



ORDERS OF THE DAY

FOR TUESDAY, NOVEMBER 26, 2019 – 9:00 A.M.

ORDER

- 1st Meeting Called to Order
- 2nd Adoption of Minutes – October 22, 2019
- 3rd Disclosure of Pecuniary Interest and the General Nature Thereof
- 4th Presenting Petitions, Presentations and Delegations
- 5th Motion to Move Into “Committee Of The Whole Council”
- 6th Reports of Council, Outside Boards and Staff
- 7th Council Correspondence
 - 1) Items for Consideration
 - 2) Items for Information (Consent Agenda)
- 8th **OTHER BUSINESS**
 - 1) Statements/Inquiries by Members
 - 2) Notice of Motion
 - 3) Matters of Urgency
- 9th Closed Meeting Items
- 10th Recess
- 11th Motion to Rise and Report
- 12th Motion to Adopt Recommendations from the Committee Of The Whole
- 13th Consideration of By-laws
- 14th ADJOURNMENT

LUNCH WILL BE PROVIDED

NOTICE:

- December 10, 2019 – 7:00 p.m. Warden’s Inaugural
- December 12, 2019 *Thursday* County Council Meeting

Accessible formats available upon request.

ELGIN COUNTY COUNCIL

MINUTES

October 22, 2019

Council Present: Warden Duncan McPhail
Deputy Warden Grant Jones
Councillor Bob Purcell
Councillor Sally Martyn
Councillor Tom Marks
Councillor Dave Mennill
Councillor Dominique Giguère
Councillor Ed Ketchabaw
Councillor Mary French

Staff Present: Julie Gonyou, Chief Administrative Officer
Jim Bundschuh, Director of Financial Services
Brian Lima, Director of Engineering Services
Amy Thomson, Director of Human Resources
Brian Masschaele, Director of Community & Cultural Services
Michele Harris, Director of Homes and Seniors Services
Alan Smith, General Manager of Economic Development
Steve Evans, Manager of Planning (report only)
Jenna Fentie, Legislative Services Coordinator

1. CALL TO ORDER

Elgin County Council met this 22nd day of October, 2019 in the Council Chambers, at the County Administration Building, St. Thomas at 9:00 a.m. with Warden McPhail in the chair.

2. ADOPTION OF MINUTES

Moved by: Councillor Marks
Seconded by: Councillor French

Resolved that the minutes of the meeting held on October 8, 2019 be adopted.

- Motion Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None.

4. PRESENTING PETITIONS, PRESENTATIONS AND DELEGATIONS

4.1 Hospice of Elgin Update – Laura Sherwood, Director of Hospice Partnerships, St. Joseph’s Health Care Society

The Director of Hospice Partnerships, with members of the Elgin Hospice Planning Committee, provided an update on the recent Hospice of Elgin provincial announcement and requested support from Elgin County to assist in raising the necessary \$9.5 million to build the Hospice.

Moved by: Councillor Mennill
Seconded by: Councillor Purcell

Resolved that Elgin County Council defer the request for \$2 million from the Elgin Hospice Planning Committee to the 2020 budget deliberations.

- Motion Carried.

5. COMMITTEE OF THE WHOLE

Moved by: Councillor Ketchabaw
Seconded by: Councillor Jones

Resolved that we do now move into Committee Of The Whole Council.

- Motion Carried.

6. REPORTS OF COUNCIL, OUTSIDE BOARDS AND STAFF

6.1 Final Approval for a Plan of Subdivision – Kokomo Beach – Manager of Planning

The Manager of Planning presented the report advising Council that final approval was given on September 30, 2019 for a plan of subdivision in Port Stanley comprised of 30 lots for single detached dwellings in a multi-phase development.

Moved by: Councillor Marks
Seconded by: Councillor French

Resolved that the report titled “Final Approval for a Plan of Subdivision – Kokomo Beach” from the Manager of Planning dated October 8, 2019 be received and filed.

- Motion Carried.

6.2 Land Severances – Unsolicited Conveyance of Lands – Director of Engineering Services and Manager of Planning

The Director of Engineering Services presented the report recommending that Council maintain its policy to not accept unsolicited lands to accommodate Land Division Consent Applications.

