.

## 2017 Capital Projects Status Report

### South Huron's Strategic Plan:

The recommendation(s) included in this Staff Report support the following goals identified in the 2015-2019 Strategic Plan:

1. Administrative Efficiency and Fiscal Responsibility
2. Transparent, Accountable and Collaborative Governance

The monthly capital project status report keeps Council and the public informed on the actual costs, budget project status, and explanations for delays or expected commencement for each project in the capital budget.

The report assists in Council in keeping track of its approved priorities and expected delivery times for projects. It also serves to keep staff accountable for the budget priorities that they requested and are granted.

### Financial Impact:

There are no financial implications for the Corporation resulting from the proposed recommendation.

### Legal Impact:

There are no legal implications for the Corporation resulting from the proposed recommendation.

### Staffing Impact:

There are no staffing implications for the Corporation resulting from the proposed recommendation.

### Policies/Legislation:

By-law No. 20-2017 – By-Law to adopt 2017 Budget  
Budget Development and Financial Reporting Policy and  
Procedure

### Consultation:

The following department managers provided an update on each of their respective projects;

Andrew Baird, Emergency Services Manager/Fire Chief  
Jo-Anne Fields, Community Services Manager  
Jason Parr, Transportation Services Manager

**2017 Capital Projects Status Report**

Don Giberson, Environmental Services Director

**Attachments:**

Appendix A- 2017 Capital Projects Status Report

Respectfully submitted,

Sandy Becker

Financial Services Manager/Treasurer

I concur with this report.

Dan Best MPA,BA

Chief Administrative Officer

## Appendix "A"

### Appendix A - Capital Project Status as of March 31, 2017

Job ID	Job Description	Mar 31, 2017 YTD	2017 Budget	% of Completion <sup>1</sup>	Management Notes / Comments
<b>Fire Capital Projects</b>					
2017-F-01	Personal Protection Equipment	-	19,240	25%	6 sets of gear ordered to start
2017-F-03	Air Bag Lift System - Exeter	-	9,000	100%	Purchased; Invoice processed early April
		-	<b>28,240</b>		
<b>Transportation Capital Projects</b>					
20-3035	John St - Main To Albert	-	19,515	2%	Top coat as per Kurtis Smith Contract
20-3043	James St Main-Edward	2,685	324,575	2%	Contract Awarded to Hanna & Hamilton
20-3048	Replace #11 1991 Ford Single Axle Plow	1,853	73,682	80%	Truck ordered, but not ready for pickup
20-3054	Simcoe St. - Andrew To Main	44	160,750	5%	Contract Awarded to Lavis Construction
20-3055	William St. - Anne To Huron	44	143,655	2%	Contract Awarded to Lavis Construction
20-3056	George St. - Main To Orchard	1,246	215,705	2%	Contract Awarded to Lavis Construction
20-3057	Bridge Repairs #3037	-	30,000		RFQ in progress

<sup>1</sup> Note: Any blanks in this column represent 0% complete.

## 2017 Capital Projects Status Report

Job ID	Job Description	Mar 31, 2017 YTD	2017 Budget	% of Completion <sup>1</sup>	Management Notes / Comments
	McTaggart Line				
20-3058	Replace #25 2001 Western Star Tandem Plow	158,484	245,000	90%	Delivery May 2017
20-3059	Bridge Repairs #3039 McTaggart Line	-	50,000		RFQ in progress
2017-TC-05	Huron St Recon - Edward-East	-	60,000		Engineering RFP Underway
2017-TS-01	Replace Grader #027	-	388,000		Tendering late spring
2017-TS-03	Line 17 - Hern To Rogerville	-	180,000		Boundary agreement in progress
2017-TS-04	Gregus Crt. Overlay	-	30,000		Tendering summer
2017-TS-05	Marlborough St – Sanders to Wellington	-	30,000		Engineering RFP Underway
2017-TS-06	McTaggart Line Bridge #3038	-	65,000		Engineering RFP Underway
2017-TS-08	GPS Fleet Tracking System	-	25,000	1%	Draft RFP jointly prepared with Huron County
		<b>164,355</b>	<b>2,040,882</b>		
<b>Streetlight Capital Projects</b>					
20-8007	Upgrade Main St. Sanders to Victoria	-	135,134	80%	Sidewalk repairs to be completed Spring 2017
2017-TS-07	Phase 3 Downtown Decorative SL	-	160,000		Tendering Late Spring
		<b>-</b>	<b>295,134</b>		
<b>Recreation Capital Projects</b>					

## 2017 Capital Projects Status Report

Job ID	Job Description	Mar 31, 2017 YTD	2017 Budget	% of Completion <sup>1</sup>	Management Notes / Comments
20-7126	Port Blake Revitalization (Design)	-	248,500		Revising previous RFT
20-7127	SHRC - Swimming Pool (Built In 1964)	6,736	2,500,000		Staff report forthcoming
20-7132	SHRC Upgrades - Engineering/Consultant	7,450	1,000,000		Staff report forthcoming
20-7133	Downtown Parkette	-	32,334		Staff reviewing options
2017-RS-01	Kw Hall Roof - Asphalt Shingle	-	21,000	5%	Preparing quotation document
2017-RS-05	Dashwood Community Centre Washrooms	-	120,000	1%	Preparing RFP Document
2017-RS-06	Power Scrubber Repl. #E1130	-	10,000	5%	Reviewing equipment options
2017-RS-07	Seasonal Energy Controller	-	28,000	2%	Preparing tender pkg
2017-RS-08	Replace Mower Deck #99	-	30,000	2%	Reviewing equipment options
2017-RS-09	Truck #3 01 Chev Silverado	-	35,000	2%	Preparing tender pkg
2017-RS-10	MacNaughton Park Washrooms	-	70,000	10%	Discussing with Optimist Club
2017-RS-11	Victoria Park Washrooms	-	50,000	15%	Discussing with Lioness Club
2017-RS-12	Kw 4H Barn - New Structure	-	35,000	10%	Fundraising efforts underway
2017-RS-13	Kw Pool Accessible Lift	-	15,000	25%	Fundraising efforts underway
		<b>14,186</b>	<b>4,194,834</b>		
<b>Sewer Services Capital Projects</b>					

**2017 Capital Projects Status Report**

Job ID	Job Description	Mar 31, 2017 YTD	2017 Budget	% of Completion <sup>1</sup>	Management Notes / Comments
20-5618	John St-Main St To Albert	-	12,110	2%	Top coat as per Kurtis Smith Contract
20-5623	Engineering For William St Sanitary	-	1,425,030		On hold - pending OCIF grant application
20-5629	Simcoe St. - Andrew To Main	723	85,631	5%	Contract Awarded to Lavis Construction
2017-S-01	Upgrade Lagoon Aeration Exeter	-	1,215,000		On hold - Council direction required due to loss of grant
2017-SC-04	James St - Main To Edward	-	213,999	2%	Contract Awarded to Hanna & Hamilton
2017-SC-05	Huron St Recon - Edward-East	-	60,000		Engineering RFP underway
		<b>723</b>	<b>3,011,770</b>		
<b>Landfill Capital Projects</b>					
20-9001	Landfill Expansion-Stage 3	-	75,000		Engineering RFP submitted by BM Ross
20-9006	Scale & Scale House	-	66,000	2%	Contract awarded to Armstrong Paving
20-9007	Site Security Fencing	3,053	200,000	2%	Obtaining quotes for tree removal; contract awarded to Elliott Fence
		<b>3,053</b>	<b>341,000</b>		
<b>Water Services Capital Projects</b>					

### 2017 Capital Projects Status Report

Job ID	Job Description	Mar 31, 2017 YTD	2017 Budget	% of Completion <sup>1</sup>	Management Notes / Comments
20-4125	John St-Main To Albert	-	8,060	2%	Top coat as per Kurtis Smith Contract
20-4140	Exeter Water Tower Upgrades	-	143,612		Draft tender prepared
20-4141	Simcoe St - Andrew To Main	526	101,899	1%	Contract awarded to Lavis Construction
20-4142	William St - Anne To Huron	44	166,991	5%	Contract awarded to Lavis Construction
20-4144	Dashwood Rd Watermain Replacement (Hwy 21 To Shipka)	-	250,000	2%	Draft tender prepared
2017-W-01	Water Meter Replacement	-	112,000	1%	Investigating AMR technology and change out program being developed
2017-W-03	Dashwood Rd - Shipka - Bronson	-	25,000		Engineering RFP being prepared
2017-W-04	Shipka Line - South R- Kirkton	-	25,000		Engineering RFP being prepared
2017-W-05	Watermain Repl. - Huron-Mctag.	-	100,000		Engineering RFP being prepared
2017-W-06	Gore Rd Water Service Transfer	-	75,000		Engineering RFP being prepared
2017-W-07	Bulk Water Station 82 Nelson	-	50,000		Investigating technologies/products to prepare for tender
2017-W-08	Control Chamber – Exeter Water Tower	-	175,000		Engineering RFP being prepared
2017-W-09	Truck #101 07 Chev	-	35,000	1%	Draft tender prepared

**2017 Capital Projects Status Report**

Job ID	Job Description	Mar 31, 2017 YTD	2017 Budget	% of Completion <sup>1</sup>	Management Notes / Comments
	Silverado				
2017-WC-04	James St Reconstruction Main - Edward	-	210,730	2%	Contract awarded to low bidder Hanna & Hamilton Contractors
2017-WC-05	Huron St Reconstruction - Edward-East	-	70,000		Engineering RFP being prepared
		<b>570</b>	<b>1,548,292</b>		
	<b>Total Capital Projects</b>	<b>182,887</b>	<b>11,460,152</b>		



## Staff Report

---

**To:** Dan Best, Chief Administrative Officer

**From:** Jason Parr, Transportation Services Manager

**Date:** April 18, 2017

**Report:** TSD.17.01

**Subject:** Tender Results - 2017 Supply and Application of Dust Suppressant on Gravel Roads

---

### **Recommendation:**

**That** South Huron Council receive the report from Jason Parr, Transportation Services Manager RE: Tender Results - 2017 Supply and Application of Dust Suppressant on Gravel Roads AND;

**That** South Huron Council accept the tender received from 552976 Ontario Limited o/a Cliff Holland Trucking and award a contract for the supply and application of 364 flake tonnes of dust suppressant at \$198.00 per tonne for a total cost of \$72,072.00 plus HST.

### **Background and Analysis:**

The purpose of this report is to notify Council of the results of the tender for the 2017 dust suppressant tender and to recommend award of a contract to the low bidder.

The supply and application of dust suppressant on gravel roads is an activity carried out annually to maintain rural gravel roads in the Municipality.

The tender for the supply and application of dust suppressant on gravel roads was advertised in the Exeter Times Advocate March 8, 2017 and the Lakeshore Advance on March 15 2017. Tenders closed on March 22, 2017 at 1:00pm at the Municipal Office in Exeter. Three (3) tenders were received and opened by Jason Parr, Transportation Services Manager as witnessed by Deputy Mayor Dave Frayne, Councillor Tom Tomes and Sandy Becker, Financial Services Manager/Treasurer.

## Tender Results - 2017 Supply and Application of Dust Suppressant on Gravel Roads

The following are the tender results:

	<b>Contractor</b>	<b>Price (Excluding HST)</b>	<b>HST</b>	<b>Price (Excluding HST)</b>
1	552976 Ontario Limited (Cliff Holland)	\$72,072.00	\$9,369.36	\$81,441.36
2	Pollard Highway Products	\$88,816.00	\$11,546.08	\$100,362.08
3	Da-lee Dust Control	\$128,339.12	\$16,684.09	\$145,023.21

The tender received from the low bidder, 552976 Ontario Limited o/a Cliff Holland Trucking, was checked by the Transportation Services Manager; found to be complete and in conformance with the specifications.

### **Operational Considerations:**

There were no alternatives considered.

### **South Huron's Strategic Plan:**

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key objectives that are reflective of the collective perspectives of the strategic planning process.

The recommendations and actions outlined in this report are reflective of the following strategic objectives:

#### **Administrative Efficiency and Fiscal Responsibility**

This work was publicly tendered as early as possible in the fiscal year in order to achieve the best possible pricing.

#### **Increased Communications and Municipal Leadership**

The tender was advertised in the local newspapers and on the municipal web site.

#### **Transparent, Accountable and Collaborative Governance**

The transparent public tendering process was for this work used in accordance with the procurement By-law 32-2013.

## Tender Results - 2017 Supply and Application of Dust Suppressant on Gravel Roads

### Dedicated Economic Development Effort

Having well maintained roads is essential to attracting and retaining businesses.

### **Financial Impact:**

The costs associated with the 2017 Supply and Application of Dust Suppressant Tender is included in the 2017 Transportation Services Operating Budget.

The amount within the Transportation Services Operating budget for unpaved road maintenance (gravel and dust control) is a total of \$409,631. Of that amount, \$74,631 was allocated for the supply and application of dust suppressant on gravel roads.

A financial analysis was carried out and the cost of this dust suppressant tender, including non-recoverable HST, is within the approved budget amount.

The following is a summary of the financial analysis:

<b>FINANCIAL ANALYSIS SUMMARY</b>	
	Total
Supply of 364 flake tonnes	\$72,072.00
HST	<u>\$9,369.36</u>
Total	\$81,441.36
Cost prior to HST	\$72,072.00
Non-recoverable HST	<u>\$1,268.42</u>
Total	\$73,340.42
Approved Budget for 2017 Maintenance Gravel	\$74,631.00
Net Difference (Approved Budget vs Tender Cost)	\$1,290.58

## Tender Results - 2017 Supply and Application of Dust Suppressant on Gravel Roads

Historically there have been few bidders on the Dust Suppressant tender. In order to give Council a clearer picture regarding pricing trends for dust suppressant costs, an analysis was carried out on the historical costs as follows:

<b>Historical Dust Suppressant per flake tonne prices</b>				
<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
\$218.48	\$209.34	\$171.00	\$158.00	\$198.00

### **Legal Impact:**

There are no legal implications for the Corporation resulting from the proposed recommendation.

### **Staffing Impact:**

There are no staffing implications for the Corporation resulting from the proposed recommendation.

### **Policies/Legislation:**

1. Approved Transportation Operating Budget
2. Minimum Maintenance Standards, under the Highway Traffic Act

### **Consultation:**

The Manager of Financial Services/Treasurer was consulted as part of the tender review and preparation of this report.

### **File or Reference**

F18

Tender Results - 2017 Supply and Application of Dust Suppressant  
on Gravel Roads

**Attachments:**

None

Respectfully submitted,

Jason Parr  
Transportation Services Manager

I concur with this report.

Dan Best MPA, BA  
Chief Administrative Officer



## **Staff Report**

---

**To:** Dan Best, Chief Administrative Officer

**From:** Jo-Anne Fields, Community Services Manager

**Date:** April 18, 2017

**Report:** CSD.17.02

**Subject:** Dashwood Community Centre Washroom Project –  
FCC Farm Credit AgriSpirit Fund

---

### **Recommendation:**

**That** South Huron Council receives the report from Jo-Anne Fields, Community Services Manager re: Dashwood Community Centre Washroom Project – FCC Farm Credit AgriSpirit Fund;

**And that** the Municipality of South Huron authorize staff to prepare a grant submission to the FCC Farm Credit AgriSpirit Fund to offset washroom project renovation costs at the Dashwood Community Centre.

### **Background and Analysis:**

The present washroom facilities at the Dashwood Community Centre are not accessible and require renovating. This project is identified in the capital projects for 2017.

Through a staff report on May 4, 2015, community groups, individuals and the Dashwood Community Centre Advisory Board were granted

permission to begin fundraising endeavors and seeking out grant opportunities to support this project.

The Dashwood Men's Club Executive has approached staff to submit a grant to Farm Credit Canada on their behalf to support this project.

### **Operational Considerations:**

Success of this grant opportunity will reduce project costs and continues to encourage volunteers to engage and support community projects.

### **South Huron's Strategic Plan:**

#### 7.2.3 Strategic Objective: Increased Communications and Municipal Leadership:

- Increased knowledge and ability to secure grants and support for municipality
- Identify creative approaches to securing funding for community building

### **Financial Impact:**

This project was approved in the 2017 capital budget in the amount of \$120,000.00. The sources of funding proposed in the 2017 budget were \$21,600 from tax levy, \$60,000 from Ontario 150 Capital grant, \$18,400 from the Municipality of Bluewater and \$20,000 from community fundraising efforts.

A Farm Credit Canada application in the amount of \$20,000.00 would potentially offset the community fundraising revenues for this project. However, if we are unsuccessful with the Ontario 150 Capital grant application, this would be used to offset a portion of that revenue source.

Should we be unsuccessful with both grants this project will not move forward, unless community fundraising efforts are able to cover the balance of the project.

**Legal Impact:**

There are no legal implications for the Corporation resulting from the proposed recommendation.

**Staffing Impact:**

There are no staffing implications for the Corporation resulting from the proposed recommendation.

**Policies/Legislation:**

Public Fundraising for Future Municipal Assets Policy

**Consultation:**

Chief Administrative Officer – Consulted with the CAO to discuss this grant opportunity and to provide direction

Financial Services Manager/Treasurer – Consulted with the Financial Services Manager/Treasurer regarding this grant submission

**Attachments:**

- Public Fundraising for Future Municipal Assets Policy

Respectfully submitted,



Jo-Anne Fields  
Community Services Manager

I concur with this report.

Dan Best MPA, BA  
Chief Administrative Officer



## Staff Report

---

**To:** Dan Best, Chief Administrative Officer

**From:** Jo-Anne Fields, Community Services Manager

**Date:** April 18, 2017

**Report:** CSD.17.03

**Subject:** Kirkton-Woodham Pool Accessibility Lift – Hydro One Funding

---

### Recommendation:

**That** South Huron Council receives the report from Jo-Anne Fields, Community Services Manager re: Kirkton-Woodham Pool Accessibility Lift – HydroOne Funding;

**And that** the Municipality of South Huron Council authorize the Clerk and the Mayor to execute an Agreement with HydroOne to accept a \$10,000.00 grant for this project;

**And that** the necessary By-law be forwarded to Council for the required three readings

### Background and Analysis:

The washroom facilities at the Kirkton-Woodham Pool were renovated last fall to address accessibility requirements. In an attempt to engage all ages and abilities in pool programs and leisure swims, an accessible lift was identified in the capital projects for 2017.

## Kirkton-Woodham Pool Accessibility Lift – Hydro One Funding

Through a staff report on May 4, 2015, the Kirkton-Woodham Pool Committee, as well as community groups, were granted permission to begin fundraising endeavours and seeking out grant opportunities to offset the project.

The Kirkton-Woodham Pool Committee submitted and where successful with a grant application to Hydro One to support the purchase of the accessible lift for the pool facility.

A By-law is included in the By-law portion of the Agenda to authorize the Clerk and the Mayor to execute an Agreement with Hydro One to accept a \$10,000.00 grant for this project, for Council consideration.

#### Operational Considerations:

Success of this grant opportunity will reduce the cost to purchase the accessible lift. Proper pool equipment and training is essential to the health and safety of Municipal staff and to the success of our aquatics programs.

#### South Huron's Strategic Plan:

##### 7.2.3 Strategic Objective: Increased Communications and Municipal Leadership:

- Increased knowledge and ability to secure grants and support for municipality
- Identify creative approaches to securing funding for community building

#### Financial Impact:

This project is listed as a capital project for 2017 in the amount of \$15,000.00 and was identified as a community funded project by the Kirkton-Woodham Optimist Club. The success of this grant opportunity will allow the Club to not only support this project, but other programs and activities in the community as well.

#### Legal Impact:

There are no legal implications for the Corporation resulting from the proposed recommendation.

## Kirkton-Woodham Pool Accessibility Lift – Hydro One Funding

## Staffing Impact:

There are no staffing implications for the Corporation resulting from the proposed recommendation.

## Policies/Legislation:

Public Fundraising for Future Municipal Assets Policy

## Consultation:

Chief Administrative Officer – Consulted with the CAO to discuss this success of this grant application and to provide direction

Financial Services Manager/Treasurer – Consulted with the Financial Services Manager/Treasurer regarding this grant submission

Corporate Services Manager/Clerk – Consulted with the Corporate Services Manager/Clerk to discuss authorization to accept the grant funding through Hydro One

## Attachments:

- Public Fundraising for Future Municipal Assets Policy
- Hydro One Agreement

Respectfully submitted,



Jo-Anne Fields  
Community Services Manager

I concur with this report.

Dan Best MPA, BA  
Chief Administrative Officer



## Staff Report

---

**To:** Dan Best, Chief Administrative Officer

**From:** Dwayne McNab, Development Services Manager

**Date:** April 18, 2017

**Report:** PLAN.17.03

**Subject:** Discharge of Site Plan Agreement – 103 Alexander Street West, Exeter

---

### **Recommendation:**

**That** South Huron Council receives the report from D. McNab, Development Services Manager re: Discharge of Site Plan Agreement – 103 Alexander Street West, Exeter.

### **Background and Analysis:**

The Municipality is submitting an application for the discharge of a Site Plan Agreement for the lands known municipally as 103 Alexander Street West, Exeter, or more particularly as Lot 885, Part Lots 884 & 888, Plan 376 as in 22R-101 Parts 1 & 3, in the geographic Town of Exeter. The lands are zoned Restricted Industrial (M1) in the former Town of Exeter Zoning By-law #30-1978 and designated Industrial in the South Huron Official Plan.

In 2014, a Site Plan Agreement was entered into between the Municipality of South Huron and 2139740 Ontario Ltd c/o John and Linda Wuerth. The Agreement was authorized through by-law 47-2014 and registered on the land title as HC101588.

In 2016, the proponent began the process to amend the Agreement, however, they have since decided not to move forward and have asked for a full discharge of the original Agreement.

As the proponent has not substantially commenced works on the lands, the Municipality believes it prudent to release the aforementioned lands from HC101588, and any associated insurance and security requirements discussed therein.

Any future proposals will be subject to Site Plan Control.

**South Huron's Strategic Plan:**

The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2015-2019 Council Strategic Plan.

**Financial Impact:**

There are no financial implications for the Corporation resulting from the proposed recommendation.

**Legal Impact:**

There are no legal implications for the Corporation resulting from the proposed recommendation.

**Staffing Impact:**

There are no staffing implications for the Corporation resulting from the proposed recommendation.

**Policies/Legislation:**

By-law No. 47-2014

**Consultation:**

Planning Coordinator

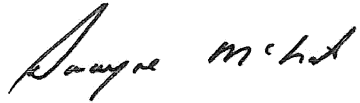
**File or Reference**

None

**Attachments:**

- Request For Discharge – Little, Masson, Reid

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dwayne McNab". The signature is written in a cursive, flowing style.

Dwayne McNab

Development Services Manager

I concur with this report.

Dan Best MPA,BA

Chief Administrative Officer

**LITTLE, MASSON & REID**

Professional Corporation  
**LAWYERS**

J. Chris Little, LL.B. (Retired)  
Cheryl A. Masson, B.A. LL.B.  
David A. Reid, B.A., LL.B.  
Michael Blackburn, B.A. (HONS), J.D.

71 Main St. N.,  
Exeter, Ontario NOM 1S3  
Tel: (519)235-0670  
Fax: (519)235-1603

March 6, 2017

Municipality of South Huron,  
P.O. Box 759,  
Exeter, Ontario  
NOM 1S6

**Attention: Thomas Thayer**

Dear Madams:

Re: Release of Site Plan Agreement – 103 Alexander Street West, Exeter

We understand you have been speaking with John Wuerth, the officer for 2139740 Ontario Limited regarding his requested release of the site plan agreement from title. We enclose herein Acknowledgment and Direction for signature by the mayor and clerk. Kindly have them sign the attached copy and return to our office for registration. We will provide your office with a registered copy. We understand that once registered the municipality will release the line of credit used as security for this agreement.

Yours very truly,  
LITTLE, MASSON & REID  
Professional Corporation

Per:   
Cheryl A. Masson

CAM:mm  
:encl.



## Staff Report

---

**Report To:** Mayor Cole and Members of South Huron Council

**Meeting Date:** April 18, 2017

**From:** Dan Best, Chief Administrative Officer

**Report:** CAO 17.15

**Subject:** Talk Walk/Run

---

### Recommendations:

**That** South Huron Council receives the report of Dan Best, Chief Administrative Officer regarding the TALK Walk/Run;

**And that** Staff be authorized to coordinate with the South Huron Optimist Club and Organizers of the TALK Walk/Run to hold a 1.5 km Children's Run and a 5 km Family run on September 16, 2017

### Purpose:

Council Authorization

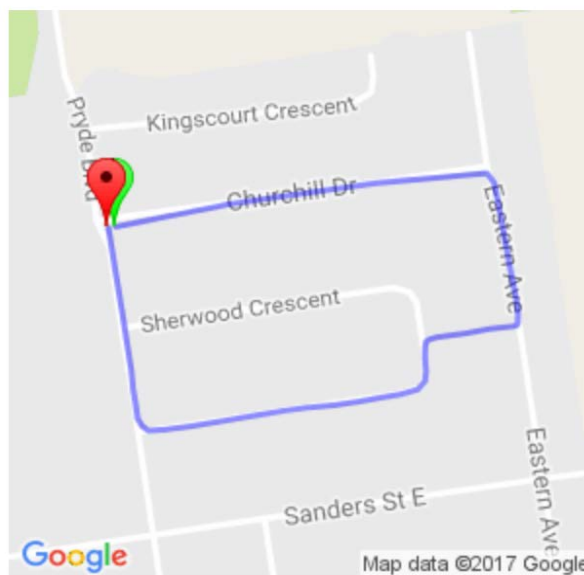
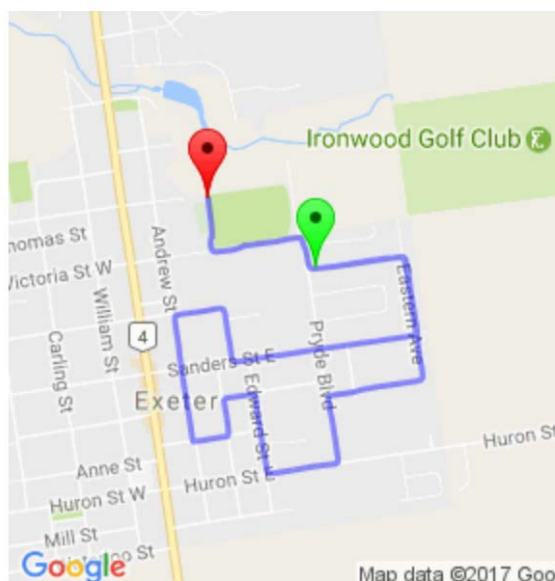
### Background and Information:

The TALK Walk/Run, sponsored by the South Huron Optimist Club is a fundraiser for the children of Ms. Kara Gosleigh, to be held on September 16, 2017 as part of the Great Community Challenge weekend.

Kara is a mother of three children (ages 8-11), who has been battling cervical cancer that is now progressing quickly. This walk is being organized to provide a trust fund for her three children.

The vision of TALK Walk/Run is to be a celebration for families. The event will begin with opening ceremonies and guest speaker who will provide an education/awareness of cervical cancer and prevention. Following, this portion of the event, a 1.5 km children's route followed by a 5km family route will round out

the event. The proposed routes are outlined below:



### Link to the Strategic Objectives:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Improved Recreation and Community Wellbeing

### Legal Implications:

There are no legal implications as a result of the actions outlined in this report.

### Staffing Implications:

There are no staffing implications as a result of the actions outlined in this report.

### Financial Implications:

There are no financial implications as a result of the actions outlined in this report.

### Attachments:

None

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Dan Best".

Dan Best MPA, BA  
Chief Administrative Officer



## Staff Report

---

<b>Report To:</b>	Mayor Cole and Members of South Huron Council
<b>Meeting Date:</b>	April 18, 2017
<b>From:</b>	Dan Best, Chief Administrative Officer
<b>Report:</b>	CAO 17.16
<b>Subject:</b>	Bill 68 Update

---

### Recommendations:

**That** South Huron Council receives the report of Dan Best, Chief Administrative Officer regarding an update on Bill 68.

### Purpose:

Council Information

### Background and Information:

In fall 2016, the Provincial Government tabled Bill 68, *Modernizing Ontario's Municipal Legislation Act*, which will introduce a series of reforms to the *Municipal Act*, and *Municipal Conflict of Interest Act*

Some of the key highlights are as follows:

#### Codes of Conduct

- Codes of Conduct will now be mandatory for all municipalities. As demonstrated in a survey that we conducted in early 2016, most municipalities already have codes of conduct for both council and staff, but we believe that this is nevertheless a positive development

#### Closed, Open & Electronic Meetings

- There is going to be a clearer definition of a "Meeting," under the *Municipal Act's* open meeting provisions:
  - The new definition requires there to be (1) a quorum of council members; and (2) that those present discuss issues in a way that "materially advances" the business or decision-making of council, for it to be formally considered a "meeting" that should be open to the public
  - This is similar to the definition that was favoured by AMO and several other municipal stakeholders

- There will also be an expanded number of discretionary exemptions where councils can meet in closed session. The new exemptions will include:
  - When information is supplied in confidence by the federal government, provincial government's or a crown agency/corporation
  - Certain third party information supplied in confidence
  - Trade, financial or commercial information that belongs to the municipality and has potential monetary value
  - Information related to negotiations being conducted by or with the municipality
- Under the broader changes to open meetings, there will also be a new requirement for municipalities to report back on how they intend to address a closed-meeting investigation
- Councillors will also now be able to participate in meetings electronically, as long as there is an in-person quorum of councillors

### Integrity Commissioners

- All municipalities will also now need to provide their citizens' access to an Integrity Commissioner (IC)—either by appointing their own, keeping one on retainer, or working with another municipality through a shared serviced arrangement. We know from the same survey data that while most municipalities have a code of conduct, not as many have Integrity Commissioners
- The role of the Integrity Commissioner will also be changed and expanded in a number of ways, including by:
  - Expanding their authority to also include the *Municipal Conflict of Interest Act* (MCIA)
  - Giving ICs the power to provide advice to councils and local boards about their codes of conduct and MCIA obligations
  - Giving ICs the power to refer investigations to the courts
  - Giving ICs the power to initiate investigations into potential MCIA violations or code of conduct breaches
  - Giving ICs broader responsibility for public education

### MCIA

- The range of penalties for *Municipal Conflict of Interest Act* (MCIA) violations will be expanded (likely new penalties will include suspensions or fines), giving judges more latitude when dealing with these types of violations
- Municipalities will also be required to create a registry that tracks all registered conflicts of interest

### Fiscal sustainability

- Notably the government will not be giving municipalities access to any new revenue tools. At the AMO conference in August the Premier indicated that the

government is still open to this conversation but is looking for the municipal sector to make a specific request

- The government's current prudent investor standards will be expanded to give municipalities more investment options
- The MA will also be changed to allow tax sales to start faster, and be easier to complete
- There will be a number of technical changes to property taxation, and we will share more specific information about this as it becomes available

#### Staff-Council Relations

- All municipalities will have to have a formal policy on staff-council relations, addressing the formal roles and responsibilities of public servants and members of council

#### AMPs

- Municipalities will be given the authority to use AMPs (administrative monetary penalties) for a broader range of offences, beyond simply parking

#### Parental Leave

- Councillors will be guaranteed a minimum period of parental leave
- This issue was the subject of a private members bill a few weeks ago

#### Regional Council Composition

- There are a number of changes to regional council composition, including:
  - A new requirement for regional governments to review their council composition following every second municipal election (starting after the 2018 election)
  - Removing the requirement for a minister's regulation when changing the composition of council
  - In situations where a regional government is unable to reach consensus on a new council composition, the Minister will retain responsibility for imposing a solution
- A lower tier council will also be able to temporarily appoint an alternate in situations where the permanent member cannot attend an upper-tier council meeting
- In the government's omnibus budget bill, which was also released this week, it was announced that regional chairs will also now be directly elected

#### Municipal Elections

- There are a number of changes to the MA that will have an impact on municipal elections, including:
  - The lame duck period will be shortened, and the start of a new council term will now be November 15<sup>th</sup>

- A change of the individual contribution limit from \$750 to \$1,200 (this will place it in-line with the provincial limit)
- Imposing new formula-based limits on self-finance campaigns, with a maximum limit of \$25,000

#### Climate Change

- The municipal act will now give municipalities explicit authority to deal with climate change. While several municipalities are already doing so, this change will clear up any confusion about their authority in this area

#### Community Hubs

- The Minister will also gain the express authority to impose regulations on community hubs. We are told that this provision will not likely be used in the immediate term, but is designed to give the ministry greater flexibility in the future.

#### Misc.

- Municipalities will now be required to meet prescribed conditions before establishing small business programs
- Municipalities will be given the ability to regulate all signs in their jurisdiction (this will remove any signs that have been grandfathered in)

The Association of Municipalities of Ontario (AMO) continues to promote changes to the Bill and appeared before the Standing Committee on Social Policy on April 11. This is the deadline for submissions. At a date not yet established, the Standing Committee will meet to table and vote on amendments. In addition, it should be noted that the federal government's proposal to end, effective 2019, the 1/3 tax exemption is very much on the radar of AMO. AMO is preparing a survey to go to municipal treasurers in the next few weeks to obtain data about council remuneration and the impact that ending this approach will have on remuneration and municipal budgets. AMO is working with several other provinces that are similarly impacted so that a coordinated federal approach occurs going forward. A copy of the AMO submission is included as an Appendix to this report

The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) also presented a submission. The submission includes five recommendations as well as the Associations' concerns about the legislation's overemphasis on accountability and transparency and failure to address the fiscal sustainability of Ontario's municipalities. The specific recommendations are for the government to amend the legislation to:

1. Include principles for how integrity commissioners conduct their duties (and investigations) either in the legislation or in a separate regulation
2. Remove the provision from Bill 68 that would allow an integrity commissioner to launch an investigation on their "own initiative"
3. Remove closed meeting exception "K" from the list of added circumstances in section 239 where councils can move into closed session

4. Keep the current date for starting a new session of council as December 1<sup>st</sup>
5. Establish a lengthen transition period before Bill 68 is proclaimed

A copy of the AMCTO submission is attached as an Appendix to this report.