Moved by: Councillor Ketchabaw
Seconded by: Councillor Jones

Resolved that the report titled “Land Severances – Unsolicited Conveyance of Lands” from the Director of Engineering Services and Manager of Planning dated October 11, 2019 be received and filed; and that the County of Elgin policy to not accept unsolicited lands to accommodate Land Division Consent applications that have otherwise not been previously requested or required by the County be maintained while Bill 88, Planning Amendment Act, 2019 is under consideration; and that staff prepare a follow-up report which includes legal opinion as to potential repercussions on repealing the County’s current policy not to accept unsolicited lands to accommodate Land Division Consent applications, as well as a legal opinion and report which considers an exemption for Notice of Application For Consent Application No. E 21/19 made by Vanquaethem Farms Ltd.

- Motion Carried.

6.3 Phragmites Inventory Findings – Director of Engineering Services

The Director of Engineering Services presented the report updating Council on the inventory findings of invasive Phragmites colony locations within the County road network recently completed by Engineering Services staff.

Moved by: Councillor Mennill
Seconded by: Councillor Martyn

Resolved that the report titled “Phragmites Inventory Findings” from the Director of Engineering Services dated October 10, 2019 be received and filed.

- Motion Carried.

6.4 **King George VI Lift Bridge Rehabilitation Project – Construction Detour Plan – Director of Engineering Services**

The Director of Engineering Services presented the report detailing the proposed construction detour plan to be implemented for the duration of the King George VI Lift Bridge Rehabilitation Project.

Moved by: Councillor Mennill
Seconded by: Councillor Marks

Resolved that the report titled “King George VI Lift Bridge Rehabilitation Project – Construction Detour Plan” from the Director of Engineering Services dated October 10, 2019 be received and filed.

- Motion Carried.

6.5 **Small-Scale On-Farm Business Sub-Class – Director of Financial Services**

The Director of Financial Services presented the report recommending that the optional 75% tax reduction in the Small-Scale On-Farm Business Sub-Class introduced by the province be included in the 2020 budget deliberations. The intent of this provincial initiative is to provide sustainable property tax treatment to farmers who diversify their operations by engaging in small-scale processing or retail activities as an extension of their farming business.

Moved by: Councillor Ketchabaw
Seconded by: Councillor Marks

Resolved that the optional 75% reduction in the Small-Scale On-Farm Business Sub-Class tax ratio be included in the 2020 budget deliberations for Council’s consideration; and that the report titled “Small-Scale On-Farm Business Sub-Class” from the Director of Financial Services dated October 7, 2019 be received and filed.

- Motion Carried.

6.6 **2020 Manulife Benefits Renewal Forecast – Director of Human Resources**

The Director of Human Resources presented the report informing Council of the 2020 projected rates for the County of Elgin’s group benefit program, which is subject for renewal on March 1, 2020.

Moved by: Councillor Mennill
Seconded by: Councillor Jones

Resolved that the report titled “2020 Manulife Benefits Renewal Forecast” from the Director of Human Resources dated October 22, 2019 be received and filed.

- Motion Carried.

Council recessed at 10:04 a.m. and reconvened at 10:17 a.m.

6.7 **Ministry of Health – Organizational Realignment – Chief Administrative Officer**

The Chief Administrative Officer presented the report outlining the highlights of the organizational realignment of the Ministry of Health.

Moved by: Councillor Ketchabaw
Seconded by: Councillor Marks

Resolved that the report titled “Ministry of Health – Organizational Realignment” from the Chief Administrative Officer dated October 14, 2019 be received and filed.

- Motion Carried.

6.8 **Community Engagement – Strategic Plan Survey Distribution – Chief Administrative Officer**

The Chief Administrative Officer presented the report outlining the methods that will be utilized to distribute a public survey that will help inform Council's Strategic Plan.

Moved by: Councillor Jones
Seconded by: Councillor Giguère

Resolved that the report titled "Community Engagement – Strategic Plan Survey Distribution" from the Chief Administrative Officer, dated October 12, 2019 be received and filed.

- Motion Carried.

6.9 **Review of Draft Council Committee By-Law – Chief Administrative Officer**

The Chief Administrative Officer presented a draft "Committee By-Law – a By-Law to Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the County of Elgin" for Council's review and future enactment.