**Legal Implications:**

There are no legal implications as a result of the actions outlined in this report.

**Staffing Implications:**

There are no staffing implications as a result of the actions outlined in this report.

**Financial Implications:**

There are no financial implications as a result of the actions outlined in this report.

**Consultations:**

Ontario Ministry of Rural and Agricultural Affairs (OMAFRA)

**Related Documents:**

None

**Link to the Strategic Objectives:**

Section 6.2.1 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Increased Communications and Municipal Leadership
- ✓ Transparent, Accountable, and Collaborative Governance

**Attachments:**

Appendix A – AMO Submission

Appendix B – AMCTO Submission

Respectfully submitted,



Dan Best MPA, BA

Chief Administrative Officer

AMCTO SUBMISSION *on the*  
**MUNICIPAL ACT & MUNICIPAL  
CONFLICT OF INTEREST ACT**

OCTOBER 2015

**About AMCTO:**

AMCTO represents excellence in local government management and leadership. AMCTO has provided education, accreditation, leadership and implementation expertise for Ontario's municipal professionals for over 75 years.

With approximately 2,200 members working in 98 per cent of municipalities across Ontario, AMCTO is Canada's largest voluntary association of local government professionals, and the leading professional development organization for municipal administrative staff.

Our mission is to provide management and leadership service to municipal professionals through continuous learning opportunities, member support, and legislative advocacy.

**For more information about this submission, contact:**

Rick Johal  
Director, Member and Sector Relations  
rjohal@amcto.com | 905.602.4294 ext. 232

Eric Muller  
Coordinator, Legislative Services  
emuller@amcto.com | (905) 602-4294 x234

**Contact us:**

AMCTO | Association of Municipal Managers, Clerks and  
Treasurers of Ontario  
2680 Skymark Avenue, Suite 610  
Mississauga, Ontario L4W 5L6  
Tel: (905) 602-4294 | Fax: (905) 602-4295  
Web: [www.amcto.com](http://www.amcto.com) | @amcto\_policy



October 30, 2015

Honourable Ted McMeekin  
Minister of Municipal Affairs and Housing  
777 Bay Street, 17th Floor  
Toronto, ON M5G 2E5

Dear Minister McMeekin

**RE: Municipal Legislation Review**

I am writing on behalf of AMCTO and the more than 2,200 municipal professionals who make up our membership, to present our submission as part of the Municipal Legislation Review.

AMCTO is pleased to present our submission which contains recommendations on the themes of modernization, accountability and transparency, financial fairness, good governance and clarity. We would encourage the government to carefully consider these recommendations and those that are being put forward by other associations and municipalities. Our goal is to ensure that the *Municipal Act* and *Municipal Conflict of Interest Act* function as effective documents that enable local governments to operate in an efficient, effective manner while offering high quality services to their citizens.

We appreciate your consideration of our suggestions and look forward to hearing back in a timely manner. Should you have any questions about this submission, please do not hesitate to contact Rick Johal, Director of Member & Sector Relations at AMCTO. He is best reached at [rjohal@amcto.com](mailto:rjohal@amcto.com) or 905 602 4294 Ext. 232.

Yours sincerely,

Chris Wray  
AMCTO President

*C. Deputy Minister Laurie LeBlanc*  
*C. Assistant Deputy Minister Kate Manson-Smith*  
*C. Pat Vinini, Executive Director – Association of Municipalities of Ontario (AMO)*

# TABLE OF CONTENTS

Context	5
Making this Review Matter	13
Recommendations	16
Part I: Modernization	18
Part II: Accountability & Transparency	22
Part III: Financial Fairness	27
Part IV: Good Governance	30
Part V: Clarity	33
Conclusion	40
Appendix A: Projected Ontario Municipal Operating Costs to 2020	41
Appendix B: MFOA Municipal Act Review Recommendations	42
Appendix C: Members of AMCTO's Municipal Legislation Review Advisory Group	49

# THE CONTEXT

Local governments in Ontario are in a period of transition and change, and as with all transitions, the implications are significant. This period of transition, in particular, will impact the way that local governments fund services, staff key positions, interact with their citizens, and maintain critical infrastructure in the future. The Government of Ontario's review of municipal legislation, therefore, comes at a fortuitous time. It offers municipalities, municipal professionals, associations, public servants and elected officials a unique opportunity to engage in a sustained conversation about the most important issues faced by the municipal sector.

Since the time that local government was first envisioned in the Baldwin Act (*Municipal Corporations Act*) of 1849, municipalities have become increasingly complex, expanding into a range of activities not originally envisioned at their conception. As the province of Ontario grew in size and industrialized it was only natural for local governments to take on increased responsibilities beyond providing and maintaining roads, sewers and streetlights. Municipalities are now responsible for a range of substantive and complex programs and services, including economic development, infrastructure, public health, housing, and a range of human and social service programs.<sup>1</sup> Yet despite the expansion of responsibility for local governments, the intergovernmental relationship between the province and municipalities has remained skewed, with most of the power for the regulatory, legal, operational, and financial levers of local government left with the province.<sup>2</sup>

Outside of the intergovernmental relationship, the world outside local government has also shifted to become more complex. Steady urbanization, rapid technological advancements, demographic transformation, and globalization have all produced monumental changes in society.<sup>3</sup> Local governments have worked to adapt to these changes by adopting new approaches to planning and development, service delivery, law enforcement, public safety, representation and advocacy. Yet, citizens in Ontario, Canada, and around the world have nevertheless come to expect their governments to deliver faster, cheaper, and better quality public services, while at the same time, technology has enabled an instantaneous feedback loop that leaves a very small margin of error for governments to experiment or make mistakes.<sup>4</sup>

---

<sup>1</sup> Andre Cote and Michael Fenn, "Approaching an Inflection Point in Ontario's Provincial-Municipal Relations," IMFG Perspectives, No. 6, 2014, 2

<sup>2</sup> Cote and Fenn, 2014, 2

<sup>3</sup> Richard Dobbs et al., "How to you govern a disrupted world?" *McKinsey & Company*, May 2015

<sup>4</sup> Dobbs, 2015

## Accountability and transparency

Expectations are now higher than ever, and growing rapidly, for increased accountability and transparency in government. In 2014 the government of Ontario passed Bill 8, the *Public Sector and MPP Accountability and Transparency Act, 2014*, which amongst other things extended the oversight authority of the Ontario Ombudsman to cover municipalities, as well as hospitals, universities and school boards. Bill 8 is the latest in a growing accountability and transparency regime for municipalities that includes existing provincial oversight, reporting, and statutory requirements for everything from financial management to conflict of interest and local elections.<sup>5</sup> Canadians have high aspirations and expectations for open and transparent decision-making, and low tolerance for behaviour seen to be unethical. These expectations carry important implications, as there is a strong correlation between even perceptions of corruption or unethical behaviour and public trust in government.<sup>6</sup>

In many ways the current thrust for strong accountability and transparency is reflective of declining levels of trust in government, which are at an all-time low. While there are many explanations for this declining trust, including high profile scandals and the 2008 financial crisis, the trend has been clear for several decades. In Canada, trust in government has fallen from approximately 60 percent in the early 1970s to 24 percent in 2013, according to research done by Canadian polling firm EKOS.<sup>7</sup> Similar work done by the Organization for Economic Cooperation and Development (OECD) found that between 2006-2008 and 2011-2012, confidence in government fell by at least six percentage points in 18 of 34 OECD member states (figure 1).<sup>8</sup> In fact by 2012 an average of only four of every 10 people in OECD member countries expressed confidence in their government.<sup>9</sup> For governments at all levels maintaining citizen trust satisfaction is now more difficult than ever.<sup>10</sup>

Figure 1:

---

<sup>5</sup> Cote and Fenn, 2014, 5

<sup>6</sup> OECD, *Government at a Glance 2013*, OECD Publishing, 2013, 22

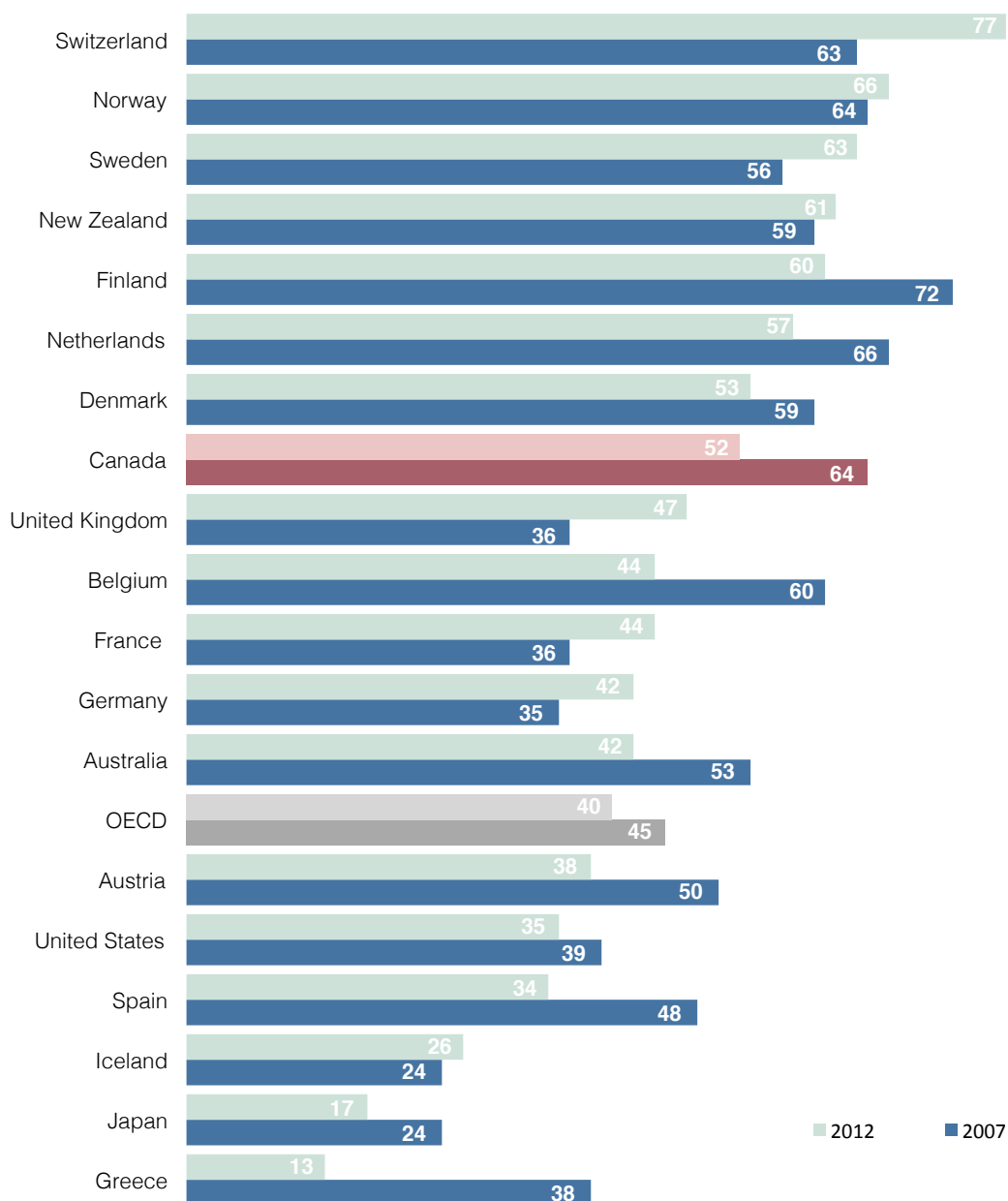
<sup>7</sup> Frank Graves, "The EKOS poll: Democracy and the death of trust," *iPolitics*, January 2, 2014

<sup>8</sup> Drew Silver, "Confidence in government falls in much of the developed world," *Pew Research Centre*, November 2, 2013

<sup>9</sup> OECD, 2013, 20

<sup>10</sup> OECD, 2013, 20

## Confidence in OECD National Governments, 2006-8 to 2011-12<sup>11</sup>



Source: OECD, Government at a Glance 2013, OECD Publishing, 2013, 22

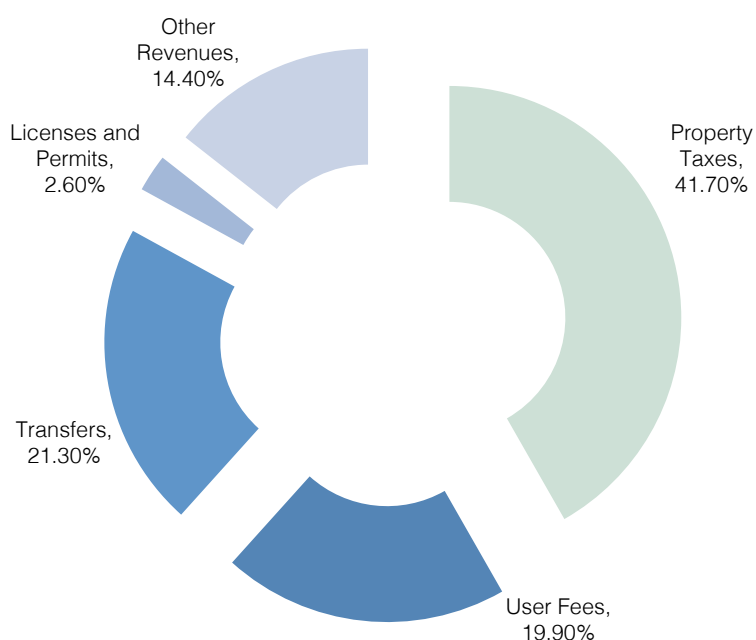
## *Fiscal pressure*

<sup>11</sup> Percentage of 'yes' in answer to question: Do you have confidence in your national government?

Local governments in Ontario are also facing a fiscal squeeze as the services they offer are becoming more expensive and complex to administer. Many Canadian municipalities are concerned about their ability to provide services to their citizens with existing sources of revenue. There is concern about both maintaining current high service standards, as well as the probable growth of complexity and demand in the future.<sup>12</sup> Most projections expect that municipal operating expenditures will continue to grow significantly over the next decade.<sup>13</sup> Yet, despite these pressures municipalities still have relatively limited sources of revenue (figure 2).

Figure 2:

### Sources of Municipal Revenue (2013):



Source: Ministry of Municipal Affairs and Housing, Financial Information Returns, 2013.

Within their current powers, the majority of municipal revenues still come from property taxes, followed by conditional grants and user fees.<sup>14</sup> The Association of Municipalities

<sup>12</sup> Enid Slack et al., "Fiscal Health of Ontario Large Cities: Is there Something to Worry About?" Draft Paper, Conference on Measuring Urban Fiscal Health, Institute of Municipal Finance and Governance, 2013, 3

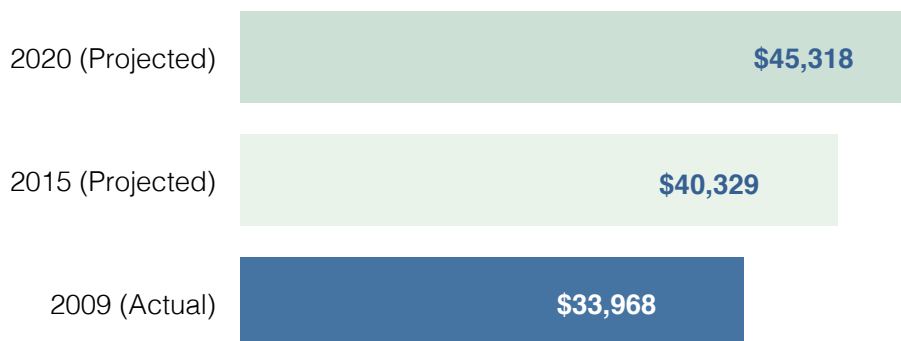
<sup>13</sup> Association of Municipalities Ontario (AMO), What's Next Ontario? Imagining a prosperous future for our communities, 2015, 4

<sup>14</sup> Slack et al., 3

Ontario (AMO) predicts that if all other sources of revenue remain unchanged, property taxes will need to increase by 4.51%<sup>15</sup> per year over the next decade for municipalities to be able to meet current service standards (Figure 3).<sup>16</sup> For a more detailed breakdown of projected operating costs see Appendix A.

Figure 3:

**Projected Ontario Municipal Operating Costs to 2020 (in millions)**



Source: Association of Municipalities Ontario (AMO), What's Next Ontario? Imagining a prosperous future for our communities, 2015, 4

The largest area of expenditure for municipalities is salaries, wages and employee benefits. In 2011 these costs represented approximately 43 percent of municipal operating spending, which was a 37 percent increase from 2001. Most municipal workers are unionized, which in combination with the highly fragmented environment for collective bargaining makes it difficult to control costs, as high agreements or settlements in one municipality act as precedents for all of the others. This problem is especially acute when it comes to emergency services. Police, fire, and paramedics are not permitted to strike, which leaves municipalities with little control over costs, as arbitrators replicate agreements in different municipalities with little regard for local economic conditions or ability to pay.<sup>17</sup> As a result, over the past 10 years, base wages for police officers and firefighters have grown at an average of 3.3 percent per year, compared to 2.7 for other unionized municipal workers and 2.2 for those in the private

<sup>15</sup> An earlier version of this submission put this figure at 10%. This number was based upon projections done by AMO in April of 2015, which they later retracted and revised to the current figure of 4.51%. The initial calculation did not factor other sources of revenue, while the current figure assumes all non-property tax revenue remains stable at \$21 billion annually to 2025.

<sup>16</sup> AMO, 2015, 4

<sup>17</sup> Cote and Fenn, 2014, 6

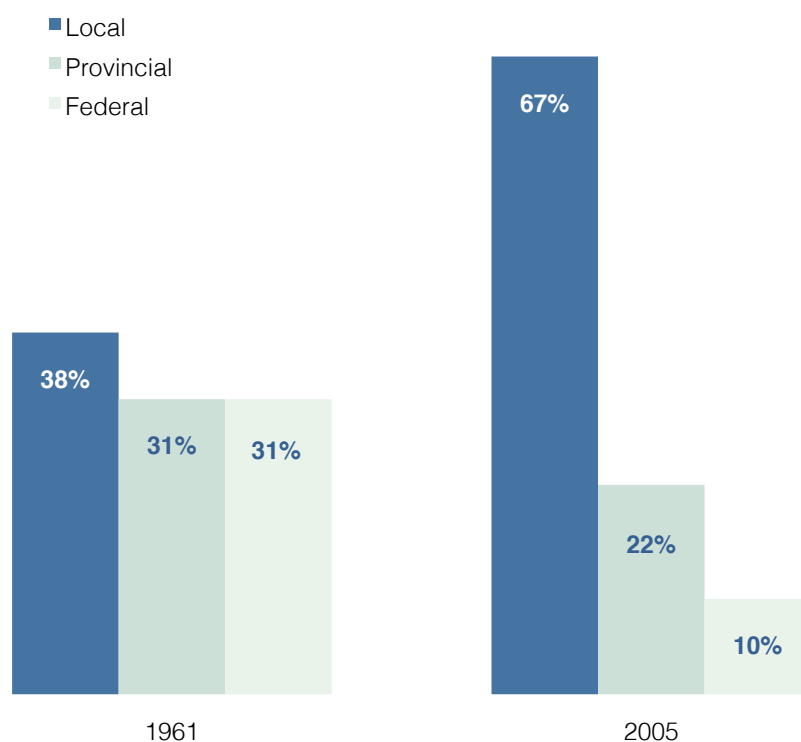
sector.<sup>18</sup> Ontarians now pay the highest policing costs in the country, of which 86 percent goes to staffing.<sup>19</sup>

### *The infrastructure deficit*

However, perhaps the most significant fiscal pressure facing municipalities is the infrastructure deficit. Approximately 40 per cent of public infrastructure in Ontario is owned by municipalities (when factoring in hospitals and educational facilities), including a number of roads and bridges, water and wastewater facilities, transit systems, social housing, and government buildings (figure 4).

Figure 4:

**Federal, Provincial, and Municipal Asset Ownership, 1961 — 2005 (excluding provincially-owned infrastructure dedicated to education and healthcare)**



Source: Association of Municipalities Ontario (AMO), *What's Next Ontario? Imagining a prosperous future for our communities, 2015*, 23

<sup>18</sup> Cote and Fenn, 2014, 6

<sup>19</sup> AMO, 2015, 13

In 2008, the infrastructure deficit was estimated to be approximately \$60 billion, not including tourism-related cultural assets, parks and recreation facilities, or the costs for social housing units, which are valued at an additional \$40 billion.<sup>20</sup> According to AMO, in order to close that gap, municipalities would have to levy an additional 3.84% of property taxes, which would mean a combined 8.35%<sup>21</sup> increase in property taxes until 2025.<sup>22</sup>

While the gas tax, as a dedicated source of predictable long-term funding, has helped, it is not enough to fill the gap. The current infrastructure deficit is too vast, and systemic to be covered under the current structure. Take the GTHA for example, where population growth and increased density are projected to increase the regional population to 8.6 million people by 2021, and where traffic congestion is said to already cost the economy \$6 billion in lost productivity a year.<sup>23</sup>

A similar situation exists with the provinces roads and bridges. Municipalities are responsible for over 140,000 kilometers of roads and 15,000 bridges and large culverts in Ontario. The Provincial-Municipal Fiscal and Service Delivery Review in 2008 estimated that roads and bridges account for \$2.8 billion, or approximately half of the infrastructure gap. These costs are expected to grow 19 percent between 2009-2020.<sup>24</sup> This is not a problem that can be solved without bold action or direct support from senior orders of government.

## *Succession planning*

In addition to critical infrastructure assets, many municipalities in the province are also staring down a deficit of critical human infrastructure, as the current generation of municipal professionals prepares to retire. The public sector work force is generally older than the private sector and thus more vulnerable to the effects of demographic change.<sup>25</sup> As many experienced municipal professionals leave, they will take significant accumulated knowledge, expertise and experience with them. While this provides

---

<sup>20</sup> Cote and Fenn, 2014, 6

<sup>21</sup> An earlier version of this submission put this figure at 19%. This number was based upon projections done by AMO in April of 2015, which they later retracted and revised to the current figure of 8.35%. The initial calculation did not factor other sources of revenue, while the current figure assumes all non-property tax revenue remains stable at \$21 billion annually to 2025.

<sup>22</sup> AMO, 2015, 4

<sup>23</sup> AMO, 2015, 10

<sup>24</sup> AMO, 2015, 11

<sup>25</sup> Bonnie G. Munslow, "Succession Planning: Building a strategy to address a critical need for a mid-sized municipality," *AMCTO*, 2010, 3

exciting opportunities for new professionals and new ideas to enter the sector, it also presents those same individuals with a steep learning curve. Many municipalities are working on strategies to mitigate the effects of these demographic changes that are likely to cause serious turnover in the municipal sector, as a significant number of baby-boom aged senior managers retire. Many municipalities are not.<sup>26</sup>

## *Government transformation*

In the face of all of these challenges, many governments are responding by launching both small- and large-scale transformation initiatives. In general the government transformation agenda has crystallized around a number of trends, including citizen-centred services, sharing responsibility for policy development, integrating operations across government departments, and crucially the adoption of digital technology.<sup>27</sup> It is especially the opportunities offered by emerging digital technologies, big data, and the growth of mobile computing that are pushing governments to adapt and transform.<sup>28</sup> Transactions in Canada are now increasingly happening online, as consumers and citizens alike now bank, study, socialize, shop and in some cases even vote in a completely digital environment. Many of these changes have been pushed by demographic transformation,<sup>29</sup> as traditional notions of customer service are changing, and consumers are increasingly in favour of interacting with institutions through the use of digital, streamlined, mobile-friendly, web-based applications.<sup>30</sup> Many municipalities have responded through open data/open government initiatives, and by pioneering the use of Internet voting, however, there is still significant work to be done to automate operations and modernize service delivery.

---

<sup>26</sup> Jessie Carson, "Managing the Future: Why Some Ontario Municipalities Are Not Engaging in Succession Planning," *Queen's University Discussion Paper*, No. 2009-01, 2009

<sup>27</sup> Sunil Johal, et al., "Reprogramming Government for the Digital Era," *Mowat Centre*, 2014, 1

<sup>28</sup> Johal, 2014, 2

<sup>29</sup> This shift is perhaps best exemplified in the rise of the sharing economy; where in Ontario 40 percent of those in the crucial 18-43 demographic are active consumers (Source: Andrea Holmes and Liam McGuinty, "Harnessing the Power of the Sharing Economy: Next Steps for Ontario," *Ontario Chamber of Commerce*, 2015)

<sup>30</sup> Mitch Solomon, "Millennials Don't Want More Customer Service—They Want Different Customer Service," *Forbes*, August 27, 2015

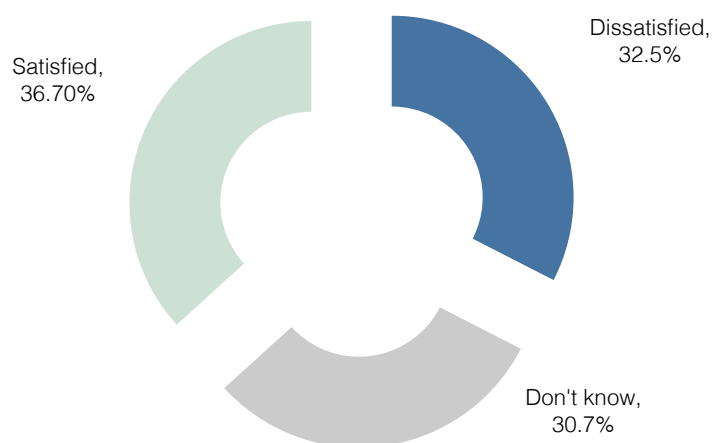
# MAKING THIS REVIEW MATTER

The motivation to transform government is largely the result of eroding public trust and steadily declining satisfaction with government services.<sup>31</sup> According to research conducted by IPSOS MORI in 2014, only 36.7 percent of Canadians were satisfied with the way the government was running the country.<sup>32</sup> While this places Canada above a number of other countries, it sets a low bar for citizen satisfaction. Declining citizen satisfaction levels are especially important for municipalities, who are the primary face of government in most communities and offer the most direct and tangible services to the public. Municipalities are also the level of government where citizens think that most decisions about public services should be made.<sup>33</sup>

Governments at the local level are generally well managed,<sup>34</sup> and well liked by citizens, compared to other levels of government.<sup>35</sup> Yet the challenge of declining citizen satisfaction and trust remains even in the municipal sector. IPSOS MORI found the same level of citizen satisfaction (36.7) for local public services, as it did for government services at the federal level (figure 5).<sup>36</sup>

Figure 5:

**Overall, how satisfied or dissatisfied are you with local public services (e.g. public transportation, public education, public safety and social services)?**



Source: IPSOS MORI, Global Trends 2014, <http://www.ipsosglobaltrends.com/local.html>

<sup>31</sup> Emma Dudley et al., "Implementing a citizen-centric approach to delivering government services," *McKinsey & Company*, July 2015

<sup>32</sup> IPSOS MORI, Global Trends 2014, <http://www.ipsosglobaltrends.com/local.html>

<sup>33</sup> IPSOS MORI, Global Trends 2014, <http://www.ipsosglobaltrends.com/local.html>

<sup>34</sup> Cote and Fenn, 2015, 1

<sup>35</sup> Michael Fenn, "Successful Staff/Council Relations: Old Lessons For New Challenges," *AMCTO Policy and Management Briefs*, Issue 02, August 17, 2015, 1

<sup>36</sup> IPSOS MORI, Global Trends 2014, <http://www.ipsosglobaltrends.com/local.html>

Given the constraints faced by municipalities, the initiatives currently underway to transform public services, and declining trust and satisfaction with government, this legislative review comes at an important time. Public servants at all levels need to redouble their efforts to improve service delivery and good governance. Municipalities need an enabling environment that encourages cooperation, innovation, continuous-improvement, and autonomy. There are a lot of ways that this can be created, from moving towards smart regulation, to empowering municipalities to become fiscally sustainable. However, there is no silver bullet; there is no one policy or program that can achieve this goal. Rather, to do so requires seizing upon every opportunity to give municipalities the tools they need to respond to and engage their citizens. This legislative review is one of those opportunities.

This submission contains recommendations across the themes of modernization, accountability and transparency, financial fairness, good governance, and clarity.<sup>37</sup> They are the result of an intensive process of research and review conducted by an advisory group of local government professionals from across the province. We would encourage the government to carefully consider these recommendations and those that are being put forward by other association and municipalities. Our goal is to ensure that the *Municipal Act* functions as an effective document that enables local governments to operate in an efficient, effective manner while offering high quality services to their citizens. There are three high-level principles that we believe will help achieve this goal, and should become essential elements of the intergovernmental framework for municipal-provincial relations going forward.

### *Respecting municipal diversity*

Too often the province develops policy based on the assumption that all municipalities are the same. Yet the challenges and strengths of each local government is different, especially in rural vs. urban, small vs. large, and north vs. south. The default inclination to treat all municipalities as if they are same, ignores the fact that some municipalities have fewer than 5 employees who are deeply connected to the local community and some are larger than provincial governments and have robust financial controls, rigorous accountability regimes, and sophisticated policy-making functions.<sup>38</sup> This “one size fits all” approach often creates perverse outcomes that would scarcely be tolerated in other sectors. For instance, there is a substantial effort made to differentiate the regulatory and enabling environments for small businesses, compared to large- and medium-size enterprises. Yet in the municipal sector, the government frequently imposes the same regulations on Wawa as it does on Mississauga.

---

<sup>37</sup> This submission primarily contains recommendations for the *Municipal Act*, however, there are several recommendations with implications for the *Municipal Conflict of Interest Act* as well.

<sup>38</sup> Cote and Fenn, 2015, 3

## *Responsible orders of government*

In addition to respecting diversity, the province should also treat municipalities like responsible orders of government. Local governments in Canada have often been referred to as ‘creatures of the provinces’ because Canada’s Constitution assigns the provinces responsibility for local institutions, and all of the provinces in Canada have some legislation governing their municipalities.<sup>39</sup> Yet the province has repeatedly declared that Ontario’s municipalities are responsible orders of government in their own right.<sup>40</sup> If that is so, then they should be treated as such. To do so, is the best opportunity for promoting effective governance and management at the local level. If municipalities are driven strictly by compliance and rote functionality they will struggle to truly become modern, fiscally sustainable agents of good governance, who promote professionalism, ethics, and accountability.

## *Legislating outcomes, and not behaviours*

Nevertheless, the province is the regulator of local government and there is a role for it to play in guiding policy and practice within the sector. However, regulation should focus on outcomes and not behaviours. While there is no need for legislation with overly specific proscription, such as requirements to send documents via official mail, there is space for the province to provide broad guidance and direction. Yet far too often, policy from the province is far too proscriptive and developed without a concrete understanding of the complex factors that affect its implementation. The province should focus on legislating high-level outcomes and leave the specific implementation details to the public servants working in municipalities that bear the responsibility for understanding and executing those details.

---

<sup>39</sup> Slack et al., 2013, 2

<sup>40</sup> Ministry of Municipal Affairs and Housing, Municipal Legislation Review Public Consultation Guide, June 2015, 22

# RECOMMENDATIONS:

**RECOMMENDATION 1:** Modernize council decision-making by allowing a broader range of decisions to be made without the use of a formal instrument, such as a by-law or resolution

**RECOMMENDATION 2:** Clarify the requirements for retention of electronic records, and consider giving municipalities more latitude to develop their own retention protocols, including with respect to the accessibility of electronic backups

**RECOMMENDATION 3:** Consider a new regulatory approach for the sharing economy, recognizing the limited ability of municipalities to regulate activities that are no longer constrained to traditional borders or boundaries

**RECOMMENDATION 4:** Establish a clear definition of a meeting

**RECOMMENDATION 5:** Review the circumstances where council can meet in closed session, providing clarity about when a municipality may meet in the absence of the public to discuss the security of its tangible assets and intangible property, and to deal with confidential information of government entities and third parties

**RECOMMENDATION 6:** Require all municipalities to adopt their own 'Codes of Conduct' for council and staff

**RECOMMENDATION 7:** Create additional rules for Integrity Commissioners (ICs) to promote greater consistency in investigations, specifically by providing more guidance on how investigations are conducted and reported, while giving ICs extended powers to consider a broader range of penalties

**RECOMMENDATION 8:** Establish an accountability mechanism for accountability officers and meetings investigators

**RECOMMENDATION 9:** Clarify Council's responsibility for ensuring local boards are accountable (including BIAs and Conservation Authorities)

**RECOMMENDATION 10:** Review Ontario's Joint and Several Liability tort system, with the goal of ensuring that it more fairly balances the needs of all parties

**RECOMMENDATION 11:** Allow lower tier municipalities to factor tax arrears into their requisitions to school boards and the upper tier

**RECOMMENDATION 12:** Implement recommendations made by the Municipal Finance Officers Association (Appendix B)

**RECOMMENDATION 13:** Promote greater knowledge of municipal issues in the judicial system, and explore the creation of a specific provincial tribunal to handle local government issues

**RECOMMENDATION 14:** Enhance the enforcement provisions of the Act

**RECOMMENDATION 15:** Establish more precise rules for the transition period between elections

**RECOMMENDATION 16:** Give municipalities more flexibility to determine the time frame for filling council vacancies

**RECOMMENDATION 17:** Consider reorganizing the Act in a more consistent, logical manner

**RECOMMENDATION 18:** Clarify the principles for ward boundary reviews, specifically by aligning the timelines with the federal and provincial governments (every 10 years), creating guidelines for how consultations are to be conducted, embedding the principles that support effective representation, eliminating the petition process, and requiring upper tier municipalities to adjust their council composition to ensure fair representation of each lower tier

**RECOMMENDATION 19:** Review the definitions and descriptions of 'administration' and 'council,' and remove the 'CEO' title from the description of the head of council

**RECOMMENDATION 20:** Clarify the process and tests to follow when dealing with potentially conflicting roles, responsibilities, and legislation between different orders of government

**RECOMMENDATION 21:** Clarify the role of municipal services corporations and the applicability of municipal provisions

**RECOMMENDATION 22:** Create clearer procedures for boundary lines, roads and bridges

**RECOMMENDATION 23:** Review how the MA interacts with MFIPPA, and look for ways to create greater alignment of MFIPPA with the Act

**RECOMMENDATION 24:** Remove the 'subject to the approval of the municipal auditor' wording from sec. 255(1)(3)

**RECOMMENDATION 25:** Provide greater clarity and a clearer definition for indirect conflicts of interest in the Municipal Conflict of Interest Act

# PART I: MODERNIZATION

Over the past several decades the boom in electronic and digital technology has radically transformed society and presented governments with new challenges and opportunities. Organizations all across the public sector have begun to integrate technology into their operations, processes and services. Some sectors, such as healthcare, have firmly embraced the transformational power of technology, and are using it to introduce new service-level improvements, such as electronic health records, telemedicine, and e-prescriptions.<sup>41</sup> Within the municipal sector, a number of local governments have embraced Internet voting, moved services online, and integrated digital automation to make their operations more efficient.

These changes represent what some are calling the “first wave of digitization”—taking simple, transactional services and moving them online.<sup>42</sup> Future changes will look at more advanced functions like the current open data/open government movement, and will have even more significant implications for government. As these changes take place it is important that both the legislative and regulatory frameworks that govern society keep pace, and for the province to look for new ways to remove barriers and enable municipalities in Ontario to modernize. There are a range of options from simple things like removing the requirements to use registered mail, to more complex measures.

However, any movement towards modernization in the municipal sector will likely involve a discussion of whether or not to allow councils to meet or make decisions electronically. While there are some obvious benefits and advantages to such an idea, it is not a decision that should be taken lightly. AMCTO would urge the government to take a cautious approach when considering the possibility of electronic council meetings, and look for ways to balance the imperative of modernization with the importance of preserving and protecting the democratic process.

Outside of electronic meetings there are other ways that the government can modernize the council decision-making process. Municipal councils are now making decisions on a range of increasingly complex issues that affect public policy and administration at the local level, from wastewater treatment, to managing infrastructure, and social services. As the number and type of decisions being made by councils continues to grow, municipal councils need more flexibility in how they make decisions.

---

<sup>41</sup> ITAC, Advancing Health and Prosperity: A Brief to the Advisory Panel on Healthcare Innovation, 2014

<sup>42</sup> Johal, 2014

Currently the *Municipal Act* allows municipal councils to exercise their powers primarily through two formal legal instruments: a bylaw or resolution of council. However, while these legal instruments have generally served municipalities well, there is a range of decisions that a council must undertake that do not need to be encumbered with the weight or formality of an official bylaw or resolution. For example, according to the *Act* Municipal Clerks must all be officially appointed by bylaw. Similarly decisions about where a municipality places its traffic lights and street signs are all made with bylaws. As a result of these requirements municipalities pass an inordinate number of bylaws. The City of Toronto, for example, has already passed almost 1,000 in 2015 alone. Councils in municipalities across the province need more freedom to simply render decisions.

**RECOMMENDATION 1:** Modernize council decision-making by allowing a broader range of decisions to be made without the use of a formal instrument, such as a by-law or resolution

Currently the *Municipal Act* contains a detailed section on records retention. This section includes detailed and specific provisions for destruction, transfer, inspection and copying official records of the municipality. However, there are no detailed provisions for how municipalities should deal with electronic records.

The rise of the digital age has created an explosion of data and the number of electronic documents that are now being created and shared has grown exponentially. Governments in highly industrialized countries are now creating and receiving more documents, data and 'records' than could have possibly been imagined even 10 years ago. While there are no exact figures, some estimates from Europe indicate that up to 90 percent of the records generated by governments are now electronic.<sup>43</sup> While this number might be higher in Europe, where government e-initiatives have pushed more activity onto electronic platforms, it paints a picture of where we are headed in the future. Governments in Ontario, at all three levels, will continue to produce more and more electronic records. While the rise of electronic records has provided interesting opportunities for government transparency (open government) and more detailed data collection and analysis to improve policy development and program delivery, it also creates serious challenges for those tasked with managing and maintaining those records.

---

<sup>43</sup> James Manyika, et al., "Big Data: The next frontier for innovation, competition, and productivity," *McKinsey Global Institute*, 2011, 56

Within this context, there is a need for more clarity within the *Municipal Act* about how municipalities should handle electronic records. Key to this clarity is flexibility, ensuring that each local government has the ability to develop a policy that is appropriate for their own municipality, given that the volume and types of records varies from community to community. The protocols needed in Toronto are vastly different from those that are needed in Sioux Lookout. As the number of records produced in the digital age continues to duplicate at an exponential rate, municipalities should be given the flexibility to develop their own retention protocols, bearing in mind that each government operates in its own distinct context.

**RECOMMENDATION 2:** Clarify the requirements for retention of electronic records, and consider giving municipalities more latitude to develop their own retention protocols, including with respect to the accessibility of electronic backups

In addition to changes in how municipal governments make decisions and store electronic records, there is also a need for the province to recognize the changes that have taken place in the consumer market, and explore more modern approaches to regulation. At the end of September, Toronto's City Council voted in favour of incorporating ride-sharing service Uber into its regulatory framework that governs taxis. The decision came as municipalities have been struggling to respond to Uber and similar services that now make up the 'sharing economy.' Once peripheral, these

*1 in 5 residents in the GTA have used Uber, while 45 per cent of Canadians are willing to rent their belongings to others, and 42 percent are willing to rent from others.*

services have now become dominant players in the service industry. For instance according to research done by the Ontario Chamber of Commerce and PwC, 1 in 5 residents in the GTA have used Uber, while 45 per cent of Canadians are willing to rent their belongings to others, and 42 percent are will to rent from others.<sup>44</sup>

The mere existence of the sharing economy is not new, nor is the change or challenges that it has introduced. However, the quick growth of services like Uber and AirBnB has exposed the limited ability of our current regulatory framework to adapt to such

<sup>44</sup> Andrea Holmes and Liam McGuinty, "Harnessing the Power of the Sharing Economy: Next Steps for Ontario," *Ontario Chamber of Commerce*, 2015, 4

shocks.<sup>45</sup> Toronto was the first municipality in Ontario to begin incorporating the sharing economy into its regulatory infrastructure, but it will not be the last. More and more municipalities will begin to follow suit in the coming months. However, the result will be a fragmented, ad-hoc regulatory framework for services that are not local in scope, but exist at the sub-national, national and international level. They are emblematic of our increasingly globalized world, and the way that many services and sectors are no longer constrained to traditional legal boundaries or borders. The province should recognize that this is not an isolated event, rather a tectonic shift in the service industry, and take the lead on a proactive and progressive set of regulations. This means taking a holistic approach, and not leaving it to the provinces 444 municipalities to attempt a piecemeal solution to what is a provincial problem.

There are precedents from other jurisdictions where higher orders of government have taken the lead, and attempted to determine the best approach to regulating the sharing economy. For instance in the in the UK, the national government launched a commission to review and better understand the economic and societal issues that the growth of the sharing economy had exposed. Following months of consultation and study, the result was reform of 1970s-era laws restricting short-term rental space and updates to zoning guidance to allow sharing parking spaces.<sup>46</sup> The government of Ontario could do the same.

**RECOMMENDATION 3:** Consider a new regulatory approach for the sharing economy, recognizing the limited ability of municipalities to regulate activities that are no longer constrained to traditional borders or boundaries

<sup>45</sup> Sunil Johal and Noah Zon, "Policy Making for the Sharing Economy: Beyond Whack-A-Mole," *Mowat Centre*, 2015, 4

<sup>46</sup> Holmes and McGuinty, 2015, 5

## PART II: ACCOUNTABILITY & TRANSPARENCY

Accountability and transparency are key features of democratic governance and increasingly important to Canadians. Currently at the municipal level, the infrastructure for accountability and transparency includes a range of oversight and reporting requirements. This section contains recommendations that are designed to fill gaps and ensure that accountability and transparency initiatives at the local level are effective and achieve their objectives.

Closed meeting investigations have been one of the most prominent accountability measures in the past several years. Despite some media portrayals, decision-making at the municipal level is perhaps the most transparent of any level of government in Canada. The *Municipal Act* requires that meetings of municipal councils be open to the public, and only happen behind closed doors in limited circumstances. Comparatively, most decisions made by provincial or the federal governments are made away from the public, at closed-door cabinet or caucus meetings.

Part of the process for ensuring that open meeting rules are followed is closed meeting investigations conducted under Section 239 of the *Act*. However, while these investigations are an important way of ensuring transparency and accountability, they are currently premised on an unclear definition of what defines a ‘meeting.’ Moreover different closed meeting investigators conduct their investigations using different definitions. The Ontario Ombudsman’s office, in particular, has taken an expansive view of what constitutes a meeting. The *Municipal Act* for its part does not provide a clear or specific definition stating only that a meeting is a “regular, special, or other meeting of council, of a local board or of a committee of either of them.”<sup>47</sup>

*Section 239(1): Except as provided in this section, all meetings shall be open to the public*

The current ambiguity about what constitutes a meeting has had negative and perverse repercussions for municipal governance. For instance, one councilor in the City of London has taken to carrying around a flow chart listing which of his fellow councilors sit on which committees, to ensure that he is not at risk of contravening the rules for

---

<sup>47</sup> Andrew Sancton, “What is a Meeting? Municipal Councils and the Ontario Ombudsman: Draft,” *Political Science Publications*, paper 34, 2014, 10

closed meetings.<sup>48</sup> Even more harmful, however, the ambiguity around what constitutes a meeting has prohibited some members of council from openly discussing policy issues with their colleagues outside of the council chambers. The Mayor of Greater Sudbury for instance won't talk to other councilors or lobby for support on any issues before council because she is worried about breaking the rules.<sup>49</sup> While it is undeniably important to ensure that the public's business is conducted in the open, when it is reasonable to do so, it is equally important that the rules to govern that process are clear and easily understandable.

**RECOMMENDATION 1:** Establish a clear definition of a meeting

In addition to clarifying the rules around what constitutes a meeting, there also needs to be more clarity about the circumstances where council is permitted to meet in closed session. Given the scrutiny that surrounds closed session meetings, this is not a section of the *Act* that benefits from ambiguity. There are a number of circumstances where it is important or necessary for council to meet in a confidential setting. Whether it is to discuss human resource matters or to develop strategy for commercial negotiations or intergovernmental relations, municipalities need to have the confidence of knowing that their actions fall within the scope of reasonable behaviour.

In these circumstances, the *Municipal Act* should clearly articulate that closed meetings are appropriate and acceptable. This is especially important, given the ambiguity in the *Act* surrounding 'security of the property' and circumstances where council is requested or required by a third party (often a provincial government ministry) to meet behind closed doors. Around security of the property, in particular, while there is currently an exemption to the open meeting rule, previous rulings from the IPC and others have indicated that municipal councils should be required to hold these meetings in public, which would force them to publicly discuss the details of business negotiations.

**RECOMMENDATION 2:** Review the circumstances where council can meet in closed session, providing clarity about when a municipality may meet in the absence of the public to discuss the security of its tangible assets and intangible property, and to deal with confidential information of government entities and third parties

<sup>48</sup> Patrick Maloney, "London politician forced to go to absurd lengths to avoid breaching uncle law against illegal secret meeting," *London Free Press*, September 30, 2015

<sup>49</sup> Sanction, 2014, 12

Many municipalities have rules and policies governing the ethical behaviour of their staff, councilors, and members of local boards. Codes of Conduct address a broad range of issues, including how to handle gifts and benefits, proper use of municipal

*“The ethical culture of an organization is the set of values operating within it. Those values constitute the first line of defence against unethical behaviour, and they exert by far the most powerful influence. In any organization, there is a formal ethical culture and an informal ethical culture. Formal culture is written policy. Informal is learned behaviour of others—and it usually prevails. Ideally, formal culture and informal culture are the same, and the values set down on paper reflect the real values at work in the organization every day.”*

— The Honourable Madame Justice Denise E Bellamy, *Report on the Toronto Computer Leasing Inquiry*

resources, proper conduct at council meetings and how to behave when acting on behalf of the municipality. These codes range from general principles to prescriptive lists of rules, and are generally left to each municipality to develop based on the unique needs of their community.

Codes of Conduct are an important and useful plank in the ethical framework of governments at all levels. While many large municipalities have created formal codes of conduct to embed proper practices for ethical behaviour, most medium or small sized municipalities have not.<sup>50</sup> However, if they are important for some municipalities, they should be important for all.

Codes of Conduct should be made mandatory in the *Municipal Act* for all

municipalities (with separate codes for council and staff). However, while the *Act* should proscribe that each municipality is responsible for creating a Code of Conduct, it should leave the responsibility for creating the code to municipalities themselves. This would allow each community to create a Code of Conduct that is appropriate for its municipality.

**RECOMMENDATION 3:** Require all municipalities to adopt their own ‘Codes of Conduct’ for council and staff

Central to ensuring that municipal Codes of Conduct are upheld, are investigations and oversight provided by Integrity Commissioners. The *Municipal Statute Law Amendment Act*, 2006 (Bill 130), which amended the *Municipal Act* and entered into effect on

<sup>50</sup> Ministry of Municipal Affairs and Housing, *Municipal Legislation Review Public Consultation Guide*, June 2015, 7

January 1<sup>st</sup> 2007 gave municipalities the option of appointing an Integrity Commissioner, who would report to council, but functionally would be tasked with independently ensuring that the municipality is operating in an ethical manner. Initially recommended by Justice Bellamy, following her probe of the Toronto Computer Leasing program, not all municipalities handle their ICs the same way. While most look at how members of council comply with ethical standards of behaviour, in some municipalities they are also tasked with educational training or providing advice on ethics and professional conduct.

At this point, still early in the lifespan of the role of the Integrity Commissioner, there is a need for more structure to be created around the position.

There is still far too much variability in how Integrity Commissioners exercise their roles, and how they investigate and report back to council. The *Act* should contain more guidance for ICs, so that investigations are being conducted more consistently across the province. It would also be useful to broaden the range of penalties that ICs have at their disposal and give them greater powers to impose a wider range of penalties when infractions are discovered. Currently if an Integrity Commissioner reports that a member of council or local board has contravened that municipality's code of conduct, the municipality can offer either a reprimand, or a suspension of pay for up to 90 days. This is a very limited range of options, and does not provide the IC or the municipality with a range of options that might be better suited to the offence. Integrity Commissioners are important, but there is still work to be done to increase their impact, and improve consistency across the province.

### **RAISING THE BAR ON ETHICAL BEHAVIOUR**

Recommendation 3 falls in line with a broader range of work that AMCTO has undertaken in 2015 to develop a new Code of Ethics & Values. This work is designed to heighten awareness of the importance of ethics and accountability and point towards the efforts of current public servants who are raising the bar on ethical leadership in the municipal sector. While this effort is aimed specifically at AMCTO members, it cannot replace the importance of each municipality having its own set of values and ethics.

**RECOMMENDATION 4:** Create additional rules for Integrity Commissioners (ICs) to promote greater consistency in investigations, specifically by providing more guidance on how investigations are conducted and reported, while giving ICs extended powers to consider a broader range of penalties

Just as there are gaps in the position of Integrity Commissioner, there are similar gaps around mechanisms for ensuring the accountability of accountability officers themselves. In addition to an Integrity Commissioner, Justice Bellamy also

recommended three other accountability officers that are now available to municipalities, including a Lobbyist Registrar, Auditor General, and Ombudsman. A meetings investigator has since rounded out these positions, to monitor compliance with the *Act*'s open meeting provisions.

These are all important positions critical to the oversight of municipal governance, but they are themselves not immune from ethical or professional lapses, and should not be placed outside the reach of oversight. While there is not currently a section within the *Act* that establishes an accountability mechanism for accountability officers, one should be created.

**RECOMMENDATION 5:** Establish an accountability mechanism for accountability officers and meetings investigators

Finally, one remaining gap in the accountability and transparency framework surrounds the position of local boards. As agents of the municipal corporation, local boards, including Conservation Authorities and Business Improvement Areas (BIAs), should be required to maintain and uphold the same standards of ethical, professional, and accountable conduct as all other municipal representatives and employees. Yet, there are currently few provisions within the *Act* that clearly define the accountability and transparency requirements for local boards.

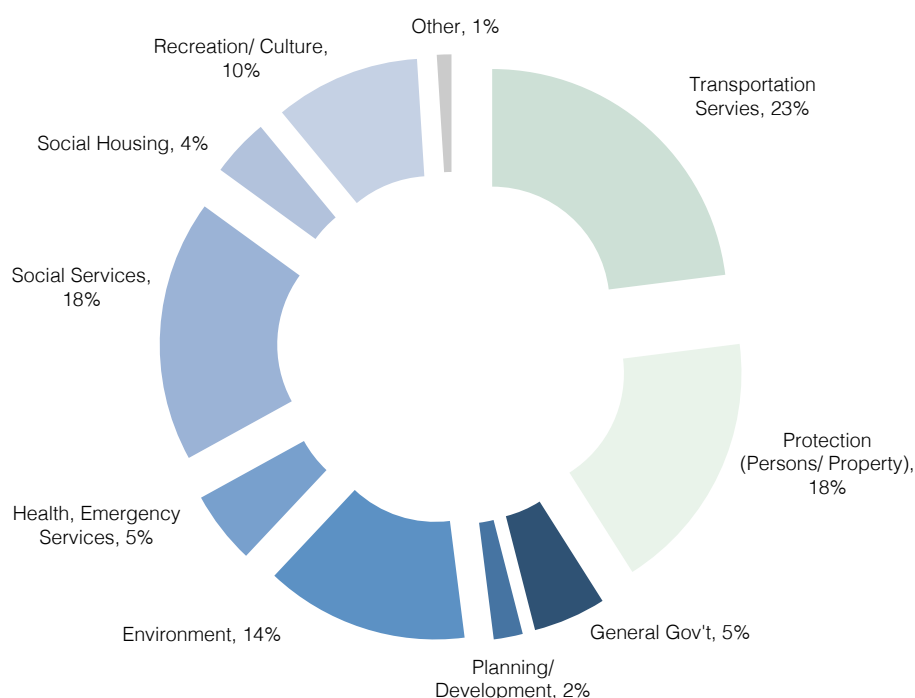
All local boards, including Conservation Authorities, BIAs, and Health, Library and Police Services Boards, should be brought into the local government accountability regime. They should be responsible for monitoring their own accountability and transparency, and upholding the same principles of the municipality they belong to. They should be regularly audited, have Codes of Conduct, be required to have open meetings, and to record minutes of all meetings and make them publicly accessible.

**RECOMMENDATION 6:** Clarify Council's responsibility for ensuring local boards are accountable (including BIAs and Conservation Authorities)

## PART III: FINANCIAL FAIRNESS

The fiscal challenges faced by the province's local governments are complex, and there is no single solution. What is needed is a broader conversation that looks beyond the current tools and revenue streams currently on offer. In the interim, however, there are a series of smaller steps that the government can take, many as part of this legislative review, to improve the financial footing of many municipalities. This section contains a series of recommendations that are designed to help improve the financial fairness for local governments in Ontario. Some of the recommendations emerged through AMCTO's review process, while others are the work of our partner associations.

Figure 6:  
Ontario Municipal Expenses, by Service (2013)



Source: Ministry of Municipal Affairs and Housing, Financial Information Returns, 2013.

One of the more significant hurdles to fiscal sustainability in the municipal sector is the province's joint and several liability provisions, often referred to as the 1 per cent rule. This system requires that even defendants in a civil suit who are found as little as 1 per cent at fault can still be made to pay 100 per cent of the damages. This system has

often resulted in local governments, who are presumed to have vast financial resources, becoming the targets of litigation and inevitably covering the cost of other defendants, who do not have the means to pay high damage rewards, but may bear a greater proportion of the liability. Joint and several liability not only places disproportionate liability on municipalities, it has also created a context where municipalities are forced to offer generous out of court settlements to avoid protracted and expensive court battles.<sup>51</sup>

In the past AMCTO has raised its concerns about Joint and Several Liability, and the province declared its interest in reforming this system, before reversing course in 2014. However, if the province is serious about improving the fiscal sustainability of local governments, joint and several liability reform would be a good place to start. There are a range of reform options. Most come from other jurisdictions and have been successfully implemented, while providing reasonable protection for the needs of both plaintiffs and defendants. These options include proportionate liability, a reallocation model, a percentage threshold, or a specific joint and several liability that is based on the type of damage, as exists in California, New York, Mississippi, Nevada and Nebraska.<sup>52</sup> Whatever the solution, there is a pressing need to implement a system that is fairer for all parties.

**RECOMMENDATION 1:** Review Ontario's Joint and Several Liability tort system, with the goal of ensuring that it more fairly balances the needs of all parties

Aside from reforming joint and several liability, smaller lower-tier municipalities across the province would also benefit from greater flexibility and accommodation with respect to their requisitions to school boards and the upper tier. Specifically there needs to be consideration for the tax arrears that a municipality is holding on its books, and how this affects their ability to pay these requisitions quarterly. Lower tiers have to pay upper-tier and school board requisitions on predetermined timelines, regardless of if the municipality has collected taxes or is faced with a significant number of properties in arrears. As a result, municipalities are in effect acting as lenders for those who pay their property taxes late, or who fail to make their payments entirely. This carries significant implications for a municipality and can leave it with severe cash flow problems, and cause lower tiers to engage in unnecessary short- or long-term borrowing to cover for citizens who do not pay their taxes. Rather than borrowing to invest in priority projects,

---

<sup>51</sup> Association of Municipalities Ontario (AMO), The Case for Joint and Several Liability Reform in Ontario, April 1, 2010

<sup>52</sup> AMO, 2010, 27-28

these municipalities are forced to use up potential investment income to cover for negligent taxpayers. Requisition schedules for school boards and upper tier municipalities need to factor in a municipality's tax arrears position.

**RECOMMENDATION 2:** Allow lower tier municipalities to factor tax arrears into their requisitions to school boards and the upper tier

In addition to the recommendations that AMCTO has developed through our own review process, we would also like to endorse and recommend that the government implement the recommendations made by the Municipal Finance Officers Association (MFOA). These recommendations have been developed by MFOA with input and advice from treasurers and municipal finance professionals from across the province.

**RECOMMENDATION 3:** Implement recommendations made by the Municipal Finance Officers Association (Appendix A)

## PART IV: GOOD GOVERNANCE

As the level of government closest to the people in communities across the province, municipalities provide important public services that are crucial to keep Ontario's communities moving. It is especially important, therefore, that municipalities have the freedom and autonomy to govern well and respond to the needs of their citizens. The province has repeatedly declared that it views municipalities as responsible and accountable orders of government and that it wants to make sure that they have "the flexibility they need to govern."<sup>53</sup> This section contains recommendations that are designed to allow municipalities to do just that.

One of the most pervasive challenges to good governance in the municipal sector is the lack of knowledge within the court system about municipal issues. AMCTO has highlighted this concern previously, specifically surrounding the *Municipal Elections Act*. Recently in *Gleeson v. Conseil Scolaire du district catholique des aurores boreales*, 2015 and *Ashby v. Town of Ajax*, 2015, the courts chose to ignore clear contraventions of the province's election laws.

However, these issues are not limited to elections and exist throughout all areas of municipal jurisprudence. Other common issues that are endemic to the justice system include a lack of knowledge amongst Justices of the Peace about enforcement of municipal provisions, an unwillingness to utilize existing enforcement provisions, a lack of respect for by-laws passed by municipalities, and a general lack of knowledge about that statutes that govern municipal affairs. For example in *Myshrall v. Toronto* the court decided that claimants should not be responsible for identifying the date and location of an accident when making a claim related to municipal road repair, despite the fact that this makes it next to impossible for municipalities to defend themselves.

As part of its review of municipal legislation, the government should look for ways that it can increase knowledge of municipal issues in the judicial system. This is an initiative that AMCTO would support and be willing and interested in partnering with the government to achieve. However, the government should also go further and consider what other actions it could take to ensure that the principles of good governance are being upheld in the judicial system. One option worth exploring would be the creation of a specific tribunal to handle local government adjudication.

**RECOMMENDATION 1:** Promote greater knowledge of municipal issues in the judicial system, and explore the creation of a specific provincial tribunal to handle local government issues

<sup>53</sup> Ministry of Municipal Affairs and Housing, Municipal Legislation Review Public Consultation Guide, June 2015, 22

In addition to enhancing the capacity of the judicial system to enforce municipal provisions, the actual enforcement provisions themselves should also be reviewed. The current enforcement mechanisms do not effectively uphold the statutes. There is still considerable work to be done to ensure that enforcement provisions, such as those in Part XIV of the *Municipal Act*, are adequately structured to meet the nature of the offences. We would encourage the government to conduct a wholesale review of the penalties and oversight contained within the *Act* in order to create rules that are actually followed, and penalties that meet the nature of the offence and are upheld by the courts.

**RECOMMENDATION 2:** Enhance the enforcement provisions of the Act

Outside of enforcement and the courts, there are a few other gaps and rigidities that, once addressed, will help municipalities govern more effectively. One such gap that currently exists within the *Municipal Act* relates to the transition period following an election, before a new council is sworn in. Peaceful transitions from one government to another are a hallmark of democratic governance, and therefore an incredibly important period for municipalities. However, the current guidance in the *Act* is vague. Newly elected representatives are always eager to get to work, which leaves Municipal Clerks in an uncomfortable position of trying to work with two separate councils, without clear guidelines on what to do.

The transition period would be improved by including more specific protocols and rules to govern the time after the election before the new council takes over. Specifically, there needs to be a set of guidelines for outgoing councilors and a set of guidelines for incoming members, so that both understand their responsibilities and obligations.

Municipalities would also benefit from greater flexibility to schedule and prepare for their inauguration along a timeline that best suits their particular context. As mentioned in the introduction, each municipality operates in a different environment, and uniform rules for every municipality in the province do not often produce good outcomes or lead to good governance.

**RECOMMENDATION 3:** Establish more precise rules for the transition period between elections

In addition to greater flexibility to schedule their inauguration, municipalities would also benefit from greater flexibility when it comes to filling vacancies on council. Section 263 of the *Municipal Act* sets out the procedures for filling a council vacancy, namely that a municipality has 60 days following a declaration of vacancy to either appoint a replacement or pass a by-law to hold a by-election to select a replacement. However, this section is too prescriptive and does not give municipalities enough flexibility to act in the interests of good government. While 60 days may be appropriate in certain circumstances, there are others, such as holidays or the summer, where 60 days does not give a local council sufficient time to meet and determine the best course of action, or staff enough time to prepare for that outcome. Just as legislatures at the provincial and federal level break for holidays and the summer, so too do municipal councils. At present the leadership of federal and provincial governments have more flexibility about when to call a by-election and there is little justification to not give municipalities that same latitude.

*Section 263: (1) If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section, (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or (b) require a by-election to be held to fill the vacancy in accordance with the Municipal Elections Act.*

**RECOMMENDATION 4:** Give municipalities more flexibility to determine the time frame for filling council vacancies

## PART V: CLARITY

One of the key challenges faced by municipalities when working with municipal legislation is a lack of clarity. This is a concern that was highlighted by AMCTO's submission on the *Municipal Elections Act*, and is a matter of equal importance for this review of municipal legislation. Far too many pieces of the legislation that govern municipal operations are unclear, and difficult to interpret. This problem is exacerbated by the reluctance of the Ministry of Municipal Affairs and Housing to help municipalities interpret municipal legislation. As a result local governments are left to either spend taxpayer dollars on legal opinions, or attempt to interpret the statutes themselves, creating the risk of litigation. This is a particular challenge for smaller municipalities who do not have a City Solicitor or in-house counsel. This section contains recommendations that are meant to highlight sections of the *Municipal Act* that would benefit from greater clarity.

### **ORGANIZATION OF THE MUNICIPAL ACT:**

Part I General  
 Part II General Municipal Powers  
 Part III Specific Municipal Powers  
 Part IV Licences  
 Part V Municipal Reorganization  
 Part V Accountability and Transparency  
 Part VI Practices and Procedures  
 Part VII Financial Administration  
 Part VIII Municipal Taxation  
 Part IX Limitation on Taxes for Certain Property Classes  
 Part X Tax Collection  
 Part XI Sale of Land for Tax Arrears  
 Part XII Fees and Charges

One of the most significant steps that could be taken to provide greater clarity to the *Act* would be to reorganize and restructure it in a more consistent, logical manner. The current *Municipal Act* has a sclerotic organizational framework that seemingly jumps from one topic to another at random. The *Act* opens with municipal powers, and then moves on to licences, municipal reorganization, accountability and transparency and doesn't discuss general items of practice and procedure (the section of the *Act* spells out the role of council, administration, and the first meeting of council) until Part VI, by which point it has already covered municipal reorganization, and accountability and transparency. It is illogical for the *Act* to discuss

reorganization of a municipality before it discusses organization, and accountability and transparency for council, before it even discusses the role of council. If this review is able to enhance the clarity of the *Act*, it should start at the beginning and reorganize it in a more consistent, logical manner.

**RECOMMENDATION 1:** Consider reorganizing the *Act* in a more consistent, logical manner

Another area of the *Act* that would benefit from greater clarity is the section that lays out the power for municipalities to conduct ward boundary reviews. Section 222 of the *Municipal Act* gives local governments the power to “divide or redivide the municipality into wards or to dissolve existing wards.” What follows are provisions to deal with

*Section 222: (1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to divide or redivide the municipality into wards or to dissolve the existing wards.*

conflicts, providing notice to citizens and MPAC, appeals to the OMB, and a process for petitions. However, these provisions remain vague, which is problematic for a process that carries such significant political implications.

There needs to be greater clarity and structure around the ward boundary review process. It would make sense for there to be greater alignment between these reviews at the local level, and those that also take place federally and provincially every 10 years. There also needs to be more coherent guidelines for how the consultations are to be conducted, ensuring that notice given and feedback sought by municipalities is both genuine and effective. A genuine and effective process for consultation and notice, however, makes the petition process redundant and unnecessary. As part of the review process, upper tier municipalities should also be required to adjust the composition of their Council to ensure that, based on census data, they are fairly and equitably representing each of the lower tier municipalities in their region.

Finally, there is now a sufficient body of case law that lays out the principles of effective representation. As these principles are fundamental to the theory and practice of democratic representation and to creating and reviewing wards, they should be embedded within the *Act*.

**RECOMMENDATION 2:** Clarify the principles for ward boundary reviews, specifically by aligning the timelines with the federal and provincial governments (every 10 years), creating guidelines for how consultations are to be conducted, embedding the principles that support effective representation, eliminating the petition process, and requiring upper tier municipalities to adjust their council composition to ensure fair representation of each lower tier

Another area that would benefit from greater clarity are the definitions of ‘council’ and ‘administration.’ As discussed in the introduction to this submission the world of local government has, and will continue to, undergo a significant period of transition. Within that context the traditional definitions of council and administration should be reviewed, to ensure that the specific definitions contained within Part VI of the *Act* are still relevant to the new environment for municipal governance. Specifically, it would be worth reexamining the definition for the CAO and the Head of Council.

*Section 229: A municipality may appoint a chief administrative officer who shall be responsible for,*  
*(a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and*  
*(b) performing such other duties as are assigned by the municipality.*

The CAO position has changed considerably over the past several decades. While originally focused on the operational management of a municipality, the role of CAO has now evolved into a position that is dedicated to strategic leadership. However, the definition currently in the *Act* still presents the role as responsible for “general control

and management.” This definition no longer fits with the way that the CAO position has evolved. For one, most CAOs no longer directly manage operations or even use their institutional power or authority, preferring influence and strategic leadership.<sup>54</sup> Rather, the CAO is now one of the most important positions within the community, increasingly responsible for economic competitiveness, relations with other orders of government and defining the municipality’s place in a world that is quickly globalizing and increasingly international.<sup>55</sup> The definition in the *Municipal Act* should recognize and incorporate this evolution.

*Section 226(1): As chief executive officer of a municipality, the head of council shall, (a) uphold and promote the purposes of the municipality; (b) promote public involvement in the municipality’s activities; (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.*

<sup>54</sup> David Siegel, “What Do CAOs Really Do?” *AMCTO Policy and Management Briefs*, Issue 01, 2015, 2 – 3

<sup>55</sup> Patrick Eamon O’Flynn, “The Evolving Role of the Municipal Chief Administrative Officer in Canada, 1985-2010,” *M.A. Thesis*, University of Guelph, 2011, 3 – 5

The definition of the head of council as 'Chief Executive Officer,' located in section 226.1 of the *Act*, is also deeply problematic and needs to be revisited. We typically associate the role of Chief Executive Officer as a position of asymmetrical power, with absolute authority over an organization's administrative structure.<sup>56</sup> However this definition does not align with the role of head of council. Ontario has what is commonly described as a 'weak mayor' system.<sup>57</sup> While heads of council have the power to preside over meetings of council, convene special meetings, and sit on committees, they have only one vote and generally exercise their power through more informal mechanisms, such as persuasion and consensus building. Moreover, the head of council is not responsible for the administrative policies, practices and procedures of the municipality, which the *Municipal Act* places with the CAO, who sits atop the administrative structure.<sup>58</sup> The CEO definition creates confusion, and misrepresents the role of both council and its head.

**RECOMMENDATION 3:** Review the definitions and descriptions of 'administration' and 'council,' and remove the 'CEO' title from the description of the head of council

An additional area of confusion is conflicting legislation, and the roles and responsibility between different orders of government. There is currently not enough clarity about how municipalities are supposed to react when faced with policies or laws from the provincial or federal government that conflict with their own statutes.

For example, during this year's federal election there was a dispute between a number of municipalities and political candidates over election signs. Some municipalities, such as the Cities of Vaughan and Markham, have by-laws governing the posting of election signs, specifically regarding the amount of time that they can be up for, and locations where signs cannot be placed. Lawyers representing political candidates, however, have issued letters threatening legal action, by arguing that these bylaws violate the *Canadian Elections Act*, which prohibits anyone from attempting to "prevent or impair the transmission to the public of an election advertising message without the consent of a person with authority to authorize its transmission."