Moved by: Councillor Purcell
Seconded by: Councillor Martyn

WHEREAS pursuant to Procedural By-Law 18-38, Section 35 (b) which states that "Council shall adopt terms of reference and these terms of reference shall be reviewed with each term of Council and prior to any new Committee appointments"; be it therefore resolved that Council hereby review draft By-Law for enactment at a future meeting; and that this By-Law shall apply to Council's Committees and local boards where applicable; and that any sections of By-Law 18-38 inconsistent with this By-Law be removed and amendments be presented to Council at a future meeting; and further that the report titled "Review of Draft Council Committee By-Law" from the Chief Administrative Officer dated September 28, 2019 be received and filed.

- Motion Carried.

7. COUNCIL CORRESPONDENCE

7.1 **Items for Consideration**

1. Municipality of Bayham requesting that Elgin County Council reconsider its policy of September 11, 2018 re Land Severances – Unsolicited Conveyance of Lands to facilitate rural economic development.

Moved by: Councillor Marks
Seconded by: Councillor Mennill

Resolved that the correspondence from the Municipality of Bayham requesting Elgin to reconsider its policy regarding the unsolicited conveyance of lands as part of Land Division Consent Applications be received and filed.

- Motion Carried.

7.2 **Items for Information (Consent Agenda)**

1. Kim Carder, Wallacetown Agricultural Society, thanking County Council for the grant funding and donations to the Ellis Sifton Pavilion.
2. The Honourable Jeff Yurek, Minister of Environment, Conservation and Parks acknowledging receipt of Warden McPhail's letter regarding invasive Phragmites in Elgin County.

3. Helen Angus, Deputy Minister, Ministry of Health with an update on Public Health and Emergency Health Services Modernization.

Moved by: Councillor Mennill
Seconded by: Councillor Purcell

Resolved that Correspondence Items #1-3 be received and filed.

- Motion Carried.

8. OTHER BUSINESS

9.1 Statements/Inquiries by Members

None.

9.2 Notice of Motion

None.

9.3 Matters of Urgency

The Chief Administrative Officer requested that three (3) additional items be added to the agenda.

Moved by: Councillor Ketchabaw
Seconded by: Councillor Jones

Resolved that Council consider an additional report from the Director of Engineering Services regarding the Chatham Street Slope Stability project; and that two (2) additional items be considered in closed session regarding property matters and contract negotiations.

- Motion Carried.

Additional Report - Contract Award – Chatham Street Slope Stability, Port Burwell Contract No. 2019-32

The Director of Engineering Services presented the report recommending that Birnam Excavating Ltd. be selected to rebuild a portion of Chatham Street and install a bin wall as part of the Chatham Street Slope Stability project in the Village of Port Burwell, Municipality of Bayham.

Moved by: Councillor
Seconded by: Councillor

Resolved that Birnam Excavating Ltd. be selected for the Chatham Street Slope Stability, Port Burwell tender Contract No. 2019-32 at a total price of \$420,129.47 exclusive of HST.; and that the Warden and Chief Administrative Officer be authorized to sign the contracts.

- Motion Carried.

9. CLOSED MEETING ITEMS

Moved by: Councillor Marks
Seconded by: Councillor French

Resolved that we do now proceed into closed meeting session in accordance with the Municipal Act to discuss matters under Municipal Act Section 239 (2):

In-Camera Item #1

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board

In-Camera Item #2

(c) a proposed or pending acquisition or disposition of land by the municipality or local board

In-Camera Item #3

(b) personal matters about an identifiable individual, including municipal or local board employees – HR Organizational Review

In-Camera Item #4

(b) personal matters about an identifiable individual, including municipal or local board employees – Organizational Review

In-Camera Item #5

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Fire Training Officer/Community Emergency Management Coordinator Agreement (VERBAL)

- Motion Carried.

10. RECESS

None.

11. MOTION TO RISE AND REPORT

Moved by: Councillor Marks
Seconded by: Councillor French

Resolved that we do now rise and report.

- Motion Carried.

In-Camera Item #1

Moved by: Councillor Jones
Seconded by: Councillor Mennill

Resolved that staff proceed as directed.

- Motion Carried.

In-Camera Item #2

Moved by: Councillor Ketchabaw
Seconded by: Councillor Giguère

Resolved that staff proceed as directed.

- Motion Carried.

In-Camera Item #3 – HR Organizational Review

Moved by: Councillor Purcell
Seconded by: Councillor Martyn

Resolved that staff proceed as directed.

- Motion Carried.