---

<sup>56</sup> A.G. Lawley, "What Only the CEO Can Do," *Harvard Business Review*, May 2009

<sup>57</sup> Royson James, "How to be mayor in Toronto's weak-mayor system," *The Toronto Star*, November 1, 2014

<sup>58</sup> Ken Strong, "Heading the Round Table," *Municipal World*, April 2008, 6

A similar conflict has emerged between municipalities and Canada Post, a federal crown corporation, over its decision to end home delivery in approximately 1,000,000 homes across the country in favour of community mailboxes. Specifically municipalities have objected to Canada Post claiming its federal mandate allows it to place so called 'super-mailboxes' wherever it would like, without consent of the municipality. The City of Hamilton passed a bylaw to regulate this activity and is now engaged in a lengthy court battle with Canada Post,<sup>59</sup> while in Montreal the Mayor drew headlines by literally taking a jackhammer to a concrete slab of a future community mailbox in protest.<sup>60</sup><sup>61</sup>

There is no clear process to guide municipalities who are attempting to navigate these complex situations, and far too often the province remains silent during these disputes. The government should give some thought to how municipalities are meant to determine which laws to follow if both come from duly elected representatives of the people. There needs to be clearer tests for municipalities to follow when handling these conflicts.

The government also needs to give serious thought to the way that it determines responsibility for regulation. Municipalities still retain responsibility for regulating a set of activities and industries that are no longer neatly confined to traditional borders or boundaries. The sharing economy is one example, but there are numerous others like the towing or medical marijuana where local governments are responsible for regulating activities that operate across municipal jurisdictions, or are subject to conflicting laws from other orders of government. It's time for the province to review the way that it allocates regulatory responsibility.

**RECOMMENDATION 4:** Clarify the process and tests to follow when dealing with potentially conflicting roles, responsibilities, and legislation between different orders of government

Another area in need of clarity is the role of municipal services corporations. Outside of indicating that corporations created by municipalities "shall comply with such requirements as may be prescribed," there is no clear explanation of how or to what

<sup>59</sup> Samantha Craggs, "Hamilton will appeal Canada Post super mailbox court decision," *CBC*, June 18, 2015

<sup>60</sup> Kalina Laframboise, "Coderre delivers on promise to remove concrete base installed by Canada Post," *Montreal Gazette*, August 13, 2015

<sup>61</sup> Shortly after the 2015 federal election, which resulted in a change in government, Canada Post announced a temporary moratorium on the end of home delivery and installation of community mailboxes, saying it would consult with the new government, which had as a central plank of its platform a pledge to restore home delivery services.

extent municipal provisions apply to municipal services corporations. Given that these entities exercise authority on behalf of the municipality, but exist with a separate “incorporator, director, officer or member,” this is an issue that is not easily resolved without greater clarity in the *Act*.

**RECOMMENDATION 5:** Clarify the role of municipal services corporations and the applicability of municipal provisions

Greater clarity is also needed around boundary lines, roads and bridges. While section 11 of the *Municipal Act* discusses spheres of jurisdiction and section 19 provides the rules around geographic boundaries, neither specifically lays out how to determine responsibility for areas that are shared by two municipalities. Specifically there needs to be greater clarity about the planning, development, and maintenance of these bordering areas. Who is responsible for plowing a bridge that connects two separate municipalities? How should planning decisions be made along a road that splits one municipality from another? These are all questions with no clear answer, and can lead to inconsistency, conflict or inaction.

**RECOMMENDATION 6:** Create clearer procedures for boundary lines, roads and bridges

There also needs to be a greater balance between the *Municipal Act* and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), specifically by finding new ways to align MFIPPA with the *Act*. Municipalities are currently faced with a difficult balancing act between the protection of privacy on the one hand, and responding to the desire of citizens to have greater transparency and accountability in government on the other. These are not irreconcilable differences, but they do require clear guidance, and an open dialogue.

**RECOMMENDATION 7:** Review how the MA interacts with MFIPPA, and look for ways to create greater alignment of MFIPPA with the *Act*

Section 255(1)(3) of the *Municipal Act* requires that the municipal auditor approve retention periods during which “the records of the municipality and local boards of the municipality must be retained and preserved in accordance with section 254.” Records retention requirements are incredibly important for governments at all levels. They help to preserve the historical record of policy development, decision-making and execution, but also help to encourage and enhance accountability. At the local level, Municipal Clerks dedicate significant time and resources to determining the best methods to retain this information, and place great importance in their statutory responsibility to do so. This provision of the *Act*, however, does not contribute, reinforce, or even encourage their ability to do so. Requiring auditors to give their ‘approval’ for retention periods while a useful idea in theory, does not deliver sound or effective outcomes in practice. Most auditors are reluctant to give ‘approval,’ because the issues that generally arise, such limitation periods, are not in their purview. There may be a role for auditors in this process, but it should be to advise the municipality about whether the proper process was followed to derive its retention periods, and not to sign off or give approval.

*Section 255(1)(3): A municipality may, subject to the approval of the municipal auditor, establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved in accordance with section 254.*

**RECOMMENDATION 8:** Remove the ‘subject to the approval of the municipal auditor’ wording from sec. 255(1)(3)

Finally, greater clarity is also needed around conflicts of interest. There are numerous references inside the *Municipal Conflict of Interest Act (MCIA)* to ‘indirect’ conflicts of interest. For instance sec. 5(1) states “Where a member, either in his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member....” However, despite this reference to an ‘indirect’ interest, the definition for an indirect conflict is vague and lacking specifics. As has been noted by other organizations, it is important for the municipal accountability framework to be straightforward and written in plain language so that it can be easily understood. If municipal councilors are going to be held to this standard, it needs to be explained with greater clarity.

**RECOMMENDATION 9:** Provide greater clarity and a clearer definition for indirect conflicts of interest in the *Municipal Conflict of Interest Act*

# CONCLUSION

Over its 77 years of representing the municipal profession, AMCTO has remained dedicated to professionalism, leadership and good governance at the local level. The recommendations in this submission are designed to improve the *Municipal Act* and *Municipal Conflict of Interest Act* and help ensure that it continues to function as an effective statutory enabler of effective municipal governance. We would encourage the government to use the occasion of this review to engage in a sustained discussion about a variety of issues, and listen to the feedback that it hears from municipalities themselves, as well as their respective associations, and other stakeholders.

# SOURCES:

Association of Municipalities Ontario (AMO), AMO Submission to the Minister of Municipal Affairs and Housing concerning the 2015 Municipal Act Five-Year Review and Conflict of Interest Review, September 8, 2015

Association of Municipalities Ontario (AMO), The Case for Joint and Several Liability Reform in Ontario, April 1, 2010

Association of Municipalities Ontario (AMO), What's Next Ontario? Imagining a prosperous future for our communities, 2015

Carson, Jessie, "Managing the Future: Why Some Ontario Municipalities Are Not Engaging in Succession Planning," Queen's University Discussion Paper, No. 2009-01, 2009

Cote, Andre and Michael Fenn, "Approaching an Inflection Point in Ontario's Provincial-Municipal Relations," IMFG Perspectives, No. 6, 2014

Craggs, Samantha, "Hamilton will appeal Canada Post super mailbox court decision," CBC, June 18, 2015

Dobbs, Richard et al., "How to you govern a disrupted world?" McKinsey & Company, May 2015

Dudley, Emma, et al., "Implementing a citizen-centric approach to delivering government services," McKinsey & Company, July 2015

Fenn, Michael "Successful Staff/Council Relations: Old Lessons For New Challenges," AMCTO Policy and Management Briefs, Issue 02, August 17, 2015

Graves, Frank, "The EKOS poll: Democracy and the death of trust," iPolitics, January 2, 2014

Holmes, Andrea and Liam McGuinty, "Harnessing the Power of the Sharing Economy: Next Steps for Ontario," Ontario Chamber of Commerce, 2015

IPSOS MORI, Global Trends 2014, <http://www.ipsosglobaltrends.com/local.html>

James, Royson "How to be mayor in Toronto's weak-mayor system," The Toronto Star, November 1, 2014

Johal, Sunil et al., "Reprogramming Government for the Digital Era," Mowat Centre, 2014

Johal, Sunil and Noah Zon, "Policy Making for the Sharing Economy: Beyond Whack-A-Mole," Mowat Centre, 2015

Laframboise, Kalina, "Coderre delivers on promise to remove concrete base installed by Canada Post," *Montreal Gazette*, August 13, 2015

Lawley, A.G., "What Only the CEO Can Do," *Harvard Business Review*, May 2009

Maloney, Patrick, "London politician forced to go to absurd lengths to avoid breaching uncle law against illegal secret meeting," *London Free Press*, September 30

Manyika, James, et al., "Big Data: The next frontier for innovation, competition, and productivity," *McKinsey Global Institute*, 2011

Ministry of Municipal Affairs and Housing, *Municipal Legislation Review Public Consultation Guide*, June 2015

Munslow, Bonnie G, "Succession Planning: Building a strategy to address a critical need for a mid-sized municipality," *AMCTO*, 2010

OECD, *Government at a Glance 2013*, OECD Publishing, 2013

O'Flynn, Patrick Eamon, "The Evolving Role of the Municipal Chief Administrative Officer in Canada, 1985-2010," M.A. Thesis, University of Guelph, 2011

Sancton, Andrew, "What is a Meeting? Municipal Councils and the Ontario Ombudsman: Draft," *Political Science Publications*, paper 34, 2014

Siegel, David, "What Do CAOs Really Do?" *AMCTO Policy and Management Briefs*, Issue 01, 2015

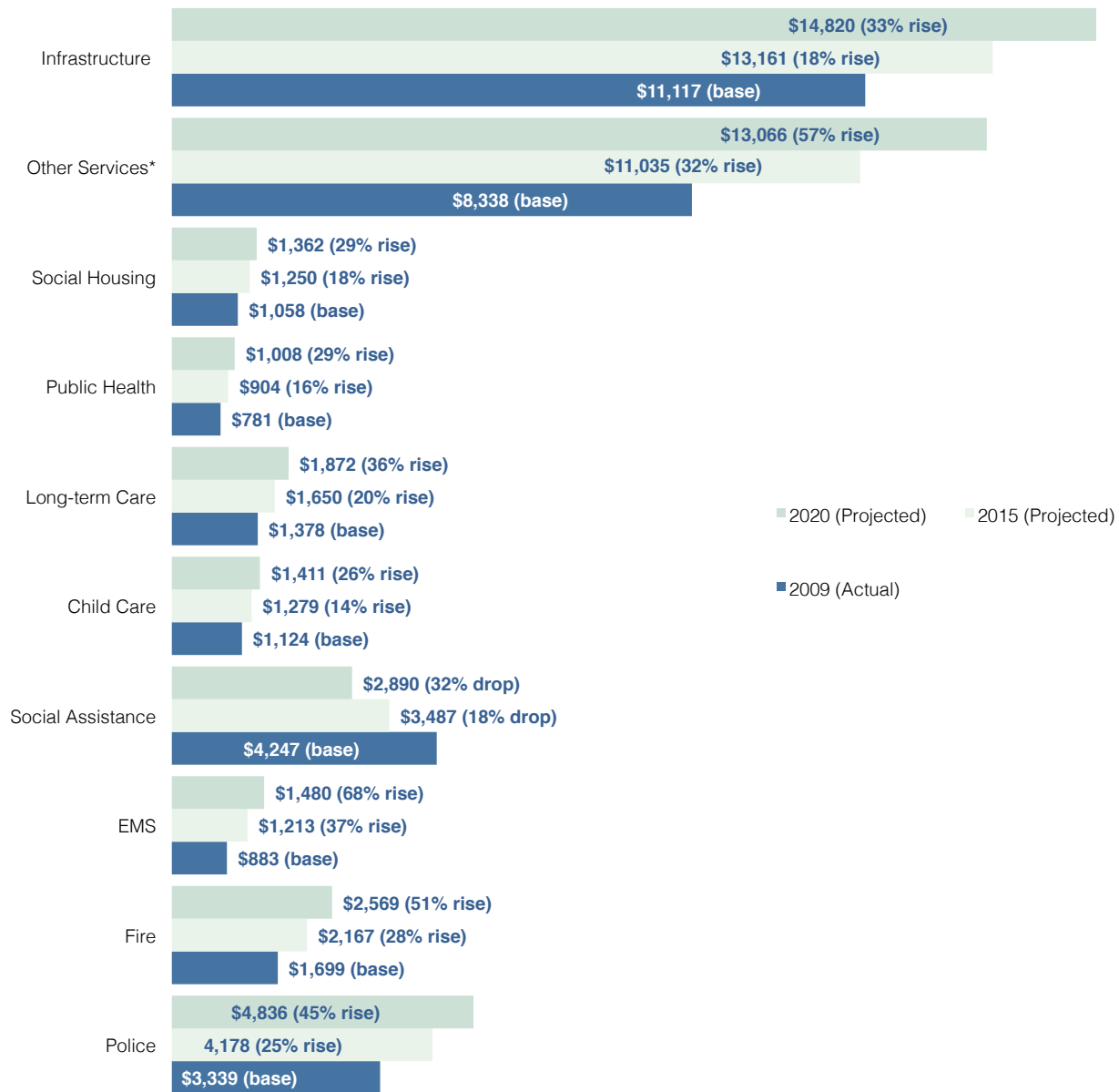
Silver, Drew, "Confidence in government falls in much of the developed world," *Pew Research Centre*, November 2, 2013

Slack, Enid et al., "Fiscal Health of Ontario Large Cities: Is there Something to Worry About?" Draft Paper, Conference on Measuring Urban Fiscal Health, Institute of Municipal Finance and Governance, 2013

Solomon, Mitch, "Millennials Don't Want More Customer Service—They Want Different Customer Service," *Forbes*, August 27, 2015

Strong, Ken, "Heading the Round Table," *Municipal World*, April 2008

# APPENDIX A: Projected Ontario Municipal Operating Costs to 2020 (in millions)



\* Other services include: general government, winter control, street-lighting, recreation, culture, libraries, etc.)

Source: Association of Municipalities Ontario (AMO), *What's Next Ontario? Imagining a prosperous future for our communities, 2015*, 21

# APPENDIX B: MFOA Municipal Act Review Recommendations

Section	Currently	MFOA Position
<b><i>Amendments to the Municipal Act, 2001</i></b>		
COTA S267 "City of Toronto Revenue Tools"	The City of Toronto may impose direct taxes with a few exceptions. Examples of permitted direct taxes include: land transfer, amusement, sin, billboard, and vehicle registration taxes.	Amend the Municipal Act, 2001, to include a broad power to impose taxes beyond the property tax as is found in section 267 of the City of Toronto Act, 2006. The power to impose non-traditional taxes must also include any ancillary enforcement powers as well as powers to impose fines and penalties in cases of non-compliance.
Hotel/ accommodation tax	Ontario is the only province that does not authorize municipalities to levy hotel taxes, but major hotels in a number of Ontario cities have voluntarily agreed to collect a 3% destination marketing fee. The funds are earmarked for tourism marketing and development purposes, and are overseen by industry associations.	Amend the MA to include the power to impose hotel/ accommodation tax.
Tax capping	Introduced in 1998, the end of tax capping is long overdue as the program was first made redundant by the four-year phase-in program creates inequitable tax treatment, and is cumbersome to administer.	That Part IX of the Act be amended to give municipalities the authority to opt out of the provisions of tax capping.

Tax administration	<p>Multiple amendments are needed including:</p> <ul style="list-style-type: none"> <li>• Allowing surplus funds to be collected from a readvertised tax sale (MA s 380.1) to be applied to amounts that were previously written off.</li> <li>• Removing the error in paragraph 3 of Form 10 Final Notice of Readvertisement, as it is in contravention of MA s 378 (1).</li> <li>• Expanding the list of methods of payments to include certified cheques from credit unions (Rule 25).</li> <li>• Eliminating the stalemate that occurs due to conflicting legislation when a purchaser has paid balance owing and has been declared the successful purchaser, but refuses to sign the documents required to register tax deed.</li> </ul>	That the proposed amendments for streamlining and clarifying various elements of tax administration be implemented.
MA Section 110	Restrictions in the Act are overly limiting and do not align with the broad powers of the Act.	That subsection 110(1) be amended to permit a municipality to enter into agreements for the provision of municipal capital facilities by any person, including another municipality.
Conservation authority land	Municipalities should be able to avoid the current situation whereby conservation authorities levy municipalities to pay municipal taxes.	That the Municipal Act, 2001, be amended to include the power to exempt conservation authority land from municipal tax as it is found in section 451 of the City of Toronto Act, 2006.
MA Subsection 106(2): Bonusing	There is some ambiguity in the language in subsection 106(2) which may unintentionally limit the scope of municipal activities that would not normally be considered akin to granting a bonus.	That Municipal Act, 2001, Subsection 106(2) be amended to include "where any of the actions referred to in subparagraphs (a) to (d) above, both inclusive, would result in the granting of a bonus."
MA Section 17: Federal Insolvency Legislation	The Act fails to the Companies' Creditors Arrangement Act, a key piece of Canadian insolvency legislation. To be prudent, Section 17 should make it clear that the entire federal insolvency legislative regime does not apply to Ontario municipalities.	That Municipal Act, 2001, Section 17 be amended to include a reference to the Companies' Creditors Arrangement Act.

MA Section 413: Use of money received	To ensure funds raised via the insurance of debentures are used as intended.	That section 413 of Municipal Act, 2001, be amended to restrict the uses to which an Ontario municipality can apply the proceeds of sale from a property financed through the issuance of debentures while the debentures remain outstanding.
		That section 413(2)(b) of the Municipal Act, 2001, be amended to address an ambiguity to clarify the uses to which an Ontario municipality can apply debenture proceeds that are in excess of or are not required for the purpose for which the debentures were issued while the debentures remain outstanding.
<b>Amendments to Regulations</b>		
MA Section 323: “Heads and Beds”	A number of properties in Ontario are subject to taxation, but not based on current value assessment. Currently the “Heads and Beds” rate is set at \$75. This rate was established in 1987 and has not been adjusted in the subsequent 25 year period.	The current “Heads and Beds” rate of \$75 be raised to the \$140 beginning in 2016 and reset every 5 years with each review of the Municipal Act, reflecting inflation in the Ontario consumer price index.
MA Section 315: “Right of way” rates	The rates on railway assets and electrical corridors have not been amended since 1998.	That the railway “right of way” and electrical corridors tax rates be updated and reset regularly.
Road pricing	Once a regulation is made, a municipality may designate a highway as a toll highway and operate and maintain the designated highway as a toll highway. While this provision has been in the Act for over 10 years, no regulations have been formulated.	The Province should issue regulations under subsection 40(3) of the Municipal Act, 2001, to permit municipalities to adopt road pricing mechanisms.
MA Section 305: Sale of debt	Once a regulation is issued, a municipality may sell any prescribed debt payable to the municipality to any other person in accordance with the prescribed rules and conditions. To date no regulations have been issued.	The Province should issue regulations to permit the sale of debt payable to a municipality as provided in section 305.

Section 418: Investment	<p>Expand eligible investment powers to include, prudent investor status, among other items:</p> <ul style="list-style-type: none"> <li>• U.S. Dollar Investments</li> <li>• AAA Rated Maple Bonds and TransLink (New Category)</li> <li>• Bond Forward Agreements</li> <li>• 15 Percent Limit on Swapped Loans</li> <li>• Income Trusts and Real Estate Investment Trusts</li> <li>• BBB Rated Bonds</li> </ul>	<p>That O. Reg. 438/97 be amended to set out in the CHUMS/LAS submission to the Debt and Investment Committee and that the regulation be amended to provide the One Investment Program with prudent investor status. It is also recommended that the regulation be amended to permit municipalities to hold US dollar denominated securities.</p>
		<p>That O. Reg 438/97 be amended to provide the authority to:</p> <ul style="list-style-type: none"> <li>• unwind commodity hedges;</li> <li>• extend the settlement period of bond forward agreements to 365 days; and</li> <li>• collapse or sell bond forward agreements</li> </ul>
Section 203: Power to establish corporations	Members have suggested that restrictions placed on the ownership structure of municipal services corporations inhibit their usage.	That O. Reg. 599/06 Municipal Services Corporations be reviewed.
Amendment to the notional rate	Corrections of MPAC errors are made during the four years of phase-in, rather than on an annual basis. This omission is costly for both the province and municipalities.	<p>That O. Reg. 73/03 is amended by adding a paragraph 3 to subsection (2) of section 12 of O. Reg. 73/03 as follows:</p> <ul style="list-style-type: none"> <li>• The municipality may adjust the total assessment for property in the property classes to which the levy applied in paragraph (1) by corrections resulting from requests for reconsideration, appeals or applications under section 39.1, 40, of 46 of the Assessment Act as reported by the assessment corporation.</li> </ul>

Annual repayment limit (ARL)	No one size fits all and there are inconsistencies in the current calculation. O. Reg. 289/11 sets a precedence by amending the ARL for York Region.	Extend provisions 4.1 of O. Reg. 403/02 to other high growth municipalities or, alternatively, the provisions of O. Reg. 610/06 under the City of Toronto Act, 2006 which allows the City to establish its own debt limit.
<b>Other issues</b>		
Fixed rates in other legislation	Municipalities are affected by rates in fixed regulations of other Acts. For example, airport levies (Assessment Act, 1990), license and tonnage fees (Aggregate Resources Act, 1990), and rates for nuclear generating facilities (Assessment Act, 1990).	That tax rates fixed under Acts other than the Municipal Act, 2001 that affect municipalities (such as airports under the Assessment Act, 1990) be updated to reflect inflation in the Ontario consumer price index.
Municipal implications of the Education Act	Section 58 of the Education Act, 1990 gives school boards the authority to refuse to pay their water and wastewater bills. This authority has not been used to date.	That the municipal fiscal implications of Section 58 of the Education Act, 1990 be reviewed.
Vacant Unit Rebates	the definition of a vacancy has been broadened since inception.	Amend section 364 of the Municipal Act, 2001, to ensure vacant unit rebates are used in the manner intended by the Act. This amendment should be enacted sooner rather than later.

# APPENDIX C: Members of AMCTO's Municipal Legislation Review Advisory Team

AMCTO would like to thank the following members of its Municipal Act Advisory Team for providing the technical expertise for this submission. Please note that the recommendations and opinions included in this report are AMCTO positions, and do not necessarily reflected the views of individual members.

- Jeff Abrams, City Clerk, City of Vaughan (Chair)
- Kimberley Kitteringham, City Clerk, City of Markham
- Angela Morgan, City Clerk, City of Burlington
- Pam Hillock, County Clerk, Director of Corporate Services, County of Dufferin
- Vanessa Bennett-Metcalf, Director of Financial Services/ Treasurer, United Counties of Storming, Dundas, and Glengarry
- Nancie Irving, Clerk/ Lottery Licensing Officer, Town of Aylmer
- Leslie Donnelly, Deputy Clerk, City of Ottawa



AMO's Submission to Standing Committee on  
Social Policy On Bill 68,  
*Modernizing Ontario's Municipal Legislation Act*  
April 4, 2017

## Members of the Standing Committee on Social Policy

AMO's membership includes 425 municipal governments from all parts of the province. This lets us tap the knowledge of municipal lawyers, clerk-administrators and chief administrators who helped us review this Bill – its policy intent and workability. This front-line talent is crucial to helping you 'get it right' as you review this legislation.

Today, I will speak mainly to the new integrity commissioner (IC) regime because it is where our concerns are most concentrated.

A list of our amendments is contained in Appendix A. I do need to say that there are many helpful clarifying provisions. We are not commenting on those, but in our short time will focus on critically needed changes.

Let me give you some important context.

While most people live in 65 municipal governments, there are 379 municipal governments with less than 50,000 populations, of which 190 have fewer than 5,000 populations. Some these governments are at great distances from urban centres.

When the Province passes one-size fits all legislation, you have to remember that the capacity to implement is far from the same. For those 190 very small municipal governments, their administrative support falls on two to six full time staff. They have to administer the Municipal Act and hundreds of other statutes and regulations and more are coming, such as a new asset management planning regulation. More and more unfunded mandates put increasing pressure on property taxes, the core municipal financing tool.

<b>Chart 1: Population Classes in the Province of Ontario</b>	<b>No. of Municipalities</b>
0 - 250	11
251 - 500	21
501 - 1,000	48
1,001 - 2,000	36
2,001 - 5,000	74
5,001 - 10,000	81
10,001 - 15,000	40
15,001 - 25,000	40
25,001 - 50,000	28
50,001 - 100,000	31
100,001 - 500,000	24
500,000+	10

\*Source: Financial Information Return Schedule 80

<b>Chart 2: Average number of Municipal Administrative Staff</b>		<b>Admin</b>	
<b>Population Classes ↓</b>	<b>No.</b>	<b>FT</b>	<b>PT</b>
0 - 250	11	1.2	0.7
251 - 500	21	2.0	0.8
501 - 1,000	48	4.0	1.2
1,001 - 2,000	36	4.4	1.0
2,001 - 5,000	74	5.9	0.9
5,001 - 10,000	81	9.3	2.0
10,001 - 15,000	40	11.8	2.7
15,001 - 25,000	40	21.6	5.2
25,001 - 50,000	28	35.9	5.9
50,001 - 100,000	31	58.9	7.7
100,001 - 500,000	24	170.3	34.3
500,000+	10	853.3	79.5

\*Source: Financial Information Return Schedule 80

Did you know that for almost 50% of Ontario's municipal governments, a 1% property tax increase raises less than \$50,000.00? The "pile-on" of unfunded new mandates means increased taxation or a reduction in services or less capital investment in infrastructure.

The capacity of municipal governments is not endless. A mandatory IC will be challenging financially, not to mention access to qualified people and the Act's administrative requirements. There is not much solace in the ability to share an IC or assign the functions of an IC. Large urban governments have similar concerns.

Let me be blunt – much of the proposed regime came out of several local circumstances, including Justice Cunningham's report. We understand that it can be hard for you to deviate from such reports. Yet we know what happens when one situation bears on everyone else – you get a rash of unintended consequences.

Municipal governments are not averse to transparency and accountability. In fact, if one truly examines the practices of public access and outreach, municipal governments are by far the leaders compared to any legislature or other public sector bodies.

Let's quickly look at your own *Members' Integrity Act*. (For ease of referral, a copy is in Appendix B.)

Only a member of the Assembly can complain to the provincial integrity commissioner. Yet for municipal governments, Bill 68 says "any person" can. Literally, that means anyone in the world! How reasonable is that? How would any treasurer even try to prepare a budget proposal for this? You might say the likelihood of an IC finding merit in a complaint made by someone living somewhere across the province is small and not attract costs. How wrong you would be. Any complaint means IC action – to open a file, do a preliminary examination of the merits, and to close the file with a finding of no merit. I can tell you from local experience that this level of work is about \$2500.00. Any person outside of a municipality could exploit the system at the expense of that municipality's ratepayers.

Please replace "any person" with "municipal ratepayers, people living and working in the municipality, and anyone doing business with the municipal government".

Another point of comparison, your own Act is sensitive to provincial elections by suspending an inquiry when a writ is issued. There is no similar approach in this Bill. I do not think any of you would deny the political gain that could be had by the mere suggestion of a complaint being made. In fact, your Act goes even further to say that the provincial IC shall suspend an inquiry if a member whose conduct is concerned resigns his or her seat. Neither of these are in Bill 68 and they should.

The proposed new municipal IC regime is multi-faceted and untested. That is why we are recommending that the IC regime's application to local boards be deleted or at the very least not proclaimed until tested on municipal elected officials. We need to evaluate its workability before it is sprung on the thousands of community members who volunteer on local boards. In fact, if an IC regime applies only to members of council, then it would solve a flaw in the Bill as to which IC would have jurisdiction in the case of a joint local board. It would also allow the reduction of the 180 days within which an IC must complete an inquiry.

Another problematic provision is that integrity commissioners will be able to investigate based on 'own initiative'. In other words, if no one complains, the IC can initiate this is on top an IC's authority to educate, advise members and investigate and rule on complaints. This 'own initiative' is very broad and unfettered authority and will confound the complaint based integrity systems.

Our recommendation is to delete this authority. You could replace it with a provision that should an IC see patterns in conduct that s/he must be granted any request to address council about these matters.

We also believe it is wise to include in the Act, for the public's clear understanding, that an IC has the authority to find a complaint frivolous, vexatious or not made in good faith, or that there are insufficient grounds for an inquiry. While an IC can make this finding, it should be set out in the Bill as it is in your Act as well as other pieces of legislation such as the Planning Act.

I also want to comment that implementation of the IC regime even with the requested changes is not something that can occur in months. For many, sharing of an IC or finding ways to assign IC functions will take effort, involving consultation and negotiation of service agreements, not to mention finding an IC with the necessary qualifications. Based on the close meeting investigator experience, the IC regime should not take effect before January 2019.

There are other proposed changes in Bill 68 that we fully support. For example, the definition of a "meeting". I would observe that the need for this definition was a direct consequence of the varying definitions of a "meeting" held by different closed meeting investigators. We can only hope that the IC regime, with different practitioners appointed as ICs does not generate its own set of issues when it is operationalized.

Time does not permit me to go through all of our proposed changes. I strongly encourage you to make the time to do so.

Let me conclude with a general statement – the greater the prescription and more there is a one-size fits all approach placed on municipal governments, the less responsive they can be to their community's needs. The simple fact is – Ontario's 444 municipal governments are diverse and that diversity can change over time. That is why the *Municipal Act, 2005* embraced flexibility – by moving to broader authority, spheres of jurisdiction and natural person powers.

## Appendix A

### AMO's Proposed Amendments to Bill 68, *Modernizing Ontario's Municipal Legislation Act*

Proposed Changes to Bill 68	Bill's Section
<b>Integrity Commissioner (IC) Regime</b>	
<p>1. The Bill proposes that “<u>any person</u>” can make a complaint to an IC about a member with respect to the municipal code of conduct or MCIA. “Any person” is undefined and therefore limitless. It is well beyond the province’s Members’ Integrity Act, which says only MPPs can complain to its IC. A more reasonable scope for municipal governments would be those living, working or doing business with the municipal government. Without some scope, it is practically impossible to budget for this, let alone convince its property taxpayers that they foot the bill for non-residents or those not doing business in the municipality.</p>	<ul style="list-style-type: none"> <li>• Replace “any person” with “the municipality’s ratepayers, people living and working in the municipality and anyone doing business with the municipal government.”</li> <li>• (S. 223.4.1 (2) (pg. 9 of Bill 68) and S. 8 (1) of MCIA (pg. 55).</li> </ul>
<p>2. Regarding the mandatory IC complaints process for Codes and MCIA, limit its application to only elected members of a council. The proposed mandatory IC regime significantly broadens the current legislation, adds some complexity and is untested. There are 1000s of board across Ontario, and simply educating them on the new process will be time consuming and resource intensive. We are already hearing that the proposed new IC regime is dampening the willingness of community members to volunteer to sit on local boards, which would be a very unfortunate consequence. The application of the IC regime to only elected officials does not preclude the requirement to have a code of conduct for local boards.</p>	<ul style="list-style-type: none"> <li>• Delete “local boards” from the IC’s mandatory jurisdiction for codes of conduct and MCIA.</li> </ul> <p>Failing a deletion, at least delay the application to local boards until the IC regime has been tested and reviewed before applied to local boards. For clarity purposes, the Commencement sections should be amended to ensure that implementation can be phased.</p>
<p>3. The ability to apply penalties is a serious authority. Does the Bill permit a council to give the function of assigning penalties to an IC or must that function rest with council? The province needs to clarify this as currently some ICs have this function assigned.</p>	<ul style="list-style-type: none"> <li>• Amend S. 223.3.2 of MA (pg. 9) and S. 9 (1) of MCIA (pg. 57) to clarify the government’s intent as to whether penalties can be assigned by council as a function of an IC.</li> </ul>

<p>4. If the IC regime continues to apply to local boards, there is a challenge with joint local board involving multiple jurisdictions. What IC would have jurisdiction of a joint local board? If an IC regime is limited to council members, it solves the problem. If not, there must be an amendment to clarify how these situations are to be handled.</p>	<ul style="list-style-type: none"> <li>• S. 223.3.2 (pg. 9) needs to be make it clear how joint local boards are to be handled within the IC regime.</li> </ul>
<p>5. Do not give ICs the ability to conduct an inquiry on the Commissioner's "own initiative" about whether a member of council (or of a local board) has contravened section 5, 5.1 or 5.2 of the MCIA. This power is too broad, and would bring into question or present a conflict with the ability for ICs to provide advice in the first place. As an alternative, provide that an IC who requests appearance before council must have that request granted. This would give ICs the opportunity to provide councils with comments on performance and execution of codes and MCIA. If the "own initiative" is deleted, then there is no need for a 180-day period to complete in inquiry based on a complaint.</p>	<ul style="list-style-type: none"> <li>• Amend S. 223.4. (pg. 9) by deleting 223.4.1 (1) (b) to clarify that the Commissioner cannot conduct an inquiry on his/her "own initiative" and the related changes (e.g., giving notice, holding a public meeting and reduce the 180 day to complete an investigation).</li> <li>• Add a provision to confirm that where an IC asks to speak to council, that the request must be accommodated.</li> </ul>
<p>6. Given that every municipal government somehow must have the services of an IC, there should be confidence in the regime. Therefore, ICs should be provided with indemnification/ immunity. While this may affect municipal insurance slightly, it will add to the veracity of the proposed system.</p>	<ul style="list-style-type: none"> <li>• Amend S. 233.5 by clarifying that an IC is indemnified by the municipal government. The provincial <i>Members' Integrity Act</i> says, "<u>Immunity Section 25</u>. No proceeding shall be commenced against the Commissioner or an employee in his or her office for any act done or omitted in good faith in the execution or intended execution of the Commissioner's or employee's duties under this Act or any other Act. 1998, c. 27, s. 1 (2)," and "<u>Section 26</u>. Neither the Commissioner nor an employee of his or her office is a competent or compellable witness in a civil proceeding outside the Assembly in connection with anything done under this Act or any other Act. 1994, c. 38, s. 26; 1998, c. 27, s. 1 (3)."</li> </ul>

<p>7. ICs in the government's proposed regime hold similar characteristics to 'officers of the provincial legislature' i.e., arms-length, provides advice (upon which a member can be challenged), must undertake investigative processes when s/he receives a complaint and to report publicly.</p>	<ul style="list-style-type: none"> <li>Amend S.223.3 (1) of MA to add the matters in 223.13 (1) of the Act as relates to a municipal ombudsman i.e., matters related to independence and impartiality; confidentiality with respect to IC investigation activities; and the credibility of the investigative process.</li> </ul>
<p>8. Interestingly, unlike the <i>Members' Integrity Act</i>, this Bill does not provide any assurance when a member was acting in accordance with the Commissioner's recommendations, having disclosed all the relevant facts to the Commissioner in advance.</p>	<p>Amend Bill 68 to give the same assurances that MPPs have under <i>Members' Integrity Act</i> section 31 (7). It says that if a member disclosed all relevant facts to the provincial IC who then gave advice on all those facts cannot be found to contravene the Act.</p>
<p>9. Just as we have seen with the Closed Meeting investigator regime, having a myriad of different ICs can create its own challenges. (See Rec. # 15) There needs to be member and public confidence in the IC regime and the investigative process.</p>	<ul style="list-style-type: none"> <li>Provide a regulatory authority or at the very least a guideline that would bring some consistency to the IC investigative process by describing its nature and relationship to natural justice principles.</li> </ul>
<p>10. Provide language to define the expectations of complainants under MCIA to ensure they are also acting with true intentions. Legislation can mirror in many ways the principles that apply to 'members' (pg. 54 of the Bill) such as the importance of integrity, independence and accountability in making a complaint, that in making a complaint, awareness that it is serious action and is not a frivolous or vexatious action and that complainant must comply with the provisions of the Act. There should also be a duty of confidentiality by a complainant from the lodging of the complaint until the investigation by the IC is completed.</p>	<ul style="list-style-type: none"> <li>Amend MA and MCIA to add principles that apply to Complainants that reflect elements such as integrity, independence in making the complaint and confidentiality.</li> </ul>
<p>11. Provide clearer authority for the IC to refuse to conduct an investigation where there are no grounds or insufficient grounds. This needs to be clearly stated in the Act and in a similar manner as the <i>Members' Integrity Act</i>.</p>	<ul style="list-style-type: none"> <li>Amend Section 223.4.1 of the MA and Section 8 of the MCIA to add: "If the Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an inquiry, the Commissioner shall not conduct an inquiry and shall state the reasons for not doing so in the report."</li> </ul>

<p>12. Unlike the <i>Members' Integrity Act</i>, there is nothing in this Bill to deal with timing of an inquiry in terms of an election or resignation. Complaints can affect reputations. It is important that a pending complaint be completed before the nomination date and that new complaints be held until after the election. This would be in keeping with the province's Integrity Act.</p>	<ul style="list-style-type: none"> <li>• Amend S.223.4.1 (11) of the MA and Section 8 of the MCIA to require any investigations to be completed before nomination date and investigations suspended during the nomination and election period in a similar manner that the "Members' Integrity Act" addresses these circumstances for MPPs.</li> </ul>
<p>13. Given the role of ICs and the new regime, the Province must eliminate the ability to 'appeal' Codes of Conduct complaints to the Ontario Ombudsman where an IC has investigated a complaint or the time for bringing a complaint has expired. Under this new, mandatory IC regime, the IC should hold the 'last word' on a complaint unless as it provides, there is reason to apply to a judge. A multiple, complex complaint/investigation system with 'double oversight' will make it confusing for the public and others. The province's IC does not have an outside/federal IC review process.</p>	<ul style="list-style-type: none"> <li>• Amend the Bill to remove oversight of the Ontario Ombudsman from the IC regime by deleting this provision from S. 14 (4.4) of the Ombudsman Act. (*)</li> </ul>

### Other Municipal Act Changes

<p>14. Reducing the timeframe between election day and the start of a council's term can reduce the lame duck period. Providing a range of dates within which the term begins would give new eager and often smaller municipal councils their mandate faster yet recognizes that some large jurisdictions may require longer. The timeframe for holding first meeting has not changed which gives flexibility in the scheduling of their meetings. Circumstances vary across ON and this should be respected by letting each determine by policy including the coordination of this in two-tier governments.</p>	<ul style="list-style-type: none"> <li>Amend S. 235 (pg. 12) to provide that each council has the policy authority to identify the start of a council's term provided it occurs between November 15 and December 1 of the election year.</li> </ul>
<p>15. The definition of 'meeting' resolves issues emanating from previous applied definitions of different closed meeting investigators and better reflects the case law. The new exceptions for allowing a closed meeting also reflect the unintended consequences of the current legislation. Section 239 (h) has omitted the circumstances where information is supplied in confidence between municipal governments (e.g., joint acquisitions).</p>	<ul style="list-style-type: none"> <li>Amend 239 (2) (h) so the section would read, "information explicitly supplied in confidence to the municipality, or local board by Canada, a province or territory or a Crown agency of any of them or <u>between municipal governments</u>," (pg. 12 of Bill 68).</li> </ul>
<p>16. There are some required municipal tribunals. A Campaign Compliance Audit Committee must meet in public but should be permitted to adjourn or reserve its decision to deliberate in private as other tribunals do, i.e., Committees of Adjustment under the Planning Act. To achieve this, the Bill could either amend the Local Board definition to exclude administrative tribunals or add the tribunals to opening meeting exceptions.</p>	<ul style="list-style-type: none"> <li>Amend S. 88.36 of <i>Municipal Elections Act</i> to add: The Committee may adjourn the meeting or reserve its decision and S. 238 (1) definition of "local board" to exclude compliance audit committee and any other administrative tribunals appointed under statutes by Council or add a new section to closed meeting exceptions (239) to provide that administrative tribunals appointed under statutes by Council can deliberate in private.</li> </ul>

<p>17. The Bill set up prudent investor standard. We support this and want to see all municipal governments, not just cities have the ability to achieve better rates of return on monies it collects that are not required immediately. We are assured that all municipalities will have this ability.</p>	<ul style="list-style-type: none"> <li>Regulatory authority will need to reflect modern investment tools for policy implementation purposes.</li> </ul>
<p>18. Bill 68 adds a new ‘broad authority’ related to “climate change”. Yet it also requires municipal governments to have a policy statement on how it will protect and enhance tree canopy. It is well known that trees help sequester greenhouse gases and support climate change. Therefore, canopy is covered under the broad authority section and part of land use planning documents. Therefore, it is confusing as to why a separate stand-alone policy statement is necessary. What authority does a policy statement have and over what other municipal documents? In other words, what has paramountcy? For rural and northern communities, this requirement will be viewed as make-work.</p>	<ul style="list-style-type: none"> <li>Either delete S. 270 (7) (pg. 13) of the MA requiring councils to have a policy statement on “The manner in which the municipality will protect and enhance the tree canopy...” or provide clarity on what statutory policies/ documents will have status.</li> </ul>

## Appendix B

### MEMBERS' INTEGRITY ACT, 1994 S.O. 1994, CHAPTER 38

**Consolidation Period:** From June 1, 2011 to the [e-Laws currency date](#).

Last amendment: 2010, c. 5.

## CONTENTS

### PREAMBLE

- [1.](#) Definitions
- [2.](#) Conflict of interest
- [3.](#) Insider information
- [4.](#) Influence
- [5.](#) Activities on behalf of constituents
- [6.](#) Gifts
- [7.](#) Government contracts with members
- [8.](#) Procedure on conflict of interest
- [9.](#) Rights preserved

### [PROVISIONS APPLYING TO ALL MEMBERS OF THE ASSEMBLY](#)

- [10.](#) Outside activities
- [11.](#) Investments
- [12.](#) Corporations, partnerships and sole proprietorships
- [12.1](#) Consolidated Revenue Fund
- [13.](#) Approved exceptions
- [14.](#) Time for compliance
- [15.](#) Acquisition of land
- [16.](#) Procedure on conflict of interest
- [17.](#) Restrictions applicable to Executive Council
- [18.](#) Restrictions applicable to former members
- [19.](#) Parliamentary assistants

### [DISCLOSURE](#)

- [20.](#) Private disclosure statement
- [21.](#) Public disclosure statement
- [22.](#) Destruction of records

### [INTEGRITY COMMISSIONER](#)

- [23.](#) Commissioner
- [23.1](#) Powers and duties
- [24.](#) Annual report
- [25.](#) Immunity
- [26.](#) Testimony
- [27.](#) Extension of time
- [28.](#) Opinion and recommendations
- [29.](#) Confidentiality

### [ENFORCEMENT](#)

- [30.](#) Matter referred by member
- [31.](#) Inquiry by Commissioner
- [32.](#) Police investigation or charge
- [32.1](#) Procedure under another Act
- [33.](#) Reference to appropriate authorities
- [34.](#) Recommendation re penalty

### [MISCELLANEOUS](#)

- [35.](#) Application of Act during writ period
- [36.](#) Application of Act to related persons

## Preamble

It is desirable to provide greater certainty in the reconciliation of the private interests and public duties of members of the Legislative Assembly, recognizing the following principles:

1. The Assembly as a whole can represent the people of Ontario most effectively if its members have experience and knowledge in relation to many aspects of life in Ontario and if they can continue to be active in their own communities, whether in business, in the practice of a profession or otherwise.
2. Members' duty to represent their constituents includes broadly representing their constituents' interests in the Assembly and to the Government of Ontario.
3. Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the Assembly's dignity and justifies the respect in which society holds the Assembly and its members.
4. Members are expected to act with integrity and impartiality that will bear the closest scrutiny.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## Definitions

1. In this Act,

"child" includes a person whom a member of the Assembly has demonstrated a settled intention to treat as a child of his or her family, except under an arrangement where the child is placed for valuable consideration in a foster home by a person having lawful custody; ("enfant")

"Commissioner" and "Integrity Commissioner" mean the person appointed as Integrity Commissioner under section 23; ("commissaire", "commissaire à l'intégrité")

"family", when used with reference to a person, means,

- (a) his or her spouse and minor children, and
- (b) any other adult who is related to the person or his or her spouse, shares a residence with the person and is primarily dependent on the person or spouse for financial support; ("famille")

"private company" has the same meaning as in the *Securities Act*; ("compagnie fermée")

"private interest" does not include an interest in a decision,

- (a) that is of general application,
- (b) that affects a member of the Assembly as one of a broad class of persons, or
- (c) that concerns the remuneration or benefits of a member or of an officer or employee of the Assembly; ("intérêt personnel")

"Speaker" means the Speaker of the Assembly; ("président")

"spouse" means a person who is the member's spouse within the meaning of Part III of the *Family Law Act*, but does not include a person from whom the member is separated, whether or not support obligations and family property have been dealt with by a separation agreement or court order. ("conjoint") 1994, c. 38, s. 1; 1999, c. 6, s. 36 (1); 2005, c. 5, s. 40 (1, 2).

## PROVISIONS APPLYING TO ALL MEMBERS OF THE ASSEMBLY

### Conflict of interest

2. A member of the Assembly shall not make a decision or participate in making a decision in the execution of his or her office if the member knows or reasonably should know that in the making of the decision there is an opportunity to further the member's private interest or improperly to further another person's private interest. 1994, c. 38, s. 2.

### Insider information

3. (1) A member of the Assembly shall not use information that is obtained in his or her capacity as a member and that is not available to the general public to further or seek to further the member's private interest or improperly to further or seek to further another person's private interest. 1994, c. 38, s. 3 (1).

**Same**

(2) A member shall not communicate information described in subsection (1) to another person if the member knows or reasonably should know that the information may be used for a purpose described in that subsection. 1994, c. 38, s. 3 (2).

**Influence**

4. A member of the Assembly shall not use his or her office to seek to influence a decision made or to be made by another person so as to further the member's private interest or improperly to further another person's private interest. 1994, c. 38, s. 4.

**Activities on behalf of constituents**

5. This Act does not prohibit the activities in which members of the Assembly normally engage on behalf of constituents in accordance with Ontario parliamentary convention. 1994, c. 38, s. 5.

**Gifts**

6. (1) A member of the Assembly shall not accept a fee, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of office. 1994, c. 38, s. 6 (1).

**Non-application of subs. (1)**

- (2) Subsection (1) does not apply to,
  - (a) compensation authorized by law;
  - (b) a gift or personal benefit that is received as an incident of the protocol, customs or social obligations that normally accompany the responsibilities of office;
  - (c) a fee, gift or personal benefit that is given, directly or indirectly, by or on behalf of a political party, constituency association, candidate or leadership contestant registered under the *Election Finances Act*, including remuneration or financial assistance; or
  - (d) any other gift or personal benefit, if the Commissioner is of the opinion it is unlikely that receipt of the gift or benefit gives rise to a reasonable presumption that the gift or benefit was given in order to influence the member in the performance of his or her duties. 1994, c. 38, s. 6 (2); 2010, c. 5, s. 1 (1).

**Disclosure**

(3) Within 30 days after receiving a gift or personal benefit referred to in clause (2) (b) or (d) that exceeds \$200 in value, the member shall file with the Commissioner a disclosure statement in the form provided by the Commissioner, indicating the nature of the gift or benefit, its source and the circumstances under which it was given and accepted. 2010, c. 5, s. 1 (2).

**Same**

(4) Subsection (3) also applies to gifts and personal benefits referred to in clauses (2) (b) and (d) if the total value of what is received from one source in any 12-month period exceeds \$200. 1994, c. 38, s. 6 (4); 2010, c. 5, s. 1 (3).

(5) REPEALED: 2010, c. 5, s. 1 (4).

**Government contracts with members**

7. (1) No member of the Assembly shall knowingly be a party to a contract with the Government of Ontario under which the member receives a benefit. 1994, c. 38, s. 7 (1).

**Partnerships, private companies**

(2) No member shall have an interest in a partnership or in a private company that is a party to a contract with the Government of Ontario under which the partnership or company receives a benefit. 1994, c. 38, s. 7 (2).

**Exception, existing contracts**

(3) Subsections (1) and (2) do not apply to a contract that existed before the member's election to the Assembly, but they do apply to its renewal or extension. 1994, c. 38, s. 7 (3).

**Exception, nature of interest**

(4) Subsection (2) does not apply if the Commissioner is of the opinion that the interest is unlikely to affect the member's performance of his or her duties. 1994, c. 38, s. 7 (4).

### Exception, management trust

(5) Subsection (2) does not apply if the member has entrusted his or her interest to one or more trustees on the following terms:

1. The provisions of the trust shall be approved by the Commissioner.
2. The trustees shall be persons who are at arm's length with the member and approved by the Commissioner.
3. The trustees shall not consult with the member with respect to managing the trust property, but may consult with the Commissioner.
4. Annually, the trustees shall give the Commissioner a written report stating the nature of the assets in the trust, the trust's net income for the preceding year and the trustees' fees, if any.
5. The trustees shall also give the member sufficient information to permit him or her to submit returns as required by the *Income Tax Act* (Canada) and shall give the same information to Revenue Canada.
6. The member is entitled to be reimbursed by the Commissioner for reasonable fees and disbursements actually paid for the establishment and administration of the trust, as approved by the Commissioner, but is responsible for any income tax liabilities that may result from the reimbursement. 1994, c. 38, s. 7 (5); 2010, c. 5, s. 2.

### Exception, pensions

(6) Subsection (1) does not prohibit a member from receiving benefits under the *Legislative Assembly Retirement Allowances Act*, the *Public Service of Ontario Act, 2006*, the *Public Service Pension Act*, the *Teachers' Pension Act* or any other Act that provides for retirement benefits funded wholly or partly by the Government of Ontario. 1994, c. 38, s. 7 (6); 2006, c. 35, Sched. C, s. 65.

### Inheritance

(7) Subsection (2) does not apply until the first anniversary of the acquisition if the interest in the partnership or private company was acquired by inheritance. 1994, c. 38, s. 7 (7).

### Procedure on conflict of interest

8. A member of the Assembly who has reasonable grounds to believe that he or she has a conflict of interest in a matter that is before the Assembly or the Executive Council, or a committee of either of them, shall, if present at a meeting considering the matter,

- (a) disclose the general nature of the conflict of interest; and
- (b) withdraw from the meeting without voting or participating in consideration of the matter. 1994, c. 38, s. 8.

### Rights preserved

9. Nothing in this Act prohibits a member of the Assembly who is not a member of the Executive Council from,

- (a) engaging in employment or in the practice of a profession;
- (b) receiving fees for providing professional services under the *Legal Aid Services Act, 1998*;
- (c) engaging in the management of a business carried on by a corporation;
- (d) carrying on a business through a partnership or sole proprietorship;
- (e) holding or trading in securities, stocks, futures and commodities;
- (f) holding shares or an interest in any corporation, partnership, syndicate, co-operative or similar commercial enterprise;
- (g) being a director or partner or holding an office, other than an office that a member may not hold under another Act. 1994, c. 38, s. 9; 1998, c. 26, s. 107.

### PROVISIONS APPLYING TO MEMBERS AND FORMER MEMBERS OF THE EXECUTIVE COUNCIL

### Outside activities

10. A member of the Executive Council shall not,

- (a) engage in employment or the practice of a profession; or

(b) REPEALED: 2010, c. 5, s. 3.

(c) hold an office or directorship, unless holding the office or directorship is one of the member's duties as a member of the Executive Council, or the office or directorship is in a social club, religious organization or political party. 1994, c. 38, s. 10; 2010, c. 5, s. 3.

#### **Investments**

**11.** (1) A member of the Executive Council shall not hold or trade in securities, stocks, futures or commodities. 1994, c. 38, s. 11 (1).

#### **Exception**

(2) Subsection (1) does not apply to assets and liabilities described in subsection 21 (4). 1994, c. 38, s. 11 (2).

#### **Exception, trust on specified terms**

(3) Subsection (1) does not apply if the member has entrusted the assets to one or more trustees on the following terms:

1. The provisions of the trust shall be approved by the Commissioner.
2. The trustees shall be persons who are at arm's length with the member and approved by the Commissioner.
3. The trustees shall not consult with the member with respect to managing the trust property, but may consult with the Commissioner.
4. At the end of each calendar year and at one or more intervals during the year, the trustees shall give the member a written report stating the value, but not the nature, of the assets in the trust. The year-end report shall also state the trust's net income for the preceding year and the trustees' fees, if any.
5. The trustees shall also give the member sufficient information to permit him or her to submit returns as required by the *Income Tax Act* (Canada) and shall give the same information to Revenue Canada.
6. The trustee shall give the Commissioner copies of all information and reports given to the member.
7. The trust shall provide that the member may, at any time, instruct the trustees to liquidate all or part of the trust and pay over the proceeds to the member subject to the Commissioner's approval.
8. The member is entitled to be reimbursed by the Commissioner for reasonable fees and disbursements actually paid for the establishment and administration of the trust, as approved by the Commissioner, but is responsible for any income tax liabilities that may result from the reimbursement. 1994, c. 38, s. 11 (3); 2010, c. 5, s. 4 (1-3).

#### **Limit on reimbursement**

(4) Paragraph 8 of subsection (3) applies to a trust established for the purposes of this section before the day on which subsection 4 (4) of the *Members' Integrity Amendment Act, 2010* comes into force, but the member is entitled to reimbursement under that paragraph only for fees and disbursements paid on or after that day. 2010, c. 5, s. 4 (4).

#### **Corporations, partnerships and sole proprietorships**

**12.** (1) A member of the Executive Council shall not engage in the management of a business carried on by a corporation or carry on business through a partnership or sole proprietorship. 2010, c. 5, s. 5.

#### **Exception, trust on specified terms**

(2) Subsection (1) does not apply if the member has entrusted the business or his or her interest in the business to one or more trustees on the terms set out in paragraphs 1 to 8 of subsection 11 (3). 2010, c. 5, s. 5.

#### **Transition, deemed compliance**

(3) Every trust established for the purposes of this section that is in existence on the day on which section 5 of the *Members' Integrity Amendment Act, 2010* comes into force is deemed to comply with the terms referred to in subsection (2). 2010, c. 5, s. 5.

#### **Consolidated Revenue Fund**

**12.1** All fees and disbursements payable by the Commissioner for the purposes of paragraph 6 of subsection 7 (5), paragraph 8 of subsection 11 (3) and subsection 12 (2) are a charge on and are payable out of the Consolidated Revenue Fund. 2010, c. 5, s. 6.

#### **Approved exceptions**

**13.** A member of the Executive Council may engage in an activity prohibited by section 10 or subsection 11 (1) or 12 (1) if the following conditions are met:

1. The member has disclosed all material facts to the Commissioner.
2. The Commissioner is satisfied that the activity, if carried on in the specified manner, will not create a conflict between the member's private interest and public duty.
3. The Commissioner has given the member his or her approval and has specified the manner in which the activity may be carried out.
4. The member carries the activity out in the specified manner. 1994, c. 38, s. 13; 2010, c. 5, s. 7.

#### **Time for compliance**

**14.** A person who becomes a member of the Executive Council shall comply with section 10 and subsections 11 (1) and 12 (1), or obtain the Commissioner's approval under section 13, within 60 days after the appointment. 1994, c. 38, s. 14.

#### **Acquisition of land**

**15.** (1) A member of the Executive Council shall not, directly or indirectly, acquire an interest in real property, except for residential or recreational use by,

- (a) the member;
- (b) a person who belongs to the member's family; or
- (c) any other person approved by the Commissioner. 2010, c. 5, s. 8.

#### **Exceptions**

- (2) Subsection (1) does not apply to,
  - (a) an interest in real property that the member inherits;
  - (b) a mortgage that is granted to the member as mortgagee, or an interest in real property that the member acquires by foreclosing on a mortgage; or
  - (c) an interest in real property that is acquired to be used as part of an existing farming operation. 1994, c. 38, s. 15 (2).

#### **Procedure on conflict of interest**

**16.** A member of the Executive Council who has reasonable grounds to believe that he or she has a conflict of interest in a matter requiring the member's decision shall ask the Premier or Deputy Premier to appoint another member of the Executive Council to perform the member's duties in the matter for the purpose of making the decision, and the member who is appointed may act in the matter for the period of time necessary for the purpose. 1994, c. 38, s. 16.

#### **Restrictions applicable to Executive Council**

- 17.** (1) The Executive Council and its members shall not knowingly,
  - (a) award or approve a contract with, or grant a benefit to, a former member of the Executive Council until 12 months have passed after the date he or she ceased to hold office;
  - (b) award or approve a contract with, or grant a benefit to, a former member of the Executive Council who has, during the 12 months after the date he or she ceased to hold office, made representations to the Government of Ontario in respect of the contract or benefit;
  - (c) award or approve a contract with, or grant a benefit to, a person on whose behalf a former member of the Executive Council has, during the 12 months after the date he or she ceased to hold office, made representations to the Government of Ontario in respect of the contract or benefit. 1994, c. 38, s. 17 (1).

#### **Exception**

(2) Clauses (1) (a) and (b) do not apply to contracts or benefits in respect of further duties in the service of the Crown. 1994, c. 38, s. 17 (2).

#### **Same**

(3) Subsection (1) does not apply if the conditions on which the contract or benefit is awarded, approved or granted are the same for all persons similarly entitled. 1994, c. 38, s. 17 (3).

#### **Restrictions applicable to former members**

**18.** (1) A former member of the Executive Council shall not knowingly, during the 12 months after the date he or she ceased to hold office,

- (a) accept a contract or benefit that is awarded, approved or granted by the Executive Council, a member of the Executive Council or an employee of a ministry (other than an employee of an agency, board or commission);
- (b) make representations to the Government of Ontario on his or her own behalf or on another person's behalf with respect to such a contract or benefit;
- (c) accept a contract or benefit from any person who, during the 12 months before the date the former member ceased to hold office, received a contract or benefit from a ministry of which the former member was the Minister. 1994, c. 38, s. 18 (1); 2010, c. 5, s. 9 (1).

#### **Exception**

(2) Subsection (1) does not apply to contracts or benefits in respect of further duties in the service of the Crown. 1994, c. 38, s. 18 (2).

#### **Same**

(3) Subsection (1) does not apply if the conditions on which the contract or benefit is awarded, approved or granted are the same for all persons similarly entitled. 1994, c. 38, s. 18 (3).

#### **Ongoing transaction or negotiation**

(4) A former member of the Executive Council shall not make representations to the Government of Ontario in relation to a transaction or negotiation to which the Government is a party and in which he or she was previously substantially involved as a member of the Executive Council, if the representation could result in the conferring of a benefit not of general application. 1994, c. 38, s. 18 (4); 2010, c. 5, s. 9 (2).

#### **Offence**

(5) A person who contravenes subsection (1) or (4) is guilty of an offence and liable, on conviction, to a fine of not more than \$50,000. 1994, c. 38, s. 18 (5).

#### **Parliamentary assistants**

**19.** Sections 10 to 18 do not apply to parliamentary assistants or to former parliamentary assistants, as the case may be. 1994, c. 38, s. 19.

### **DISCLOSURE**

#### **Private disclosure statement**

**20.** (1) Every member of the Assembly shall file with the Commissioner a private disclosure statement, in the form provided by the Commissioner,

- (a) within 60 days of being elected; and
- (b) thereafter, once in every calendar year on the date established by the Commissioner. 1994, c. 38, s. 20 (1).

#### **Contents**

- (2) The private disclosure statement shall,
  - (a) identify the assets and liabilities of the member and his or her spouse and minor children, and state the value of the assets and liabilities;
  - (b) state any income the member and his or her spouse and minor children have received during the preceding 12 months or are entitled to receive during the next 12 months, and indicate the source of the income;

- (c) state all benefits the member, his or her spouse and minor children, and any private company in which any of them has an interest, have received during the preceding 12 months or are entitled to receive during the next 12 months as a result of a contract with the Government of Ontario, and describe the subject-matter and nature of the contract;
- (d) if the private disclosure statement mentions a private company,
  - (i) include any information about the company's activities and sources of income that the member is able to obtain by making reasonable inquiries, and
  - (ii) state the names of any other companies that are its affiliates, as determined under subsections 1 (2) to (6) of the *Securities Act*;
- (e) list all corporations and other organizations in which the member is an officer or director or has a similar position; and
- (f) include any other information that the Commissioner requires. 1994, c. 38, s. 20 (2); 1999, c. 6, s. 36 (3); 2005, c. 5, s. 40 (4).

#### **Meeting with Commissioner**

(3) After filing the private disclosure statement, the member, and the member's spouse if available, shall meet with the Commissioner to ensure that adequate disclosure has been made and to obtain advice on the member's obligations under this Act. 1994, c. 38, s. 20 (3); 1999, c. 6, s. 36 (4); 2005, c. 5, s. 40 (5).

#### **Statement of material change**

(4) The member shall file a statement of material change with the Commissioner, in the form provided by the Commissioner, within 30 days after a change in the income, assets or liabilities of the member or his or her spouse and minor children or an event that causes a person to become or to cease to be a member of the member's family, if the change or event would reasonably be expected to have a significant effect on the information previously disclosed. 1994, c. 38, s. 20 (4); 1999, c. 6, s. 36 (5); 2005, c. 5, s. 40 (6).

#### **Public disclosure statement**

**21.** (1) After the meeting referred to in subsection 20 (3), the Commissioner shall prepare a public disclosure statement on the basis of the information provided by the member. 1994, c. 38, s. 21 (1).

#### **Contents**

- (2) The public disclosure statement shall,
  - (a) state the source and nature, but not the value, of the income, assets and liabilities referred to in subsection 20 (2), except those that are described in subsection (4) of this section;
  - (b) list the names and addresses of all the persons who have an interest in those assets and liabilities;
  - (c) identify any contracts with the Government of Ontario referred to in the private disclosure statement, and describe their subject-matter and nature;
  - (d) list the names of any private companies mentioned in the private disclosure statement;
- (d.1) list the names of any corporations or other organizations referred to in clause 20 (2) (e); and
- (e) contain a statement of any gifts or benefits that have been disclosed to the Commissioner under subsection 6 (3). 1994, c. 38, s. 21 (2); 2010, c. 5, s. 10 (1).

#### **Same**

(3) In the case of a member of the Executive Council, the public disclosure statement shall also state whether the member has obtained the Commissioner's approval under section 13 for an activity that would otherwise be prohibited and, if the member has done so, shall,

- (a) describe the activity; and
- (b) in the case of a business activity, list the name and address of each person who has a 10 per cent or greater interest in the business, and describe the person's relationship to the member. 1994, c. 38, s. 21 (3).

#### **Excluded private interests**

- (4) The following assets, liabilities and sources of income shall not be shown in the public disclosure statement:

1. An asset or liability worth less than \$2,500.
2. A source of income that yielded less than \$2,500 during the 12 months preceding the relevant date.
3. Real property that the member or a person who belongs to his or her family uses primarily as a residence or for recreational purposes.
4. Personal property that the member or a person who belongs to his or her family uses primarily for transportation, household, educational, recreational, social or aesthetic purposes.
5. Cash on hand, or on deposit with a financial institution that is lawfully entitled to accept deposits.
6. Fixed value securities issued or guaranteed by a government or by a government agency.
7. A registered retirement savings plan that is not self-administered, or a registered home ownership savings plan.
8. An interest in a pension plan, employee benefit plan, annuity or life insurance policy.
9. An investment in an open-ended mutual fund that has broadly based investments not limited to one industry or one sector of the economy.
10. A guaranteed investment certificate or similar financial instrument.
11. Any other asset, liability or source of income that the Commissioner approves as an excluded private interest. 1994, c. 38, s. 21 (4); 1999, c. 6, s. 36 (6); 2005, c. 5, s. 40 (7).

#### **Information withheld**

- (5) The Commissioner may withhold information from the public disclosure statement if, in his or her opinion,
- (a) the information is not relevant to the purpose of this Act; and
  - (b) a departure from the general principle of public disclosure is justified. 1994, c. 38, s. 21 (5).

#### **Filing**

- (6) The Commissioner shall file the public disclosure statement with the Clerk of the Assembly. 1994, c. 38, s. 21 (6).

#### **Public access**

- (7) The Commissioner shall make the public disclosure statement readily accessible to the public by ensuring that the public disclosure statement is published on the Internet and by any other means that the Commissioner considers appropriate. 2010, c. 5, s. 10 (2).

#### **Copies**

- (8) The Clerk shall provide a copy of the public disclosure statement to any person who pays the fee fixed by the Clerk. 2010, c. 5, s. 10 (2).

#### **Destruction of records**

- 22.** (1) The Commissioner,
- (a) shall destroy every private disclosure statement in his or her possession, during the 12-month period that follows the 10th anniversary of the creation of the record; and
  - (b) may destroy any other record in his or her possession that relates to a member or former member of the Assembly, or to a person who belongs to his or her family, at any time after the 10th anniversary of the creation of the record. 2010, c. 5, s. 11.

#### **Exception**

- (2) If an inquiry to which a record may relate is being conducted under this Act, or if the Commissioner is aware that a charge to which it may relate has been laid under the *Criminal Code* (Canada) against the member or former member or a person who belongs to his or her family, the record shall not be destroyed until the inquiry or the charge has been finally disposed of. 1994, c. 38, s. 22 (2); 1999, c. 6, s. 36 (8); 2005, c. 5, s. 40 (9).

INTEGRITY COMMISSIONER

#### **Commissioner**

- 23.** (1) There shall be an Integrity Commissioner who is an officer of the Assembly. 1994, c. 38, s. 23 (1).



**Appointment**

(2) The Lieutenant Governor in Council shall appoint a person to the office of Integrity Commissioner on the address of the Assembly. 1994, c. 38, s. 23 (2).

**Term of office**

(3) The person appointed shall hold office for a term of five years and may be reappointed for a further term or terms. 1994, c. 38, s. 23 (3).

**Same**

(4) The person appointed continues to hold office after the expiry of the term until reappointed, or until a successor is appointed. 1994, c. 38, s. 23 (4).

**Removal**

(5) The person appointed may be removed for cause, before the expiry of the term of office, by the Lieutenant Governor in Council on the address of the Assembly. 1994, c. 38, s. 23 (5).

**Acting Commissioner**

(6) The Lieutenant Governor in Council may appoint an acting Integrity Commissioner if,

- (a) the office of Integrity Commissioner becomes vacant during a session of the Assembly, but the Assembly does not make a recommendation under subsection (2) before the end of the session; or
- (b) the office of Integrity Commissioner becomes vacant while the Assembly is not sitting. 1994, c. 38, s. 23 (6).

**Same**

(7) The appointment of the acting Commissioner comes to an end when a new Integrity Commissioner is appointed under subsection (2). 1994, c. 38, s. 23 (7).

**Same**

(8) If the Integrity Commissioner is unable to act because of illness, the Lieutenant Governor in Council may appoint an acting Commissioner, whose appointment comes to an end when the Integrity Commissioner is again able to act or when the office becomes vacant. 1994, c. 38, s. 23 (8).

**Salary**

(9) The Commissioner shall be paid the remuneration and allowances that are fixed by the Lieutenant Governor in Council. 1994, c. 38, s. 23 (9).

**Staff**

(10) The employees who are necessary for the performance of the Commissioner's duties shall be members of the staff of the Office of the Assembly. 1994, c. 38, s. 23 (10).

**Powers and duties**

**23.1** The Commissioner may exercise the powers and shall perform the duties assigned to him or her under this Act and any other Act. 1998, c. 27, s. 1 (1).

**Annual report**

**24.** (1) The Commissioner shall report annually on the affairs of the office to the Speaker, who shall cause the report to be laid before the Assembly. 1994, c. 38, s. 24 (1).

**Contents**

(2) The annual report may summarize advice given by the Commissioner, but shall not disclose confidential information or information that could identify a person concerned. 1994, c. 38, s. 24 (2).

**Immunity**

**25.** No proceeding shall be commenced against the Commissioner or an employee in his or her office for any act done or omitted in good faith in the execution or intended execution of the Commissioner's or employee's duties under this Act or any other Act. 1998, c. 27, s. 1 (2).

**Testimony**

**26.** Neither the Commissioner nor an employee of his or her office is a competent or compellable witness in a civil proceeding outside the Assembly in connection with anything done under this Act or any other Act. 1994, c. 38, s. 26; 1998, c. 27, s. 1 (3).

#### **Extension of time**

**27.** (1) A member of the Assembly whom this Act requires to do anything within a specified period of time may give the Commissioner a written request for an extension. 1994, c. 38, s. 27 (1).

#### **Same**

(2) The Commissioner may, by giving the member a written notice, extend the time by a specified number of days, as the Commissioner considers reasonable and consistent with the public interest. 1994, c. 38, s. 27 (2).

#### **Same**

(3) The Commissioner may impose on the extension such conditions as he or she considers just. 1994, c. 38, s. 27 (3).

#### **Opinion and recommendations**

**28.** (1) A member of the Assembly may request that the Commissioner give an opinion and recommendations on any matter respecting the member's obligations under this Act and under Ontario parliamentary convention. 1994, c. 38, s. 28 (1).

#### **Inquiries**

(2) The Commissioner may make such inquiries as he or she considers appropriate and shall provide the member with an opinion and recommendations. 1994, c. 38, s. 28 (2).

#### **Confidentiality**

(3) The Commissioner's opinion and recommendations are confidential, but may be released by the member or with the member's consent. 1994, c. 38, s. 28 (3).

#### **Partial release by member**

(3.1) Despite subsection (3), if the member releases only part of the opinion and recommendations, the Commissioner may release part or all of the opinion and recommendations without obtaining the member's consent. 2010, c. 5, s. 12 (1).

#### **Writing**

(4) The member's request, the Commissioner's opinion and recommendations and the member's consent, if any, shall be in writing. 1994, c. 38, s. 28 (4).

#### **Application to former members of Executive Council**

(5) This section continues to apply with necessary modifications to a former member of the Executive Council, even if he or she ceases to be a member of the Assembly. 2010, c. 5, s. 12 (2).

#### **Confidentiality**

**29.** (1) Information disclosed to the Commissioner under this Act is confidential and shall not be disclosed to any person, except,

- (a) by the member, or with his or her consent;
- (b) in a criminal proceeding, as required by law; or
- (c) otherwise in accordance with this Act. 1994, c. 38, s. 29 (1).

#### **Freedom of Information and Protection of Privacy Act**

(2) Subsection (1) prevails over the *Freedom of Information and Protection of Privacy Act*. 1994, c. 38, s. 29 (2).

### **ENFORCEMENT**

#### **Matter referred by member**

**30.** (1) A member of the Assembly who has reasonable and probable grounds to believe that another member has contravened this Act or Ontario parliamentary convention may request that the Commissioner give an opinion as to the matter. 1994, c. 38, s. 30 (1).

**Request**

(2) The request shall be in writing and shall set out the grounds for the belief and the contravention alleged. 1994, c. 38, s. 30 (2).

**Tabling**

(3) The member making the request shall promptly give a copy of it to the Speaker, who shall cause the request to be laid before the Assembly if it is in session or, if not, within 10 days after the beginning of the next session. 1994, c. 38, s. 30 (3).

(4) REPEALED: 2010, c. 5, s. 13.

**Matter referred by Executive Council**

(5) The Executive Council may request that the Commissioner give an opinion as to whether a member of the Executive Council has contravened this Act or Ontario parliamentary convention. 1994, c. 38, s. 30 (5).

**Inquiry by Assembly**

(6) The Assembly and its committees shall not conduct an inquiry into a matter that has been referred to the Commissioner under subsection (1) or (4). 1994, c. 38, s. 30 (6).

**Inquiry by Commissioner**

**31.** (1) When a matter is referred to the Commissioner under section 30, the Commissioner may conduct an inquiry, after giving the member whose conduct is concerned reasonable notice. 1994, c. 38, s. 31 (1).

**Same**

- (2) If the matter was referred by a member,
  - (a) the Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act*, 2009, in which case those sections apply to the inquiry; and
  - (b) the Commissioner shall report his or her opinion to the Speaker. 1994, c. 38, s. 31 (2); 2009, c. 33, Sched. 6, s. 66; 2010, c. 5, s. 14 (1).

**Same**

- (3) The Speaker shall,
  - (a) give a copy of the opinion to the member whose conduct is concerned and to the leader of each political party that is represented in the Assembly;
  - (b) give a copy of the opinion to the member who referred the matter; and
  - (c) cause the opinion to be laid before the Assembly if it is in session or, if not, within 10 days after the beginning of the next session. 1994, c. 38, s. 31 (3); 2010, c. 5, s. 14 (2).

**Same**

(4) If the matter was referred by the Executive Council, the Commissioner shall report his or her opinion to the Clerk of the Executive Council. 1994, c. 38, s. 31 (4).

**Effect of election, resignation on matter referred by member**

(4.1) The Commissioner shall suspend an inquiry respecting a matter referred by a member in the following circumstances:

1. The member whose conduct is concerned resigns his or her seat.
2. A writ is issued under the *Election Act* for a general election. 2010, c. 5, s. 14 (3).

**Same**

(4.2) If an inquiry is suspended under subsection (4.1) because the member whose conduct is concerned resigns his or her seat, the Commissioner shall continue the inquiry if, within 30 days after the date of the resignation, the former member or the member who referred the matter submits a written request to the Commissioner that the inquiry be continued. 2010, c. 5, s. 14 (3).

**Same**

(4.3) If an inquiry is suspended under subsection (4.1) because of the issuance of a writ, the Commissioner shall continue the inquiry if, within 30 days after polling day in the election, the member or former member whose

conduct is concerned or the member who referred the matter submits a written request to the Commissioner that the inquiry be continued. 2010, c. 5, s. 14 (3).

**Same**

(4.4) An inquiry shall not be continued under subsection (4.3) until after polling day in the election. 2010, c. 5, s. 14 (3).

**Same**

(4.5) If an inquiry is suspended under subsection (4.1) and is not continued under subsection (4.2) or (4.3), the Commissioner shall terminate the inquiry and shall give written notice of the termination to the member or former member whose conduct is concerned, the member who referred the matter and the Speaker. 2010, c. 5, s. 14 (3).

**Effect of election, resignation on matter referred by Executive Council**

(4.6) The Commissioner shall suspend an inquiry respecting a matter referred by the Executive Council if the member of the Executive Council whose conduct is concerned resigns his or her office. 2010, c. 5, s. 14 (3).

**Same**

(4.7) The Commissioner shall continue an inquiry suspended under subsection (4.6) if, within 30 days after the date of the resignation, the Executive Council submits a written request to the Commissioner that the inquiry be continued. 2010, c. 5, s. 14 (3).

**Same**

(4.8) The Commissioner shall terminate an inquiry respecting a matter referred by the Executive Council in the following circumstances:

1. An inquiry is suspended under subsection (4.6) and is not continued under subsection (4.7).
2. A writ is issued under the *Election Act* for a general election. 2010, c. 5, s. 14 (3).

**Refusal to conduct inquiry**

(5) If the Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an inquiry, the Commissioner shall not conduct an inquiry and shall state the reasons for not doing so in the report. 1994, c. 38, s. 31 (5).

**Member or former member not blameworthy**

(6) If the Commissioner determines that there has been no contravention of this Act or of Ontario parliamentary convention, that a contravention occurred although the member or former member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Commissioner shall so state in the report and shall recommend that no penalty be imposed. 1994, c. 38, s. 31 (6); 2010, c. 5, s. 14 (4).

**Reliance on Commissioner's advice**

(7) If the Commissioner determines that there was a contravention of this Act or of Ontario parliamentary convention but that the member or former member was acting in accordance with the Commissioner's recommendations and had, before receiving those recommendations, disclosed to the Commissioner in writing all the relevant facts that were known to the member or former member, the Commissioner shall so state in the report and the contravention is deemed not to have taken place. 2010, c. 5, s. 14 (5).

**Police investigation or charge**

**32.** If the Commissioner, when conducting an inquiry, discovers that the subject-matter of the inquiry is being investigated by police or that a charge has been laid, the Commissioner shall suspend the inquiry until the police investigation or charge has been finally disposed of, and shall report the suspension to the Speaker. 1994, c. 38, s. 32.

**Procedure under another Act**

**32.1** If the Commissioner, when conducting an inquiry, discovers that the subject-matter of the inquiry is being dealt with in accordance with a procedure established under another Act, the Commissioner may suspend the inquiry until the matter has been finally disposed of under that Act, and shall report the suspension to the Speaker. 2010, c. 5, s. 15.

**Reference to appropriate authorities**

**33.** If the Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of any other Act or of the *Criminal Code* (Canada), the Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting police investigation and charge have been finally disposed of, and shall report the suspension to the Speaker. 1994, c. 38, s. 33.

#### **Recommendation re penalty**

**34.** (1) Where the Commissioner conducts an inquiry under subsection 31 (1) or (2) and finds that the member has contravened any of sections 2 to 4, 6 to 8, 10 to 12 or 14 to 18, has failed to file a private disclosure statement or a statement of material change within the time provided by section 20, has failed to disclose relevant information in that statement or has contravened Ontario parliamentary convention, the Commissioner shall recommend in his or her report,

- (a) that no penalty be imposed;
- (b) that the member be reprimanded;
- (c) that the member's right to sit and vote in the Assembly be suspended for a specified period or until a condition imposed by the Commissioner is fulfilled; or
- (d) that the member's seat be declared vacant. 1994, c. 38, s. 34 (1).

#### **Same, former member**

(1.1) In the case of an inquiry respecting a matter referred by a member that is continued in accordance with subsection 31 (4.2) or (4.3) in respect of a former member, if the Commissioner finds a contravention or failure referred to in subsection (1), the Commissioner shall recommend in his or her report,

- (a) that no penalty be imposed; or
- (b) that the former member be reprimanded. 2010, c. 5, s. 16.

#### **Duty of Assembly**

(2) The Assembly shall consider and respond to the report within 30 days after the day the report is laid before it. 1994, c. 38, s. 34 (2).

#### **Response**

(3) If the Commissioner recommends that a penalty be imposed, the Assembly may approve the recommendation and order that the penalty be imposed, or may reject the recommendation, in which case no penalty shall be imposed. 1994, c. 38, s. 34 (3).

#### **Power of Assembly**

(4) Despite section 46 of the *Legislative Assembly Act*, the Assembly does not have power to inquire further into the contravention, to impose a penalty if the Commissioner recommended that none be imposed, or to impose a penalty other than the one recommended. 1994, c. 38, s. 34 (4).

#### **Decision final**

- (5) The Assembly's decision is final and conclusive. 1994, c. 38, s. 34 (5).

#### **Vacancy**

(6) If the member's seat is declared vacant, section 25 of the *Legislative Assembly Act* applies, with necessary modifications. 1994, c. 38, s. 34 (6).

### **MISCELLANEOUS**

#### **Application of Act during writ period**

**35.** This Act, other than sections 30 to 34, continues to apply with necessary modifications to a member of the Assembly during the period beginning with the issue of a writ under the *Election Act* for a general election and ending on polling day, if the member is or intends to be a candidate in the election. 2010, c. 5, s. 17.

#### **Application of Act to related persons**

**36.** (1) This Act applies with necessary modifications to every member of the Executive Council who is not a member of the Assembly as if he or she were a member of the Assembly, with the following exceptions:

- 1. Section 5, clauses 34 (1) (c) and (d) and subsection 34 (6) do not apply.

2. The reference to “within 60 days of being elected” in clause 20 (1) (a) shall be read as a reference to “within 60 days of being appointed to the Executive Council”. 2010, c. 5, s. 17.

**Same**

(2) This Act applies with necessary modifications to every leader of a recognized party, as defined in subsection 62 (5) of the *Legislative Assembly Act*, who is not a member of the Assembly as if he or she were a member of the Assembly, with the following exceptions:

1. Sections 5, 8, 10 to 19 and 30 to 34 do not apply.
2. The reference to “within 60 days of being elected” in clause 20 (1) (a) shall be read as a reference to “within 60 days of being elected as the leader of a recognized party”. 2010, c. 5, s. 17.

**37., 38.** OMITTED (AMENDS OR REPEALS OTHER ACTS). 1994, c. 38, ss. 37, 38.

**39.** OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS ACT). 1994, c. 38, s. 39.

**40.** OMITTED (ENACTS SHORT TITLE OF THIS ACT). 1994, c. 38, s. 40.

---



## Staff Report

---

**Report To:** Mayor Cole and Members of South Huron Council

**Meeting Date:** April 18, 2017

**From:** Dan Best, Chief Administrative Officer

**Report:** CAO 17.17

**Subject:** Bylaw 34-2015 Fees and Charges Schedule F

---

### Recommendations:

**That** South Huron Council receives the report of Dan Best, Chief Administrative Officer regarding By-law 34-2015 Fees and Charges Schedule F;

**And that** direction be provided to Staff regarding the request received by Staff seeking an exemption from By-law 34-2015.

### Purpose:

Council Direction

### Background and Information:

A resident of our community was involved in motor vehicle accident in fall 2016. 911 was contacted and the caller requested all three agencies to attend the scene.

In accordance with By-law 34-2015, if Fire Department vehicles are dispatched to an incident, there is a resultant Resident & Non-Resident Vehicle Incident Response Fee of \$410 per vehicle per hour.

In respect to this particular incident, the South Huron Fire Service arrived on scene before EMS and provided First Aid to the pedestrian struck and Traffic Control on Main St.

Shortly after the incident, a request was made by the driver to have the \$410 fee waived. An email sent by the individual reads as follows:

I am reaching out to you in regards to an invoice IVCOO39366 I received for Fire call October 20, 2016. I am asking that the fee for this service be waived as I was not the person who activated service by calling 911.

In my opinion there was no need for the Municipality of South Huron fire services to be activated by dispatch. The situation and circumstances did not require their services. Another driver called 911 while I was attending the pedestrian who hit my car. The pedestrian was conscious and sitting up on his own within seconds of this unfortunate accident.

There was no damage to the car and only minor injuries to the pedestrian. There is no need for an insurance claim that could affect my future insurance premiums for no reason.

The invoice does not include the name of the driver who called 911 or the name of the pedestrian who the fire service where called for. Could the Municipality provide the names of the driver and pedestrian that is the main reason for this invoice being issued? This information is relevant if you choose not to waive this fee.

The individual was advised that Staff did not have the authority to waive the fee and that a request could be made of Council to consider. This request was submitted by the individual through the complaint process and is now before Council for consideration and direction.

Should Council choose to waive the fee, it would be incumbent to review the Fees and Charges By-law to determine the validity of Schedule C and to ensure that the policy direction to staff is consistent and applied to all. The current Schedule is highlighted below:

**Schedule F – Fire and Emergency Services Fees**

Item	Fee	Tax
<b>False Alarm Response Fees</b>		
False Alarm Calls (Alarm System Malfunction)	\$500.00 (minimum – or the actual cost of manpower, whichever is greater) Note: written warning on first offence	Exempt
<b>Responding to authorized/unauthorized control burn</b>		
	Recovery on labour charge	Exempt
<b>Resident &amp; Non-Resident Vehicle Incident Response Fees</b>		
Fire department vehicles attending the scene	\$410.00 (per hour per vehicle)	Exempt
<b>Inspection and Miscellaneous Fees</b>		
Fire Inspection Report (Inspections)	\$50.00 (1 hour)	HST Extra
Complaint Inspections	No charge to owner	
Copy of Fire Incident Report	\$25.00	HST Extra
Open Air Fire – Response to illegal burning	Written warning on first offence / Recovery on labour charge and ticket fine pursuant to <i>Provincial Offences Act</i>	Exempt

**Link to the Strategic Objectives:**

There is no link to the Strategic Plan as a result of this report.

**Legal Implications:**

There are no legal implications as a result of the actions outlined in this report.

**Staffing Implications:**

There are no staffing implications as a result of the actions outlined in this report.

**Financial Implications:**

There are no financial implications as a result of the actions outlined in this report.

**Attachments:**

None

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dan Best'.

Dan Best MPA, BA  
Chief Administrative Officer



## Staff Report

---

<b>Report To:</b>	Mayor Cole and Members of South Huron Council
<b>Meeting Date:</b>	April 18, 2017
<b>From:</b>	Dan Best, Chief Administrative Officer
<b>Report:</b>	CAO 17.18
<b>Subject:</b>	CAO Workplan

---

### Recommendations:

**That** the memo of Daniel Best, Chief Administrative Officer dated April 18, 2017, 2015 regarding the establishment of a CAO Workplan be received;

**And that** Council will establishing priorities for the upcoming 2017-18 period through a Committee of the Whole meeting on April 24, 2017;

**And that** the establishment of Council priorities will assist in the development of the CAO Workplan;

**And that** a formal quarterly reporting and monitoring be established effective for the second quarter of 2017 that will assist Council in the review and monitoring of Council priorities and the CAO Workplan;

**And that** the Council Priorities, Implementation Schedule, Reporting and CAO Workplan is posted on the Municipal website

### Purpose:

Council Approval

### Background and Information:

The Municipality of South Huron Corporate Strategic Plan 2015-19 provides a framework to assist Council, Staff and the greater community for decision-making within the term of this Council. Although, the Plan extends into 2019, the incoming 2018-22 Council will need to review and validate the plan early in its mandate to ensure that legislative requirements, infrastructure, services and community needs are balanced moving forward.

In early 2017, Council members were briefly introduced to the idea of a goal setting workshop to assist in the development of strategic priorities to validate the existing strategic plan and determine key priorities for the balance of this term.

It should be noted that the Council Priority Setting is critical to assist in the development of the CAO Workplan and resulting Departmental Workplans. It should be noted that these priorities are in addition to the “day to day” operations of the Municipality.

Attached as an Appendix to this report are proposed Council and Administrative Priorities. In preparation of the April 24, 2017 Priority Setting Workshop, both Council and Senior Staff will be asked to provide any priorities that may not be on the document at this time. Through two separate “dotmocracy” processes, both Council and Staff will identify key priorities, goals and objectives for the 2017-18 period. Upon negotiating what is achievable from a Council and Administrative perspective, Council priorities will be established and a CAO Workplan will be developed and approved by Council.

### **Link to the Strategic Objectives:**

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Increased Communications and Municipal Leadership
- ✓ Transparent, Accountable, and Collaborative Governance

### **Legal Implications:**

There are no legal implications as a result of the actions outlined in this report.

### **Staffing Implications:**

There are no staffing implications as a result of the actions outlined in this report.

### **Financial Implications:**

There are no financial implications as a result of the actions outlined in this report.

### **Attachments:**

DRAFT Proposed Council and Administrative Priorities

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dan Best'.

Dan Best MPA, BA  
Chief Administrative Officer





PROJECT	TASK	SUB CLASS	STATUS	OWNER	ASSIGNED TO	STRATEGIC PLAN	START DATE	END DATE	RESOURCES	SERVICE LEVEL IN	TYPE	NOTES
---------	------	-----------	--------	-------	-------------	----------------	------------	----------	-----------	------------------	------	-------



## Staff Report

---

**Report To:** Mayor Cole and Members of South Huron Council

**Meeting Date:** April 18, 2017

**From:** Dan Best, Chief Administrative Officer

**Report:** CAO 17.19

**Subject:** Park Use Policy and By-law – Elliot Park

---

### Recommendations:

**That** the memo of Daniel Best, Chief Administrative Officer dated April 18, 2017, 2017 regarding a Park Use Policy and By-law – Elliot Park be received;

**And that** Council authorize Staff to proceed with the development and draft of a Park Use Policy and By-law – Elliot Park for the consideration of Council.

### Purpose:

Council Direction

### Background and Information:

As Council is aware, Elliot Park Located at 12 Church Street, on the west side of Main Street Exeter along the Ausable River has allowed Short-term camping without camping permits for a \$5.00 nightly fee. A portable toilet is supplied in summer months, potable water and a dumping station are amenities that are located on site. Traditionally, the Ausable River Nomads and the Municipality of South Huron have maintained the Park.

Currently, there is no formal process for the use of Elliot Park. In the past six months alone, there have been two instances where the camping could be construed to be beyond “short term” camping that has been problematic from a community perspective and an enforceability issue from a staff perspective.

Staff are seeking Council direction on how to address concerns linked to camping at Elliot Park and it fundamentally comes down to what Council wishes to see how the park is used.

## Operational Considerations

The following are options for Council:

- Do nothing. This option is not recommended by Staff as the current loose operation could pose some risk to the Municipality.
- Formalize how the Park operates and work with the Ausable River Nomads and establish a memorandum of understanding (MOU) providing clarity of roles and responsibilities. This would be the preferred option as it would result in a clear policy approved by Council with a supporting by-law.
- Eliminate camping from Elliot Park. This option is not recommended as there is a linkage between existing amenities such as the Pool, Splash Pad and Trails that could provide economic benefit to our local businesses.

## Link to the Strategic Objectives:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Improved Recreation and Community Wellbeing
- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Increased Communications and Municipal Leadership
- ✓ Transparent, Accountable, and Collaborative Governance
- ✓ Dedicated Economic Development Effort

## Legal Implications:

There are no legal implications as a result of the actions outlined in this report.

## Staffing Implications:

There are no staffing implications as a result of the actions outlined in this report.

## Financial Implications:

There are no financial implications as a result of the actions outlined in this report.

## Attachments:

None

Respectfully submitted,



Dan Best MPA, BA  
Chief Administrative Officer

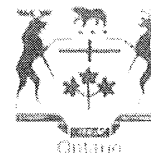
RECEIVED DEC - 2 2016

Ministry of Natural  
Resources and Forestry

Office of the Minister

Room 6630, Whitney Block  
99 Wellesley Street West  
Toronto ON M7A 1W3  
Tel: 416-314-2301  
Fax: 416-314-2216Ministère des Richesses  
naturelles et des Forêts

Bureau de la ministre

Edifice Whitney, bureau 6630  
99, rue Wellesley Ouest  
Toronto (Ontario) M7A 1W3  
Tél.: 416-314-2301  
Télec.: 416-314-2216

MNR6446MC-2016-838

NOV 24 2016

Lisa Thompson, MPP  
Huron-Bruce  
Queen's Park Office  
Room 425, Legislative Building  
Toronto ON M7A 1A8

Dear Ms. Thompson:

Thank you for your letter requesting an extension to the posting for the draft Shoreline Management Plan (2016) Consultant Recommendation Report developed for the Ausable Bayfield Conservation Authority. I recognize that there is considerable concern being raised about the draft plan, and I appreciate the opportunity to respond.

My ministry has oversight of the *Conservation Authorities Act* and provides technical guidance to delineate and manage natural hazards. However, my ministry does not have an approval or decision-making role in the development of local shoreline management plans in conservation authority jurisdictions.

I understand that through a recent motion made by the conservation authority, they will not be implementing the guidelines in the Consultant's Report and will be re-engaging the public to update the current Shoreline Management Plan (2000).

I would encourage your constituents to continue their participation in the consultation process and work with the conservation authority and the municipality to address their concerns.

Again, thank you for writing.

Best,

A handwritten signature in cursive script that reads 'Kathryn McGarry'.

Kathryn McGarry  
Minister of Natural Resources and Forestry

- c. His Worship Tyler Hessel, Mayor of Bluewater  
Mike Tam, Chair, Ausable Bayfield Conservation Authority

Thank you for your email regarding the draft Shoreline Management Plan (2016) Consultant Recommendation Report and Guidelines prepared for the Ausable Bayfield Conservation Authority. I appreciate the opportunity to respond.

Since 1988, the ministry designated conservation authorities as the lead implementing agency for delivering shoreline management programs. Their primary objective is to protect life and property from natural hazards such as flooding, erosion and dynamic beach (the continual movement of the beach area of the waterfront that creates an unstable area) that naturally occur along the shorelines of the Great Lakes.

Under the *Planning Act* and Provincial Policy Statement (PPS) 2014, municipalities are responsible for preparing municipal policy documents, including official plans, consistent with the natural hazard policies of the PPS, and for developing management plans to limit exposure to public health and safety risks.

Additionally, since 2006, under the *Conservation Authorities Act* (CAA), conservation authorities regulate proposed development on individual properties to ensure public safety. This is done through a permitting process in areas prone to natural hazards, such as shorelines.

Both municipal land use planning and conservation authority permitting are significantly informed by shoreline management planning. Therefore, it is important that shoreline management planning reflects current legislation, CAA regulations of 2006, and the PPS that was updated in 2014.

I understand that the conservation authority has received the Consultant's Report as an information copy only, and will be re-engaging the public to update the current Shoreline Management Plan (2000).

I encourage you to continue your participation in the consultation process by voicing the issues you expressed in your correspondence and, going forward, to work with the conservation authority and your municipality in addressing your concerns.

Again, thank you for writing.

Sincerely,

***Original signed by***

Bill Thornton  
Deputy Minister

c: Lisa Thompson, MPP, Huron-Bruce  
Geoffrey Cade, Supervisor of Water and Planning, Ausable Bayfield Conservation Authority

201 Queens Avenue, Suite 700  
London, ON N6A 1J1  
Tel: 519 672-0445 • Fax: 519 672-6562  
Toll Free: 1 866 294-5446  
southwestlhin.on.ca

**Subject:** South West LHIN Peer Support Strategy Update

**To:** **South West LHIN Municipal and Provincial Elected Officials**

**From:** Michael Barrett, CEO, South West LHIN

**cc:** Lori Van Opstal, Interim Board Chair, South West LHIN

**Date Prepared:** March 31, 2017

---

### **Purpose**

The purpose of this briefing note is to provide a status update on the implementation of the South West LHIN Peer Support Strategy. The South West LHIN recognizes peer support as an essential and valued component of a client-centered, recovery oriented system of Mental Health and Addictions (MH&A) care.

### **Background**

The Peer Support Strategy vision is to create a connected, seamless system that provides consistent and equitable peer support built on the best available evidence across the South West LHIN. There is a pressing need to better integrate existing Consumer Survivor Initiatives (CSIs)/Peer Support programs with community MH&A services to improve client access to a coordinated range of peer services and supports, and ensure that individuals with mental health and addiction challenges are able to access high quality peer support programs into the future. Integration will also address identified risks and challenges related to governance, financial controls and human resources, and will enable individuals with lived experience to focus on peer support programming and the delivery of peer services, while relieving the challenges associated with sustaining a separate organization.

Currently, the South West LHIN provides funding (just over \$1M) to six CSIs organizations/Peer Support programs:

1. Phoenix Survivors Perth County
2. Psychiatric Survivors Network of Elgin
3. Oxford Self Help Network
4. Can-Voice (London Middlesex)
5. Consumer/Survivor Development Project provided by Hope Grey Bruce Mental Health & Addiction Services
6. Peer Support program provided by Canadian Mental Health Association (CMHA) Huron Perth

LHIN17\_131A

CONNECT for Mental Health was a non-LHIN funded peer support program providing hospital based programs and services in London. Peer support is associated with a reduction in hospitalization for mental illness, reduction in length of hospital stays, improved social supports and quality of life. In 2016, the Ministry of Health and Long-Term Care committed one-time funding to support hospital-based peer support. These one-time funds were allocated directly to CMHA Middlesex, who used them to purchase services from CONNECT for Mental Health for 2016/17 to provide hospital-based peer support in London. On February 1, 2017, these hospital-based peer support positions were integrated into CMHA Middlesex and CONNECT for Mental Health ceased operations.

## Strengthening Peer Support Services

The need for changes to the current peer support system have been highlighted by the LHIN since 2011. Work on the overall South West LHIN Peer Support Strategy began in 2014. Through the South West LHIN Peer Support Strategy, the LHIN began working with the leadership and governance of CSIs/Peer Support programs and MH&A providers in December 2015 with a focus on enhancing peer support, through integration, at the sub-region level (Grey Bruce, Huron Perth, London Middlesex, Oxford and Elgin).

The peer support model for the South West LHIN (referenced in the table below) was agreed to by both peer support and MH&A providers in September 2016. Following agreement on the model, work began at a sub-region level to identify integration opportunities between peer support and lead MH&A providers, building upon the strengths of the existing peer support programs.

The rationale for integrating peer support programs into lead MH&A organizations in each sub-region is to improve access to services and provide a better experience for clients with MH&A concerns by strengthening peer support services across the South West LHIN. The following table outlines how peer support services will be improved for clients as a result of integration into lead MH&A organizations:

Current State	Future State
Inequitable and inconsistent peer support program delivery between sub-regions	→ Availability of peer support wherever individuals are in their recovery journey including locations such as the community, hospital, outpatients, work and school, as well as wherever they live - urban, rural or remote locations across the South West LHIN; Defined peer support program standards
Disconnect and lack of referrals to and from other MH&A health service providers	→ Peer support will no longer be provided by stand-alone grass roots organizations; Coordinated services and resources between peer support and other MH&A health providers
Variance in peer support roles and lack of formal training	→ Defined peer support roles and formalized training standards and resources based on promising practices; Provision of continuous training opportunities

Current State	Future State
Inconsistent application of governance standards by CSI Board of Directors	→ MH&A Lead Agency Board of Directors will be accountable for the newly integrated peer support program; Boards to include members with lived experience. Opportunity for peer members to participate in peer program advisory structures to provide advice and support to the Peer Manager
Small, marginalized CSIs/Peer Support programs; Inadequate monitoring and evaluation	→ Stabilized peer support services embedded in the MH&A continuum of care and within sustainable peer support hubs and organizations; Monitoring and evaluation of peer support services; Implementation of client satisfaction tools
CSI Executive Directors are accountable for administrative and back office functions reducing focus on peer programming	→ Administrative cost savings to be reinvested to expand programs and services for peer members as a result of integration into the lead MH&A agency; Lead agency implementation of marketing and communications plan

## Progress to Date by Sub-Region

### ***Huron Perth Sub-Region***

A Formal Notice of Intended Voluntary Integration was submitted to the South West LHIN by Choices for Change (CFC) and Phoenix Survivors Perth County on December 16, 2016. Pending the integration with Phoenix, CFC will provide peer support services within Perth County and Phoenix will cease to operate as an independent organization. CMHA Huron Perth will continue to provide peer support services within Huron County. Although CMHA Huron Perth is not a formal partner within the integration submission, they have been and will continue to work with CFC and Phoenix to ensure service coordination within the sub-region. On April 1, 2017, Peer Support program accountability previously held by Phoenix will be integrated with existing programs and services of CFC in Perth County.

### ***Oxford Sub-Region***

A Formal Notice of Intended Voluntary Integration was submitted to the South West LHIN by CMHA Oxford and the Oxford Self Help Network (OSHN) on December 20, 2016. The integration will result in the dissolution of OSHN as a separate entity and the Peer Support program will merge into CMHA Oxford which serves as the lead MH&A organization for the Oxford sub-region. On April 1, 2017 Peer Support program accountability previously held by OSHN will be integrated with existing programs and services of CMHA Oxford.

### ***Grey Bruce Sub-Region***

Peer support programming within the Grey Bruce area is provided by Hope Grey Bruce Mental Health and Addiction Services. The existing model within the Grey Bruce area has served as a best practice example within the South West. While the peer support program has not been offered through a stand-alone peer run agency, there has been significant peer leadership and support to enable an effective grass roots approach that has been well received by consumers of mental health and addiction services. The South West LHIN continues to explore opportunities to strengthen programming within this already integrated model of service delivery. Hope Grey Bruce Mental Health and Addiction Services remains the MH&A lead agency for this sub-region.

### ***London Middlesex Sub-Region***

Planning discussions continue in London Middlesex where there has been a number of challenges associated with facilitating the integration of Can-Voice peer support services into CMHA Middlesex, which has been identified as the MH&A lead for this sub-region. A Board to Board engagement session facilitated by South West LHIN Board members was held with Can-Voice Board representatives on December 19, 2016. The engagement session was productive and specific next steps were identified to continue to advance integration plans. On January 16, 2017, a meeting facilitated by South West LHIN Board representatives was held with Can-Voice and CMHA Middlesex Board members to continue integration planning. Two scheduled February meetings were cancelled by Can-Voice. On March 6, 2017, the South West LHIN Board representatives met with Can-Voice Board representatives to present a proposed approach to the integration of Can-Voice into CMHA Middlesex and to discuss next steps. On March 17, 2017, Can-Voice notified the South West LHIN that they do not wish to proceed with a voluntary integration with CMHA Middlesex.

### ***Elgin Sub-Region***

Initial planning discussions continue in Elgin. Psychiatric Survivors Network (PSNE) currently provides peer support services and CMHA Elgin has been identified as the MH&A lead for this sub-region. Board to Board engagement sessions facilitated by South West LHIN Board members were held with the Psychiatric Survivors Network of Elgin (PSNE) on December 19, 2016. The engagement sessions were productive and specific next steps were identified to continue to advance integration plans. Four scheduled meetings occurred from January to March 2017. Another meeting will be scheduled for mid-April to continue integration planning with PSNE and CMHA Elgin.

### **Next Steps**

The South West LHIN is committed to working with CSIs on implementing the Peer Support Strategy within each sub-region as this will provide an opportunity to offer integrated and accessible peer support services to support the ongoing recovery and well-being of people with lived experience. Standardized peer support training will be provided for all organizations by the end of March 2017 and ongoing joint education opportunities will continue as part of a regional peer network. Implementation of the new model will begin in Oxford, Huron Perth and Grey Bruce as of April 1, 2017.

It is anticipated that decisions will be required from the LHIN Board of Directors regarding the London Middlesex and Elgin peer support integrations in either April or May 2017. It is further expected that the integrations in London Middlesex and Elgin will be complete by the end of June 2017 or shortly thereafter. If integration agreement cannot be reached in London Middlesex and/or Elgin, the LHIN may exercise our funding responsibility and terminate the Can-Voice and/or PSNE Service Accountability Agreement sometime in fiscal 2017/18 and move funding to the identified lead agency to provide peer support services. Both organizations would have the option to fundraise and seek out other funding sources to continue to provide their current programs without LHIN funding.

### **Resources**

Please visit the South West LHIN Website for additional information on peer support  
<http://www.southwestlhin.on.ca/goalsandachievements/Programs/MentalHealthAddictions.aspx>

**For additional information please contact:**

Kelly Simpson  
System Design and Integration Lead  
South West LHIN  
[Kelly.simpson@lhins.on.ca](mailto:Kelly.simpson@lhins.on.ca)  
519-672-0445

**For media inquiries please contact:**

Ashley Jackson  
South West Local Health Integration Network  
[Ashley.jackson@lhins.on.ca](mailto:Ashley.jackson@lhins.on.ca)  
519-640-2604 (cell: 519-854-8808)

**Sue Johnson**

---

**From:** ZZG-RegionalClerk <zzg-regionalclerk@peelregion.ca>  
**Sent:** Friday, March 31, 2017 10:56 AM  
**Subject:** Resolution 2017-185

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am writing to advise that Peel Regional Council approved the below resolution at its meeting held on Thursday, March 9, 2017. This resolution is provided to you for your information only.

**Resolution 2017-185:**

Whereas the Community Water Fluoridation Committee (CWFC) was established on February 11, 2016 to closely examine the current practice of water fluoridation in the Region of Peel and make recommendations to Regional Council on community water fluoridation in Peel;

And whereas, over the past year the CWFC has reviewed information and research related to the effectiveness, safety and cost of community water fluoridation using hydrofluorosilicic acid and heard from a number of experts and stakeholders;

And whereas, Regional Council has supported the Committee's recommendation to advocate to the provincial government that they clarify and assume their legislative role in community water fluoridation;

Therefore be it resolved, that while waiting for the Province to respond to the above request:

- a) The Region of Peel undertake to reduce the concentration of fluoride in Peel's lake-based municipal water supply, adjusting it to the lowest level in accordance with provincial standards for the prevention of tooth decay;
- b) And further, that the Region of Peel modify the fluoride additive used in the Region's water supply to reduce the levels of residual components; substituting a fluoride additive from calcium fluoride or such other source as will have the desired effect of reducing the levels of residual components;
- c) And further, that Peel Public Health reaffirms its commitment to ongoing monitoring of the oral health status of Peel residents – especially children of school age – as well as relevant evidence on the effectiveness and safety of community water fluoridation;
- d) And further, that the CWFC suspend meetings until such time as the Province clarifies its role in community fluoridation; or until such time as Regional Council reconvenes the Committee;
- e) And further, that copies of this resolution be circulated to the Region of York (which receives a portion of their water supply from the Region of Peel), all Ontario municipalities and all Peel-area MPPs.

Thank you

**Summer MacGregor**  
**Legislative Assistant**  
**Clerk's Division, Legislative Services**  
10 Peel Centre Drive, Suite A  
Brampton, ON L6T 4B9  
Phone: (905) 791-7800 ext. 4465  
Email: [Summer.macgregor@peelregion.ca](mailto:Summer.macgregor@peelregion.ca)

~No trees were harmed in the making of this e-mail~

This e-mail is solely for the use of the intended recipient and may contain information which is confidential or privileged. Unauthorized use of its contents is prohibited. If you have received this e-mail in error, please notify the sender immediately via return e-mail and then delete the original e-mail.

MUNICIPALITY OF PORT HOPE  
RESOLUTION

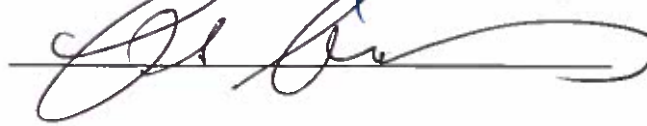
Date: 04 Apr 2017

23/2017

MOVED BY:

 (Blecher)

SECONDED BY:



**WHEREAS** all forms of incineration of waste, including Gasification, Plasma Arc, Pyrolysis, Energy-from Waste, Combustion and all other forms of burning of waste, produce very large quantities of deadly and/or health destroying substances that cause cancer, heart and circulatory disease, birth defects, mental disease and much more;

**AND WHEREAS** safe and environmentally friendly alternative means of waste-disposal management are available, including reduction, reuse, recycling, properly insulated landfill and other;

**AND WHEREAS** incineration is not banned in Bill 151;

**AND WHEREAS** incineration is explicitly condoned in the document "Strategy for a WASTE-FREE ONTARIO Building the CIRCULAR ECONOMY" released by the Government of Ontario in December 2016 (see page 10; emphasis added here: "Although **energy from waste and alternative fuels are permitted as waste management options**, these methods will not count towards diversion in Ontario");

**AND WHEREAS** with the latter statement, that energy-from-waste will nevertheless not count toward diversion, it is already acknowledged that incineration does not contribute to the circular economy; and in fact incineration is incompatible with a circular economy;

**AND WHEREAS** for the reasons given in paragraphs 1 and 2 above, incineration should not be performed in Ontario;

**AND WHEREAS** the Ontario Ministry of Energy announced on 27 September 2016 that it is suspending Energy-from-Waste projects (see [https://news.ontario.ca/mei/en/2016/09/ontario-suspends-large-renewable-energy-procurement.html?utm\\_source=ondemand&utm\\_medium=email&utm\\_campaign=p](https://news.ontario.ca/mei/en/2016/09/ontario-suspends-large-renewable-energy-procurement.html?utm_source=ondemand&utm_medium=email&utm_campaign=p)), therewith removing a major impediment to obtaining political agreement on an outright ban on incinerators;

**NOW THEREFORE BE IT RESOLVED THAT** the Ontario Minister of the Environment and Climate Change be requested to revise existing legislation, to **explicitly ban construction of incinerators, and phase out use of existing incinerators, in Ontario;**

**AND BE IT FURTHER RESOLVED THAT** a copy of this Resolution be sent to the Premier of Ontario, the Minister of the Environment and Climate Change, the Minister of Energy, Lou Rinaldi, MPP for Northumberland-Quinte West, the Association of Municipalities of Ontario (AMO), the Chiefs of Ontario (COO) and all Ontario Municipalities.

  
\_\_\_\_\_  
Mayor R.J. Sanderson



**THE CORPORATION OF THE TOWNSHIP  
OF MADAWASKA VALLEY**

P.O. Box 1000

85 Bay Street

Barry's Bay ON K0J 1B0

Ph 613-756-2747 Fax 613-756-0553

[info@madawaskavalley.ca](mailto:info@madawaskavalley.ca)

**Moved by: Mayor Love**  
**Seconded by: Councillor Maika**  
**BE IT RESOLVED**

**2017-44-0304**  
**03 April 2017**

WHEREAS the Ministry of Municipal Affairs has proposed change number B-08-09-03 to the 2012 Building Code O. Reg. 332/12 as amended;

AND WHEREAS the proposed change requires septic tanks and other treatment units to be pumped out at least every five years, and records to be kept by the operator of the sewage system for submission to the chief building official upon request;

AND WHEREAS the proposed change identifies enforcement implications on principal authorities such as chief building officials due to the need for managing this program across their area of jurisdiction;

AND WHEREAS the cost/benefit implications of the proposed change fail to identify and include Municipal costs resulting from the enforcement implications for chief building officials;

AND WHEREAS the proposed change also fails to identify new provincial funding to offset these additional Municipal costs;

AND WHEREAS homeowners with septic systems are already responsible for the negative impacts of poor septic system maintenance;

AND WHEREAS the justification/explanation for the proposed change provides no evidence that mandatory pump outs every five years will enhance the maintenance of conventional systems;

AND WHEREAS the *Building Code Act* could bestow sufficient authority to the council of a Municipality to pass by-laws establishing and governing septic system maintenance inspection programs on an as needed - where needed basis to address local concerns;

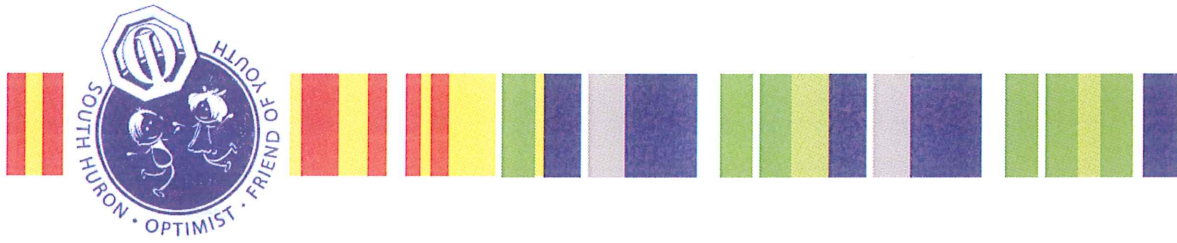
THEREFORE BE IT RESOLVED THAT the Council of the Township of Madawaska Valley requests that the Ministry of Municipal Affairs defer implementation of proposed change number B-08-09-03 to the 2012 Building Code O. Reg. 332/12 as amended until such time as Municipal consultations are undertaken to determine the true cost/benefit implications for municipalities and sufficient evidence is provided to justify the need for a province-wide mandatory septic system maintenance program.

AND FURTHER THAT this resolution be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Bill Mauro, Minister of Municipal Affairs, Mr. Patrick Brown, Leader of the Progressive Conservative Party, Ms. Andrea Horwath, Leader of the New Democratic Party, Mr. John Yakabuski, MPP for Renfrew Nipissing Pembroke, the Rural Ontario Municipal Association (ROMA), the Federation of Northern Ontario Municipalities (FONOM) and all rural and northern Ontario municipalities for support.

X CARRIED.

A handwritten signature in dark ink, appearing to read "Gwen Dombroski", is written over a horizontal line.

Gwen Dombroski, Acting Clerk



To Mayor Cole and Members of Council,

The South Huron Optimist Club is working toward building an accessible washroom/changeroom facility at the Exeter Splash Zone in MacNaughton Park. In reviewing the options presented to council for renovating the outdoor pool we see that one of the possibilities is to re-build the pool house on the south side of the pool. If council moves forward with this option, we believe that it makes common and financial sense to work together to plan and build a facility that will meet the needs of both the splash pad and pool areas. To this end we would contribute two grants that we have received in the amount of \$10,000 each toward this project. In addition to this, the Community Grant in the amount of \$15,000 that was recently approved could be allocated to this project. If one of the other options is selected, we will move forward with our project as planned.

We look forward to continuing our partnership on this and future projects. If you have questions, please do not hesitate to contact us.

Sincerely,

Nicole Glavin  
President ~ South Huron Optimist Club  
[nvglavin@hpcdsb.ca](mailto:nvglavin@hpcdsb.ca)  
519-235-3883

Rachel Skillen  
Past President ~ South Huron Optimist Club  
[rachel\\_skillen@hotmail.com](mailto:rachel_skillen@hotmail.com)  
519-235-0046

**Genevieve Scharback**

---

**From:** Canada-Day@bell.net  
**Sent:** Friday, April 07, 2017 1:34 PM  
**To:** Councillor Oke; Vaughn, Marissa; Deputy Mayor Frayne; Councillor Hebert; Mayor Cole; Councillor DeLuca; Councillor Tomes  
**Cc:** Genevieve Scharback  
**Subject:** Request for consideration and approval

Friday, April 7, 2017

Dear Mayor Cole and South Huron Council,

Canada Day celebrations are fast approaching and the Canada Day Committee is busy planning a full slate of activities for July 1, 2017. Given the importance of this year's celebrations, we are looking forward to making Canada Day in South Huron the best one yet!

The Canada Day Committee is requesting a donation of \$2500.00 towards Canada 150 Celebrations in South Huron from the South Huron Council's Canada 150 Budget. These monies will be allocated towards marketing, an increased firework show and additional inflatables for the children.

On behalf of the Canada Day Committee, we thank you for your continued support and consideration in this matter.

We look forward to hearing from you.

Sincerely,

Ian Palmatier  
Canada Day 150 South Huron Chair

**From:** <fjf@stopthenucleardump.com>

**Date:** April 6, 2017 at 12:24:49 PM EDT

**To:** <m.cole@southhuron.ca>

**Subject:** Request to sign Great Lakes Mayors open letter to Minister McKenna opposing OPG nuclear waste dump

Hello Mayor Cole,

Thank you for taking time to speak with me today.

See attached joint sign on letter. As mentioned, we have worked closely with Mayor Keith Hobbs (City of Thunder Bay) and Mayor Mike Bradley (City of Sarnia) in launching this initiative. Both are the initial signers of this letter and long time opponents of OPG's plan. In addition, Mayor Hobbs is a director and past chair of the Great Lakes and St. Lawrence Cities Initiative.

With a decision on this matter expected in the fall of 2017, we feel it is very important that Great Lakes communities continue to apply political pressure on Minister McKenna to reject OPG's plan. We believe a joint sign on letter will leverage the resolutions passed to date and demonstrate to Minister McKenna that opposition from Great Lakes communities remains strong and united.

I have now started the process of approaching Great Lakes Mayors whose communities have passed resolutions. Incidentally, 187 resolutions representing over 23 million people have been passed so far opposing OPG's proposed DGR. See

<http://www.stopthegreatlakesnucleardump.com/resolutions.php>

After reviewing the joint sign on letter, I am hoping you and the South Huron council will agree to having your signature added. I understand that you will need to bring this matter before council.

Mayor Cole, thank you for your consideration of this request.

If you have any questions or require any further information, please don't hesitate to contact me.

Sincerely,

Frank Fernandez  
Stop The Great Lakes Nuclear Dump

To learn more please visit our website:  
[www.stopthegreatlakesnucleardump.com](http://www.stopthegreatlakesnucleardump.com)

To sign the online petition:  
<http://www.gopetition.com/petitions/stopthegreatlakesnucleardump.html>

*Stop The Great Lakes Nuclear Dump Inc. is a non-profit organization comprised of concerned Canadians who believe that the **protection of the Great Lakes from buried radioactive nuclear waste is responsible stewardship**, and is of national and international importance.*

*The Great Lakes were created by an ice age 12,000 years ago.*

*The Egyptian pyramids were created 4,500 years ago.*

*Some nuclear waste remains radioactive for 100,000 years.*

*The Great Lakes constitute 21% of the world's fresh water.*

*The Great Lakes are the water source supporting 40 million people in 2 countries.*

*An underground nuclear waste dump 1 km from the shore of Lake Huron defies common sense*

**Open Letter to Canada's Minister of Environment and Climate Change  
opposing Ontario Power Generation's proposed Deep Geologic Repository  
(DGR) - Signed by [ ] Great Lakes Mayors**

<Date>

The Honourable Catherine McKenna, P.C., M.P.  
Minister of Environment and Climate Change  
House of Commons  
Ottawa, Ontario  
Canada K1A 0A6

Dear Minister,

We are writing to you in connection with the interests and concerns of our constituents, millions of people living in cities, towns, municipalities, villages and counties surrounding the Great Lakes.

We are deeply concerned that Ontario Power Generation (OPG) is proposing to bury nuclear waste in close proximity to the Great Lakes. The Great Lakes are critically important resources to both Canada and the United States and supply drinking water to forty million people including to the citizens we represent. The Great Lakes support fishing, boating, recreation, tourism, and agriculture and are the life-blood of a six trillion dollar Great Lakes region economy.

We find it irresponsible and deeply troubling that OPG failed and continues to refuse to investigate any other actual sites for its proposed nuclear waste repository (DGR) despite being required to do so under regulatory guidelines and further as required by you in your February 18, 2016 request.

We are completely mystified by OPG claims that its proposed DGR is "not an area of concern among the general population" in the face of 187 resolutions having been passed by local, county and state governments representing over 23 million people opposing the construction of a DGR anywhere in the Great Lakes Basin. It is plain to see that OPG's claims do not square with the facts.

Signatories to this letter, all duly elected officials of Great Lakes communities that have passed resolutions, remain deeply opposed and united in opposition to the permanent burial of nuclear waste anywhere in the Great Lakes basin and we fully support Stop The Great Lakes Nuclear Dump in their work to protect the fresh water of the Great Lakes from the threat posed by OPG's proposed DGR.

Open Letter to Canada's Minister of Environment and Climate Change opposing Ontario Power Generation's proposed Deep Geologic Repository (DGR) - Signed by Great Lakes Mayors  
<Date>

Madame Minister, we the undersigned request that you act to protect North America's most precious resource and the health and safety of the millions of people who rely on your leadership by rejecting OPG's application for its DGR in Kincardine, Ontario.

Sincerely,

---

Mayor Keith Hobbs  
City of Thunder Bay, Ontario

---

Mayor Mike Bradley  
City of Sarnia, Ontario

---

Warden Bill Weber  
Lambton County, Ontario

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community

---

Title, Name  
Community



## **The Corporation Of The Municipality Of South Huron**

### **By-Law #17- 2017**

#### **To amend By-Law #013-84, being the Zoning By-Law for the former Township of Usborne for the lands known as Conc 1 PT Lot 15, Usborne Ward, Municipality of South Huron.**

Whereas the Council of The Corporation of the Municipality of South Huron considers it advisable to amend Zoning By-Law #13-84, of the former Township of Usborne, Corporation of the Municipality of South Huron.

Now therefore be it resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That this By-Law shall apply to Conc 1 PT Lot 15, Usborne Ward, Municipality of South Huron.
2. That By-Law #13-84 is hereby amended by changing the zone symbol from Village Commercial (VC1) to Village Residential Medium Density (VR2) on the lands designated 'zone change' on Key Maps, identified as Schedule "C", attached hereto and forming an integral part of this by-law.
3. That By-law #13-84 is hereby amended by adding Section 2.73.a

#### **2.73.a Hospice**

means a residential facility where terminally ill patients receive palliative care treatment in a home-like setting with a maximum of 10 patient beds at any given time.

4. That By-law #13-84 is hereby amended by adding the following parking requirements to Section 3.12.1:

Hospice: 2 spaces, plus one per patient bed

5. That By-law #13-84 is hereby amended by adding Section 12A

### **Section 12A. Village Residential (Medium Density) (VR2)**

#### **12A.1 Permitted Uses**

- 12A.1.1. A day nursery;
- 12A.1.2. A duplex dwelling;
- 12A.1.3. A group home;
- 12A.1.4. A home for the aged;
- 12A.1.5. A hospice;
- 12A.1.6. A home occupation

- 12A.1.7. A nursing home;
- 12A.1.8. A multiple residential use;
- 12A.1.9. A single residential use;
- 12A.1.10. The conversion of dwellings in existence on the day of the passing of this by-law;
- 12A.1.11. Uses accessory to the permitted uses.

### **12A.2 Permitted Structures**

- 12A.2.1. One single residential use or duplex dwelling on one lot;
- 12A.2.2. Any multiple residential structure (up to 6 dwelling units) on a lot;
- 12A.2.3. Buildings and structures for the permitted uses;
- 12A.2.4. Buildings and structures accessory to the permitted uses.

### **12A.3 Zone Regulations**

	<i>with public water</i>	<i>with public sewer</i>	<i>with public water and sewer</i>
12A.3.1 Lot Area (min.)	796 sqm	1400 sqm	760 sqm
12A.3.2 Lot Frontage (min.)	23 metres	23 metres	20 metres
12A.3.3 Lot Depth (min.)	37 metres	46 metres	37 metres
12A.3.4 Front Yard Depth (min.)	7.5 metres	7.5 metres	7.5 metres
12A.3.5 Side Yard Depth (min.)	3 metres	3 metres	3 metres
12A.3.6 Exterior Side Yard Depth (min.)	6 metres	6 metres	6 metres
12A.3.7 Rear Yard Depth (min.)	7.5 metres	7.5 metres	7.5 metres
12A.3.8 Lot Coverage (max.)	30 %	30 %	30 %
12A.3.9 Landscaped Open Space (min.)	30 metres	30 metres	30 metres

### **12A.4 Building Regulations**

- 12A.4.1 Building height (maximum): 9 metres

### **12A.5 Regulations for Accessory Buildings and Structures**

#### **12A.5.1 Yard Requirements**

- 12A.5.1.1 No accessory building or structures shall be located in a front yard
- 12A.5.1.2 No accessory building or structures shall be located closer than 4.5 metres to an abutting street (exterior side lot line);
- 12A.5.1.3 No accessory building or structures shall be located closer than 1.5 metres to an interior side lot line or rear lot line. However, an attached garage or attached carport with no rooms above may be erected at a distance of not less than 1 metres from a side lot line.

- 12A.5.2 Lot coverage (maximum): 8 percent  
provided that the lot coverage of all buildings and structures does not exceed 30 percent

- 12A.6.3 Building height (maximum): 4.5 metres

- 6. That the purpose and effect of this amendment, identified as Schedule "A", attached hereto, forms an integral part of this by-law.

7. That the Township of Usborne Location Map, identified as Schedule “B”, attached hereto, forms an integral part of this by-law.
8. That this By-Law shall come into effect upon final passing, pursuant to Section 34(21) of the *Planning Act, 1990*.

Read a first and second time this 20<sup>th</sup> day of March, 2017.

\_\_\_\_\_  
Maureen Cole, Mayor

\_\_\_\_\_  
Genevieve Scharback, Clerk

Read a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Maureen Cole, Mayor

\_\_\_\_\_  
Genevieve Scharback, Clerk

**Schedule “A” to By-Law #17-2017  
Corporation Of The Municipality Of South Huron**

By-Law #17-2017 has the following purpose and effect:

This By-law affects the property known municipally as 70778 London Road. The legal description of the subject lands is Conc 1 PT Lot 15, Usborne Ward, Municipality of South Huron. The subject lands have an existing professional office on the west portion of the parcel. The east portion and area of this rezoning application is currently vacant.

The subject lands are currently zoned VC1 (Village Commercial) in the Township of Usborne Zoning By-law. This rezoning changes the zone on the subject lands for a portion (rear/east) of the subject lands from VC1 to VR2 (Village Residential Medium Density) to recognize medium density residential uses, and specifically permit a residential hospice as requested by the applicant.

The proposed zoning by-law amendment includes a definition for a residential hospice and parking provisions to be included in General Provisions section of the applicable Zoning By-law. The By-law also proposed to implement a Village Residential Medium Density (VR2) zone with related provisions for permitted uses, permitted structures, zone regulations, building regulation and regulations for accessory buildings and structures.

This By-law amends zoning by-law #13-1984, of the former Township of Usborne. Maps showing the general location of the lands to which this proposed zoning by-law amendment applies are shown on the following pages.

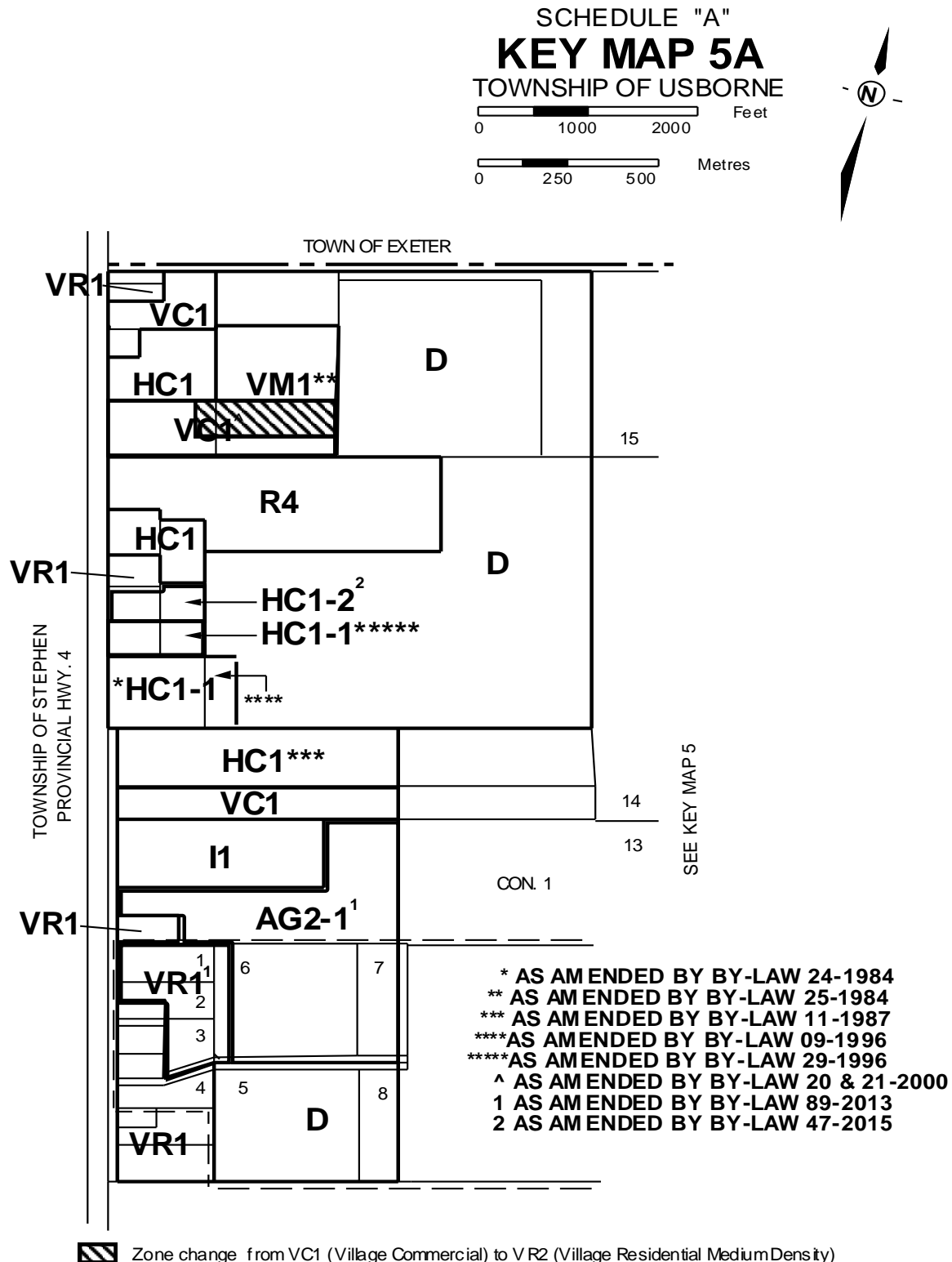
Schedule "B" to By-Law #17- 2017  
Corporation Of The Municipality Of South Huron

**SCHEDULE "A"**  
**LOCATION MAP**  
**TOWNSHIP OF USBORNE**



Property to which this  
Zoning By-law  
amendment applies

**Schedule "C" – Showing the Area Subject to the Amendment  
Corporation Of The Municipality Of South Huron  
By-Law #17-2017**





## The Corporation of the Municipality of South Huron

### By-Law #23-2017

#### **Being a By-Law to authorize an Agreement with Hydro One Networks Inc., for the purpose of receiving the Hydro One Safe Communities Grant Program.**

Whereas Section 5 of the *Municipal Act 2001, S.O. 2001*, as amended, provides that a municipal power shall be exercised by by-law unless the Municipality is specifically authorized to do otherwise; and

Whereas the *Municipal Act, 2001*, as amended, provides under Section 9 that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

Whereas the Municipality of South Huron deems it desirable to enter into this Agreement with Hydro One Networks Inc., for the purpose of receiving the Hydro One Safe Communities Grant Program to fund the purchase of the Wheel Chair Lift at the Kirkton Woodham Swimming Pool.

Now therefore it be resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That the Agreement Hydro One Networks Inc., for the purpose of receiving the Hydro One Safe Communities Grant Program identified as Schedule "A" and attached hereto, is hereby adopted and forms an integral part of this by-law.
2. That the Mayor and Clerk are hereby authorized to sign the Agreement on behalf of the Municipality of South Huron.
3. That this By-law takes effect upon the date of final passing.

Read a first and second time this 18<sup>th</sup> day of April, 2017.

Read a third time and passed this 18<sup>th</sup> day of April, 2017.

---

Mayor Cole, Mayor

---

Genevieve Scharback, Clerk

## Schedule "A" to By-Law #23-2017

GIFT AGREEMENT BETWEEN

HYDRO ONE NETWORKS INC.  
(“HONI”)

AND

THE MUNICIPALITY OF SOUTH HURON  
(the “Recipient”)

HONI would like to make a donation to the Recipient through the Hydro One Safe Communities grant program, which supports projects and initiatives that will enhance the safety and security of your community, on the terms and conditions set out in this Gift Agreement (“**Agreement**”).

**(I) THE DONATION**

HONI agrees to make a donation (“**Gift**”) of \$10,000.00 in the form of a cheque on the terms and conditions set out herein. The Gift shall be issued once this Agreement is signed by both HONI and the Recipient. The Recipient shall issue a receipt for tax purposes in the amount of the Gift.

\_\_\_\_\_  
(Initial of Recipient)

**(II) PURPOSE**

The Recipient shall use the Gift towards the Wheel Chair Lift at the Kirkton Woodham Swimming Pool, located at 40457 Hwy 23 in Kirkton, Ontario (the “**Original Purpose**”). If there is a change in this location, the Recipient shall promptly notify HONI of the change in writing. **If the change results in a move to a location outside of HONI distribution service territory, the Recipient shall promptly return the Gift to HONI.**

If the Recipient cannot use the Gift for the Original Purpose, at HONI’s option, HONI shall either be entitled to a refund of the Gift or direct the Recipient to use it for an alternate purpose to be determined by HONI in consultation with the Recipient. **The Gift will be utilized in accordance with this Agreement within six (6) months of issue date. The Recipient must promptly notify HONI in writing of any delay in such use.**

\_\_\_\_\_  
(Initial of Recipient)

**(III) RECOGNITION**

In recognition of the Gift from HONI, the Recipient shall do the following:

- 1) Provide the opportunity for a HONI representative to attend a formal public cheque presentation;
- 2) Provide the opportunity for a HONI representative to attend the official grand opening of the facility, if applicable;
- 3) Work with HONI to create a media advisory, as indicated in the Cheque Presentation form;
- 4) Acknowledgement on recipient website, and any publications made about the facility, including any newsletters, and
- 5) Affix permanent signage/plaque with HONI’s logo, along with other community funders, at the site of the facility. The Recipient will contact HONI before project completion to discuss signage options. Recipient shall ensure that said signage remains free of graffiti and damage, and otherwise remains in a state of good repair at all times.

Recognition of Hydro One in donor listings will be in the name of **Hydro One Inc.**, unless otherwise directed by Hydro One. Recognition items above shall be reported to HONI as outlined in Section (IV) Recipient Reporting.

**(IV) RECIPIENT REPORTING**

The Recipient shall respond to the HONI on-line Project Evaluation upon project completion. A reminder will be sent to you via e-mail.

Based on current projections, the Recipient anticipates that the project will be complete by \_\_\_\_\_.  
(Date)

The on-line Project Evaluation must be completed within 30 days of project completion. \_\_\_\_\_  
(Initial of Recipient)

The Recipient shall promptly notify HONI in writing of any delay in project completion past the date set out above and other options may be identified. \_\_\_\_\_  
(Initial of Recipient)

**(V) OTHER**

The Recipient agrees that in no event shall HONI, any of its affiliates, or their respective directors, officers, employees, or consultants (“**Indemnitees**”) be liable for any loss, damage or injury to persons or property (including death) of any kind whatsoever (including, without limitation any economic loss, loss of goodwill, or for any special, indirect or consequential damages), whether the said losses, damages or injuries are incurred by the Indemnitees, the Recipient or by any third party claiming through or under the Recipient and/or the Indemnitees, which arise out of or are related to the Gift, the Original Purpose and/or otherwise as a result of this Agreement (“**Losses**”). The Recipient shall defend and fully indemnify the Indemnitees from and against any and all such Losses and any and all actions, suits, proceedings, claims, debts, obligations, expenses, demands, penalties, fines and costs arising therefrom and connected therewith. The Recipient hereby, for itself and its successors and assigns, releases and forever discharges the Indemnitees from and against any and all such aforementioned liability. This provision shall survive termination of this Agreement.

In the event that the Gift and the activities undertaken by the Recipient in connection therewith are in material conflict with the mission and/or policies of either HONI or the Recipient, either party shall have the right to terminate this Agreement immediately and the Recipient shall return the Gift to HONI within thirty (30) days of such termination.

This Agreement constitutes the entire agreement between HONI and the Recipient respecting the subject matter hereof and supersedes all prior negotiations, representations, understanding or agreements, written or oral, between them. This Agreement may be amended only by mutual written agreement of the HONI and the Recipient.

This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein.

Agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**HYDRO ONE NETWORKS INC.**

Signature: \_\_\_\_\_

Name: DANIEL LEVITAN

Title: DIRECTOR, CORPORATE AFFAIRS

*I have authority to bind the corporation.*

Signature: \_\_\_\_\_

Maureen Cole, Mayor

Signature: \_\_\_\_\_

Genevieve Scharback, Clerk

*We have authority to bind the Corporation.*



**The Corporation of the Municipality of South Huron**

**By-Law #24-2017**

**Being a By-Law to repeal By-Law 47-2014, being a by-law to authorize the execution of a Site Plan Agreement between the Municipality of South Huron and 2139740 Ontario Limited c/o John and Linda Wuerth in the Municipality of South Huron in the County of Huron**

Whereas Section 5 of the *Municipal Act 2001, S.O. 2001*, as amended, provides that a municipal power shall be exercised by by-law unless the Municipality is specifically authorized to do otherwise; and

Whereas Council of The Corporation of the Municipality of South Huron deems it necessary and expedient to repeal By-Law #47-2014 which authorizes the execution to enter into a Site Plan Agreement with 2139740 Ontario Limited c/o John and Linda Wuerth in the Municipality of South Huron in the County of Huron, pursuant to Section 41 of the *Planning Act*, passed on July 7, 2014;

Now therefore be it resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That By-Law 47-2014, is hereby repealed.
2. That this By-Law takes effect upon the date of final passing.

Read a first and second time this 18<sup>th</sup> day of April, 2017.

Read a third time and passed this 18<sup>th</sup> day of April, 2017.

---

Mayor Cole, Mayor

---

Genevieve Scharback, Clerk



## **The Corporation Of The Municipality Of South Huron**

### **By-Law #25-2017**

#### **Being a By-Law to adopt Policy 01-2017 – Post-Traumatic Stress Disorder Prevention Plan Policy**

Whereas the *Municipal Act, 2001* provides under Section 5(1) that the powers of a Municipality shall be exercised by its Council and under Section 5(3) provides that a municipal power shall be exercised by By-Law; and

Whereas the Municipality of South Huron deems it expedient and necessary to adopt a Post-Traumatic Stress Disorder Prevention Plan Policy.

Now therefore be it resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That the Council of the Corporation of the Municipality of South Huron hereby adopts Policy 01-2017 - Post Traumatic Stress Disorder Prevention Plan, identified as Schedule 'A' and attached hereto, is hereby adopted and forms an integral part of this by-law.
2. That this By-Law takes effect upon the date of final passing.

Read a first and second time this 18<sup>th</sup> day of April, 2017.

Read a third and final time this 18<sup>th</sup> day of April, 2017.

---

Maureen Cole, Mayor

---

Genevieve Scharback, Clerk



# **Municipality of South Huron Post-Traumatic Stress Disorder Prevention Plan**

*This PTSD Prevention Plan has been developed in accordance with the First Responders Act (Post Traumatic Stress Disorder), 2016 and outlines our approach to managing Post Traumatic Stress Disorder at the Municipality of South Huron for our First Responders.*

*Our goal is to take a holistic approach across prevention, intervention and recovery and return to work.*

**Prepared by:** Fire Chief Andrew Baird  
**Approved By Council:**

**Company Contact Information**  
Municipality of South Huron  
PO Box 759, Exeter, Ontario, N0M 1S6

## CONTENTS

Introduction	4
Prevention Focus Area	5
Intervention Focus Areas	5
Recovery and Return to Work Focus Area	5
Goals and Objectives	5
Organizational Current State	6
Integration with Other Services	6
Overview of PTSD, Risk Factors, Signs and Symptoms	6
Causes	6
Risk Factors	6
Signs and Symptoms	7
Intrusive Memories	7
Avoidance	7
Hyper-arousal Symptoms	8
Legal Requirements	8
Notification of Injury/Illness	8
Organizational PTSD Policies	9
Organizational PTSD Prevention Policy	9
Organizational Anti-Stigma Policy	9
Complaints Process	10
Hazard Reporting	11
Incident Reporting	11
Intervention, Recovery and Return to Work	11
Recognizing and Responding to Signs and Symptoms of PTSD	11

Roles and Responsibilities	12
Senior Leadership Roles	12
Managers and Supervisors	12
Health and Safety Committee	13
Employees	13
Return to Work Coordinator	14
Training	14
PTSD Awareness and Anti-Stigma Training	14
Recognizing Signs/Symptoms and Responding to Signs of PTSD	14
Return to Work Coordination and Management	14
Orientation	15
Post Exposure Education and Awareness	15
Training Roll-Out Plan and Documentation	15
Documentation	15
Screening Protocols and Early Intervention	15
Screening Protocols	15
Early Intervention Strategies	16
Responding to a Crisis and Accessing Treatment	16
Peer Support Program or Crisis Intervention Teams	16
Employee Assistance Program	16
Community Support	17
Return to Work	17
Supervisor and Return to Work Coordinator Considerations	17
Providing Accommodation	17
Potential Accommodations	18

## Introduction

The Municipality of South Huron is committed to addressing Post Traumatic Stress Disorder (PTSD) in our workplace. The prevention plan outlines a holistic approach to addressing PTSD and the focus of this plan is to establish foundational elements based on PTSD Framework below. Specifically, this plan highlights our prevention, intervention and recovery and return to work policies and practices.

This is a living document which will be updated as our organization advances on our PTSD prevention journey.

## PTSD PREVENTION FRAMEWORK

### IMPLEMENTING BEST PRACTICES

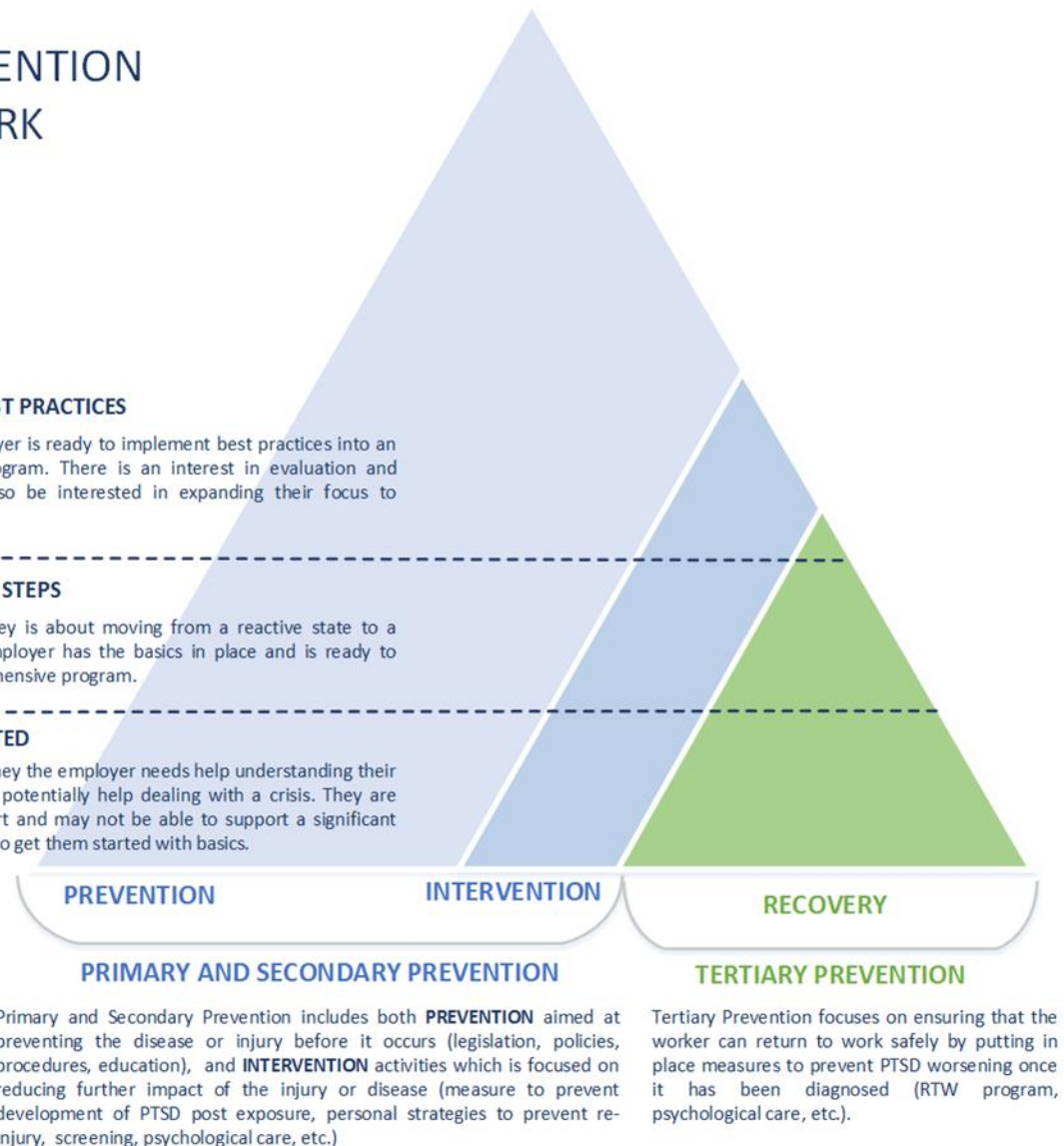
At this stage the employer is ready to implement best practices into an already functioning program. There is an interest in evaluation and research. They may also be interested in expanding their focus to general wellness.

### TAKING PROACTIVE STEPS

This stage of the journey is about moving from a reactive state to a proactive state. The employer has the basics in place and is ready to develop a more comprehensive program.

### JUST GETTING STARTED

At this stage of the journey the employer needs help understanding their legal requirements and potentially help dealing with a crisis. They are looking for basic support and may not be able to support a significant investment. The goal is to get them started with basics.



## Prevention Focus Area

Prevention focuses on outlining the basic elements of occupational health and safety management such as understanding legal responsibilities, recognizing, assessing and controlling the hazard, developing policies and procedures, outlining roles and responsibilities and incident reporting procedures in an organization. The goal is to establish or integrate PTSD prevention practices for the promotion of a healthy and safe workplace that actively works to prevent harm to a worker mental health.

## Intervention Focus Areas

Intervention focuses on outlining actions that can be taken to improve a situation. This includes ensuring that workers know how to report psychological injuries when they occur and are supported in doing so. It also highlights intervention options that are evidence based and that can be utilized in organizations.

## **Recovery and Return to Work Focus Area**

The Recovery and Return to Work ensures that managers understand how to accommodate a worker who is suffering from PTSD and that there are clearly established roles and responsibilities for supporting workers through this process. Recovery and return to work is an important aspect of preventing future or further injury.

## **Goals and Objectives**

The goal of the plan is to provide all Senior Leaders, Supervisors, Managers and Workers clarity on how the Municipality of South Huron is addressing PTSD prevention, intervention and recovery and return to work in our organization.

The specific objectives of the plan are to:

- Outline organizational current state;
- Define legal requirements;
- Explain how to identify and respond to PTSD injuries;
- Establish roles and responsibilities within the organization;
- Establish policies and procedures to support PTSD prevention in the organization;
- State crisis intervention expectations and screening protocols;
- Outline organizations intervention practices and procedures so that all supervisors and managers understand the available intervention options;
- Review the duty to accommodate; and
- Provide examples of accommodations that may be utilized in the organization to support efficient and effective recovery and return to work.

## **Organizational Current State**

The Municipality of South Huron is a rural municipality located in Huron County in Ontario. Located along Lake Huron in the centre of Southwestern Ontario, Canada's heartland, South Huron offers ready access to other large

industrial and urban centres that are within a short commute. As the southern point of Huron County, South Huron has direct access to Provincial Highways to the south, a deep water port in Goderich to the north and air services at Huron Park (Centralia Airport) which is home to the largest private airfield in Southwestern Ontario. The area's largest international airport is located in London, Ontario, only 35 minutes to the south.

We have a population of over 10,000 and is 440 square kms. The local economy is based primarily on agriculture with some industrial.

The municipality provides Fire Rescue Services, with stations in Dashwood, Exeter and Huron Park. Our service has full time fire chief and 76 volunteers.

## **Integration with Other Services**

Ambulance and policing services are both provided via external agencies through contract agreements. Land Ambulance services are provided by Huron County EMS and policing services are provided by the Ontario Provincial Police.

## **Overview of PTSD, Risk Factors, Signs and Symptoms**

PTSD can develop when someone experiences, sees or learns about an event involving actual or threatened death, serious injury or sexual violence.

### **Causes**

It is believed that PTSD is caused by a complex mix of:

- Life experiences, including the amount and severity of trauma you have experienced since early childhood;
- The way your brain regulates the chemicals and hormones your body releases in response to stress; and
- Inherited mental health risks such as an increased risk of anxiety or depression and inherited aspects of your personality or temperament.

### **Risk Factors**

- Having a job that increases your risk of being exposed to traumatic events, such as first responders, corrections and military personnel;
- Experiencing intense or long-lasting trauma;
- Feeling horror, helplessness or extreme fear;
- Seeing people get killed or hurt;

- Having experienced other trauma earlier in life, including childhood abuse or neglect;
- Having other mental health problems such as anxiety or depression;
- Lacking a good support system of family and friends;
- Dealing with extra stress after the event, such as loss of a loved one, pain and injury, or loss of a job or home; and
- Having biological (blood) relatives with mental health problems including PTSD or depression.

PTSD can increase the risk of other mental health problems such as:

- Depression and anxiety;
- Issues with drugs or alcohol use; and
- Suicidal thoughts and actions.

## **Signs and Symptoms**

Symptoms may start within 3 months of the event but can sometime not appear until years after the event. The symptoms can make it hard for the affected person to live their everyday life and can be accompanied by depression, substance abuse, or other anxiety disorders.

Following are three types of symptoms associated with PTSD:

### **Intrusive Memories**

Also called re-experiencing symptoms, these memories can start from the persons own thoughts, or can be triggered by words, objects or situations that are reminders of the traumatic event. Intrusive memories include:

- Recurring, unwanted distressing memories of the traumatic event;
- Reliving the event as if it were happening again;
- Upsetting dreams about the event; and
- Severe emotional distress or physical reactions (heart racing, hands sweating) to something that reminds you of the event.

### **Avoidance**

Avoidance symptoms may cause a person to change their routine such as avoiding things that remind them of the event as well as negative changes in thinking and moods. This include:

- Trying to avoid thinking about the event;
- Avoiding places, objects, activities or people that remind you of the event;
- Increased negative feelings about self or others;

- Feeling emotionally numb or an inability to experience positive or negative emotions;
- Feeling hopeless about the future;
- Losing interest in activities that were enjoyable in the past;
- Feeling strong guilt, depression or worry;
- Memory problems including not remembering important aspects of the traumatic event; and
- Difficulty maintaining close relationships.

### **Hyper-arousal Symptoms**

These symptoms are changes in emotional reactions usually constant and can make a person feel stressed, angry, overwhelmed and “on guard.” The symptoms include:

- Irritability, feeling tense or “on guard”;
- Difficulty sleeping;
- Angry outbursts or aggressive behaviours;
- Being on constant guard for danger;
- Feelings of overwhelming guilt or shame;
- Self-destructive behaviours;
- Trouble concentrating or sleeping; and
- Being easily startled or frightened.

## **Legal Requirements**

At the Municipality of South Huron we understand that we have a legal requirement under the Occupational Health and Safety Act to take every reasonable precaution to protect workers from harm. Employers and supervisors are required to inform all workers about psychological hazards on the job and provide training to employees on how to prevent these hazards and protect themselves from harm. Workers are also required to follow policies and procedures set out by the employer.

### **Notification of Injury/Illness**

Following the notification of an injury/Illness, Section 51 and 52 of the Occupational Health and Safety Act (OHSA) requires notification to the Ministry of Labour, Joint Health and Safety Committee (JHSC) or Health and Safety Representative (HSR) and trade union (if applicable) if an employee is critically injured, disabled from performing their own work or receives medical attention resulting from an incident. The details required in these reports, and the parties who must be notified are based on the severity of the injury and are outlined in the OHSA, and in Section 5 of the Industrial

Establishment Regulation. Of particular importance is the necessity in S 5(2)(j) to include steps to prevent further illness.

Reporting a Post-Traumatic Stress Disorder through required channels is handled in the same manner as other injuries or illnesses. There are not special requirements set out by the WSIB at this time. When an injury or illness occurs, the employer must submit a Form 7 Report of injury/illness within three days.

In many cases, an employee with PTSD will require time off from work, but in some instances, it may be possible to accommodate them with alternate work as they are receiving treatment. The same WSIB Form 7 is used regardless of whether the ill/injured employee loses time from work (Lost Time Injury), or only seeks medical attention (No Lost Time Injury). The employee will be sent a Form 6 by the WSIB for completion following the employer's submission of the claim.

## **Organizational PTSD Policies**

The Municipality of South Huron has developed the following policies to support PTSD prevention and management in our organization:

- Various organizational health, safety and wellbeing policies.

## **Organizational PTSD Prevention Policy**

The Municipality of South Huron considers mental health, wellbeing and the psychological safety of its employees to be important part of a productive, effective and healthy workplace. Our organization has established a vision and program for a safe and secure workplace that addresses stigma associated with mental illnesses. This is an organization-wide program involving all employees.

Senior Leadership of the Municipality of South Huron is actively involved in our mental health, wellbeing and psychological safety policy, program and services and is committed to building psychological health and safety into all aspects of our Organization's operations, processes and procedures, particularly as this relates to incidents of traumatic mental stress and post-traumatic stress disorder.

To achieve our goals, we will:

- Increase awareness about mental health issues and create an open dialogue between employees, managers and leadership;

- Develop policies, programs and services to help all members of our organization and that are consistent with the principles of mutual respect, confidentiality and cooperation across the organization;
- Support managers to help address the mental health, wellbeing and psychological safety of our employees and provide them resources and tools to address demands, conflict, emotional distress or trauma experienced by our workers;
- Focus on the organizations impact on the health and wellbeing of all employees, not personal health status; and
- Evaluate the success of our program at planned intervals.

## **Organizational Anti-Stigma Policy**

The Municipality of South Huron is committed to fostering a workplace where our employees are protected from stigma associated with mental illness. Our organization will ensure that all employees are treated with respect and dignity; this includes those suffering from mental illness and those who support other workers suffering from mental illness.

Harassment and acts of discrimination will not be tolerated. Anyone who is found to be stigmatizing another individual may be subject to disciplinary action. Types of behaviour and acts that contribute to stigma include:

- Prejudicial attitudes and discriminating behaviour directed towards individuals;
- Trivializing or belittling people suffering from PTSD, or PTSD itself;
- Insulting people who are suffering from PTSD;
- Patronizing people who are suffering from PTSD by treating them as if they are not as good as other people; and
- Ostracizing people who are suffering with PTSD, or their friends and supporters.

This policy applies to all current employees and all behaviours that are in some way connected to work including off-site meetings, training and day to day operations.

Senior Leadership of the Municipality of South Huron is responsible for providing all employees with a psychologically healthy and safe workplace, free of stigma, discrimination or harassment. The Senior Leadership of the Municipality of South Huron will ensure that this policy is applied in a timely, consistent and confidential manner, determining whether or not allegations are substantiated and determining what corrective action is appropriate if required. To support stigma-free workplace the Municipality of South Huron leadership will:

- Provide PTSD awareness training and education;

- Regularly monitor organizational practices and systems for barriers to achieving a stigma-free workplace;
- Provide an effective and fair complaints process; and
- Lead by example.

Managers and Supervisors are responsible for fostering a stigma-free workplace and setting an example of appropriate behaviour. This includes communicating the policy and procedures for bringing forward a complaint, addressing situations which they become aware of in a timely fashion, and taking appropriate action in a sensitive and confidential manner for all employees.

Employees are responsible for treating coworkers with respect in the workplace, bringing forward complaints and cooperating with investigations into complaints. Employees are also responsible treating all parties and situations in a sensitive and confidential manner.

## **Complaints Process**

The Municipality of South Huron has developed the following policies to support anti-stigma in our organization:

- Various organizational health, safety and wellbeing policies.

## **Hazard Reporting**

The Municipality of South Huron has developed the following policies to support hazard reporting in our organization:

- Various organizational health, safety and wellbeing policies.

## **Incident Reporting**

The Municipality of South Huron has developed the following policies to support incident reporting in our organization:

- Various organizational health, safety and wellbeing policies.

## **Intervention, Recovery and Return to Work**

The Municipality of South Huron has developed the following policies to support intervention, recovery and return to work procedures in our organization:

- Various organizational health, safety and wellbeing policies.

## **Recognizing and Responding to Signs and Symptoms of PTSD**

Senior Leadership, Managers and Supervisors are expected to know how to recognize and respond to signs and symptoms of PTSD in a worker or fellow Manager, Supervisor or Senior Leader. If signs and symptoms are found to be presented it is expected that the Senior Leader, Manager or Supervisor will:

- Keep the communication lines open with the worker and ask how they or other team members can provide support to the worker. If the worker is not ready to talk, wait for them to open up. If they do start to share, do not interrupt, it is often difficult for people with PTSD to ask for help, particular if there is a concern about stigmatization;
- Deal with signs and symptoms directly and as soon as possible. If signs and symptoms are recognized, it is best to open dialogue and provide support as that the worker knows they are supported in the workplace;
- Provide information about options the worker has to address PTSD. Help the worker access support and help resources, if they request or need assistance;
- Encourage the worker to talk to someone they trust about what has happened, this could be team members identified in the workplace to provide peer support, family members, friends, or a manager/supervisor; and
- Share with the worker what they are experiencing is a normal reaction. Provide information about signs and symptoms and when they should speak to a professional or seek additional help.

## **Roles and Responsibilities for Prevention, Intervention, Recovery and Return to Work**

### **Senior Leadership Roles**

Our Senior Leadership will:

- Understand the impact that PTSD, and other occupational stress injuries have on the organization;
- Identify what health and safety programs already exist and how PTSD Prevention program can be integrated in existing systems. This should consider:
  - Management Training;
  - Employee Engagement;
  - Anti-Stigma Awareness;
  - Communication Strategies;

- Civility and Respect, Anti-Stigma;
- Critical Incident response and management;
- Employee Assistant Programs (EAP or other benefits that support a mental health and wellness program; and
- Training individuals in strategies for resiliency and health behaviour.
- Identify gaps that need to be addressed using an assessment;
- Determine how the organization should monitor trauma exposures;
- Establish policies, procedures, initiatives and services to support the Prevention Plan and Program and monitor implementation;
- Engage Managers and Supervisors in the development of policies and procedures;
- Set the tone and lead by example, reducing stigma and encouraging conversations and take every reasonable precaution to protect workers;
- Enforce the policies, procedures and program;
- Maintain the Prevention Plan and Program, evaluate it and look for opportunities to improve it;
- Invest in coordinated Return to Work program that supports recovery and stay-at-work practices; and
- Makes early and considerate contact with an injured/ill worker.

## **Managers and Supervisors**

Our Managers and Supervisors will:

- Be involved in the workplace assessment and participate in identifying controls;
- Participate in training to be aware and ready to address the day to day aspects of PTSD prevention and management;
- Receive training on how to recognize signs and symptoms of PTSD and understand the causes and risk factors and understand how to support workers suffering from PTSD;
- Participate and contribute in establishing policies, procedure, initiatives and services to support the program;
- Enforce the policies, procedures and Prevention Plan and Program;
- Provide advice on how to monitor trauma exposures;
- Identify individuals at risk of PTSD;
- Be prepared through training, coaching or other means to engage workers in discussions about psychological health and safety;
- Encourage active discussion with workers about mental health and psychological safety;
- Implement processes to report concerns and provide support to workers in need;

- Help identify control methods that support PTSD prevention such as workplace rotations for highly exposed individuals;
- Reduce stigma by participating in positive conversations;
- Understand how to accommodate a worker suffering from PTSD; and
- Actively participate in systematic, structured and coordinated Return to Work process and plan.

## **Health and Safety Committee**

The Municipality of South Huron Health and Safety Committee will be engaged in the management of the PTSD Prevention Plan and Program. To actively participate, the committee will:

- Understand the factors of the job that impact the psychological health and safety, in particular PTSD. They should develop awareness about what PTSD is, as well as the symptoms, causes and risk factors;
- Be involved in the workplace assessment;
- Assist the organization in developing a process for identifying workplace mental health and wellbeing issues, and in particular PTSD;
- Help identify controls that can be put in place to address psychological health and safety;
- Help reduce stigma related to mental illness by participating in identifying the need for education, training, and resources to address PTSD, and participating in delivering these to the organization;
- Participate in training to enable support of the workforce as required;
- Engage in the development of a communication plan and strategies related to address psychological health and safety, particularly PTSD; and
- Reduce stigma by participating in positive conversations.

## **Employees**

Our employee's will:

- Comply with policies, procedures and the program;
- Participate in training and education about PTSD, and required training (anti-stigma)
- Report concerns, incidents to that they can be investigated and addressed;
- Listen to coworkers and encourage engagement in the program if needed; and
- Reduce stigma by participating in positive conversations.

## **Return to Work Coordinator**

Senior Leader or immediate supervisor will serve as Return to Work Coordinators.

The Return to Work Coordinator will:

- Assist the injured/ill worker to remain or return to work while they recover, while also ensuring that the workers return to work date is sensible, flexible and safe for the worker;
- Help the worker return to the workplace post-injury/illness;
- Connect and consult with the injured/ill worker, treating health professional, and WSIB representative and make sure that everyone understands what to expect and what is expected of them;
- Monitor the workers progress towards returning to work;
- Take steps to prevent further injury/illness; and
- Help resolve issues or disputes related to the return to work.

## **Training**

### **PTSD Awareness and Anti-Stigma Training**

The Municipality of South Huron is committed to providing PTSD and anti-stigma awareness training to all Senior Leadership, Managers, Supervisors and Workers within our organization. Our organization will develop, implement and maintain the awareness training program so that all staff are familiar with the signs and symptoms of PTSD as well as all our policies and procedures related to prevention, intervention and return to work. The Senior Leadership team requires that all employees are involved and participate in this training program.

### **Recognizing Signs and Symptoms and Responding to Signs of PTSD**

All Senior Leaders, Managers and Supervisors will receive training on how to recognize the signs and symptoms of PTSD and learn the organizations expectations on how to respond to and address these signs and symptoms.

### **Return to Work Coordination and Management**

Managers, Supervisors and Return to Work Coordinators will receive training on the practices and principles of managing return to work. This includes the specific mandate that the Municipality of South Huron has with regards to supporting successful and safe return to work. The training will review the

Return to Work process and how it relates to address the needs of a worker who is suffering from PTSD.

## **Orientation**

The PTSD awareness and anti-stigma training as well as the policies and procedures related to the PTSD hazard recognition, reporting and interventions will be incorporated into the new employee orientation program.

## **Post Exposure Education and Awareness**

Education and awareness will be offered to those who have experienced a traumatic event. This education will focus on providing information about signs and symptoms, how to access care if needed and provision of contact information if they require assistance and/or resources.

## **Training Roll-Out Plan and Documentation**

### **Documentation**

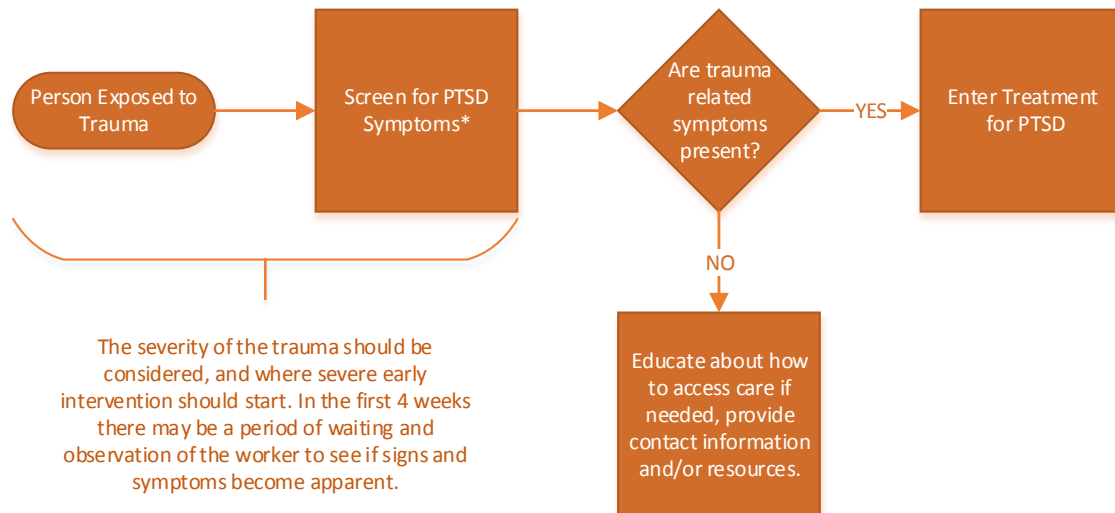
These training programs will be documented and will become a permanent part of the employee's record.

## **Screening Protocols and Early Intervention**

### **Screening Protocols**

The Municipality of South Huron recognizes that the early intervention is important for the effective treatment and prevention of PTSD. The severity of the initial traumatic event will be considered when determining the need for early intervention.

Screening protocols have been developed and implemented to help identify workers who are potentially at risk for developing PTSD. For workers who have been exposed to a traumatic event the Municipality of South Huron will implement screening 1 month following the event, utilizing the process outlined on the next page.



\*this includes observation of work related or intrusive memories, avoidance, or hyper-arousal signs and symptoms and/or self screening methodology

## Early Intervention Strategies

When workers are exposed to a traumatic event, the Municipality of South Huron will provide those workers with the following early interventions to minimize the stress and promote prevention of PTSD. The specific early interventions that will be utilized include:

- Allowing time off for the workers who have been involved in a traumatic event;
- Providing workers with stigma-free counselling services to address the emotional aspects of what they have experienced;
- Using of debriefing sessions that focus on helping the worker put their experiences in perspective and validate what they have seen, done, thought and felt;
- Providing ongoing education that gives information on PTSD, stress management and actions that workers can take for themselves; and
- Offering peer support programs.

## Responding to a Crisis and Accessing Treatment

### Peer Support Program or Crisis Intervention Teams Employee Assistance Program

Employees of the Municipality of South Huron will be offered assistance.

## **Community Support**

Employees of the Municipality of South Huron will be notified of community support programs available.

## **Return to Work**

The Municipality of South Huron Return to Work program supports positive outcomes for our workers. The return to work process is highlighted below:

- The employer will make early and considerate contact with the injured/ill worker;
- The employer will make an offer of modified work to the injured/ill worker so they can return to work safely;
- The return to work plan will be developed so that it supports the returning worker, their coworkers and their supervisor;
- The worker will be provided an individual Return to Work plan that focuses on the workers initial and ongoing needs; and
- The employer will maintain ongoing communications with healthcare providers and the WSIB to ensure that they understand the workers job and the workplaces ability to accommodate.

## **Supervisor and Return to Work Coordinator Considerations**

When considering how to accommodate a worker, the Supervisor and Return to Work Coordinator will review the following:

- What is the worker experiencing (signs and symptoms) and what are the limitations?
- How will these limitations impact the work that the worker needs to do?
- Are there specific job tasks that will be problematic as a result of these limitations?
- What accommodations can help address or remove these limitations?
- Has the worker been asked about possible accommodations, can they help identify specifically how the organization can assist?
- Does the workers Senior Leadership team, Supervisor or Coworkers need training on PTSD to help facilitate a successful return?
- Is the worker currently receiving care or treatment and if so, are they continuing to follow a treatment plan (if this is known)?

## Providing Accommodation

The chart on the next page can be utilized by the Manager, Supervisor and Return to Work Coordinator to identify types of accommodations that can be used to support a worker suffering from PTSD. This chart is aligned to specific signs and symptoms and how they can manifest themselves at work.

## Potential Accommodations

Signs and Symptoms	What this could look like at work	Impact on job tasks	Potential Accommodations
<b>Intrusive Memories</b>	Reduced concentration Difficulty managing time and tasks Increased errors in work Difficulty completing complex tasks Reduced organizational skills	Difficulty completing tasks with deadlines, time pressures or high expectations Inability to complete tasks in which error rate is impacted by reduced concentration Inability to complete complex tasks or multi-task	Reduce distractions in the workplace <ul style="list-style-type: none"> <li>▪ Sound proofed areas</li> <li>▪ Use of white noise</li> <li>▪ Soothing music</li> <li>▪ Uninterrupted work time</li> </ul> Manage completion of work <ul style="list-style-type: none"> <li>▪ Flexible scheduling</li> <li>▪ Breaking large projects into smaller chunks, with easily achievable goals</li> <li>▪ Provide memory aids such as schedulers, organizers, use of auditory or written cues</li> <li>▪ Weekly meetings with supervisor or mentor to assist with determining goals, reminding of important deadlines, create daily to do lists</li> </ul> Restrict tasks with immediate risk for injury if concentration lapses
<b>Avoidance</b>	Social Withdrawal, irritability Relationship problems Difficulty	Reduced motivation and productivity Increased stress, emotional outbursts	Encourage use of stress management techniques Allow support animals Allow telephone calls to doctors or others for needed support

	<p>maintaining close relationships</p> <p>Feelings of guilt, depression or worry</p>	<p>Interpersonal difficulties with customers, supervisors and co-workers</p> <p>Decreased ability to deal with conflict or other emotionally charged events</p> <p>Reduced capacity to cope with stressful situations</p>	<p>Use a mentor or supervisor to alert employee if behaviour is becoming unprofessional or inappropriate</p> <p>Encourage the worker to walk away from frustrating situations and confrontations</p> <p>Provide awareness training to supervisors and co-workers</p> <p>Provide partitions or closed doors to allow for privacy</p> <p>Assign supervisor or mentor to be available to answer employees questions</p> <p>Allow for a flexible work environment – scheduling, breaks, leaves for counseling, work from home may not be able to complete tasks with frequent customer contact</p>
<b>Hyper-arousal</b>	<p>Excessive fatigue</p> <p>Exaggerated startle response</p> <p>Hypervigilance</p> <p>Increase in self-medication practices</p>	<p>Reduced concentration, activity and productivity</p>	<p>Allow for flexible start time</p> <p>Provide a place for the employee to sleep during breaks if needed</p> <p>Allow the worker to work one consistent schedule</p> <p>Allow for a flexible work environment</p> <p>Provide goal-oriented workload</p> <p>Identify and remove environmental triggers such as particular smells, or noises</p> <p>Allow a support animal</p> <p>Allow for breaks and provide a place where the worker feels comfortable to use relaxation techniques or contact a support person</p>



## The Corporation Of The Municipality Of South Huron

### By-Law #26-2017

### Confirming By-Law

#### Being a by-law to adopt, confirm and ratify matters dealt with by the Council of the Corporation of the Municipality of South Huron.

Whereas Section 8 of the *Municipal Act, 2001*, as amended, provides that the powers of a Municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the Municipality's ability to respond to municipal issues; and

Whereas Section 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas the Council of The Corporation of the Municipality of South Huron deems it expedient to adopt, confirm and ratify matters dealt with at all meetings of Council;

Now therefore be it resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That the proceedings and actions taken by Council and municipal officers of the Corporation of the Municipality of South Huron at the April 18, 2017 Regular Council meeting in respect of each report, motion, recommendation, by-law and any other business conducted are, except where the prior approval of the Ontario Municipal Board or other authority is required by law, hereby adopted, ratified and confirmed and shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. That the Mayor and Members of Council of the Corporation of the Municipality of South Huron are hereby authorized and directed to do all things necessary to give effect to the said actions of Council of the Corporation of the Municipality of South Huron or to obtain approvals where required.
3. That on behalf of The Corporation of the Municipality of South Huron, the Mayor, or the Presiding Officer of Council, and the Clerk or the Chief Administrative Officer, where instructed to do so, are hereby authorized and directed to execute all necessary documents and to affix thereto the Corporate Seal.
4. That this By-Law shall not be amendable or debatable.

Read a first and second time this 18<sup>th</sup> day April, 2017.

Read a third time and passed this 18<sup>th</sup> day of April, 2017.

---

Maureen Cole, Mayor

---

Genevieve Scharback, Clerk