In-Camera Item #4 – Organizational Review

Moved by: Councillor Purcell
Seconded by: Councillor Jones

Resolved that staff proceed as directed.

- Motion Carried.

In-Camera Item #5 – Fire Training Officer/Community Emergency Management
Coordinator Agreement

Moved by: Councillor Marks
Seconded by: Councillor French

Resolved that staff proceed as directed.

- Motion Carried.

12. MOTION TO ADOPT RECOMMENDATIONS FROM THE COMMITTEE OF THE WHOLE

Moved by: Councillor Martyn
Seconded by: Councillor Purcell

Resolved that we do now adopt recommendations of the Committee Of The Whole.

- Motion Carried.

13. CONSIDERATION OF BY-LAWS

14.1 By-law No. 19-39 – Confirming all Actions and Proceedings

BEING a By-law to Confirm Proceedings of the Municipal Council of the Corporation of the County of Elgin at the October 22, 2019 Meeting.

Moved by: Councillor French
Seconded by: Councillor Ketchabaw

Resolved that By-law No. 19-39 be now read a first, second and third time and finally passed.

- Motion Carried.

14. ADJOURNMENT

Moved by: Councillor Marks
Seconded by: Councillor Jones

Resolved that we do now adjourn at 11:56 a.m. to meet again on November 26, 2019 at the County Administration Building Council Chambers at 9:00 a.m.

- Motion Carried.

Julie Gonyou,
Chief Administrative Officer.

Duncan McPhail,
Warden.

REPORTS OF COUNCIL AND STAFF

November 26, 2019

Council Reports – ATTACHED

Warden – Provincial Offences Administration Building Committee Annual Report

Warden – Warden Activity Report – September and October 2019

Deputy Warden Jones – Health Recruitment Partnership Committee – Annual Report

Councillor Purcell – Terrace Lodge Redevelopment Building Committee Annual Report 2019

Staff Reports – ATTACHED

Purchasing Coordinator – Quarterly Information Report Contract Awards July – September 2019

Human Resources Assistant – Amendments to Human Resources Policy 8.60 – Asbestos in Buildings

Director of Community and Cultural Services – Social Media Policy Approval

Director of Homes and Seniors Services – YWCA Pool Agreement Renewal

Director of Homes and Seniors Services – Dietary Policy Manual Review and Revisions

Director of Homes and Seniors Services – Housekeeping and Laundry Policy Manual Review and Revisions

Director of Homes and Seniors Services – Nursing Policy Manual Review and Revisions

Director of Engineering Services – T:GO Intercommunity Transit Pilot Project in the Municipality of Bayham

Director of Engineering Services – Contract Award of Tender – Village of Sparta Reconstruction Contract No. 2019-36

Director of Engineering Services – Land Severances – Unsolicited Conveyance of Lands

Director of Engineering Services – Imperial Road Transportation Impact Study Follow-up Site Visit

General Manager of Economic Development – Tourism Value Proposition and Investment Attraction Plan

Land Division Committee Chairman – Elgin County Land Division Activities for 2019

Legislative Services Coordinator – Lake Erie Source Protection Committee Appointment

Chief Administrative Officer – Bridging the Digital Divide Rural Broadband Conference (to be distributed at meeting)

Chief Administrative Officer – Ontario Cannabis Legalization Fund

Chief Administrative Officer – Active Health Services Ltd. Provision of Physiotherapy Services,
Long-Term Care

Chief Administrative Officer – Highway 3 Transportation Needs Assessment Study

Chief Administrative Officer – Terrace Lodge Redevelopment Fundraising Committee Annual
Report

Chief Administrative Officer – Draft Fund Development Gift Acceptance Policy

Chief Administrative Officer – Community Engagement – Strategic Plan Survey Distribution Update

Chief Administrative Officer – Council Committee By-law and Revisions to Council's Procedural
By-law

Chief Administrative Officer – Community Safety and Well-Being Plan Issuance of RFP

Chief Administrative Officer – Municipal Modernization Program – 2020 Service Review



REPORT TO COUNTY COUNCIL

FROM: Warden McPhail, Chair, Provincial Offences Administration Building Committee

DATE: November 6, 2019

SUBJECT: Provincial Offences Administration Building Committee - Annual Report

RECOMMENDATIONS:

THAT the report from Warden McPhail titled “Provincial Offences Administration Building Committee – Annual Report” dated November 6, 2019 be received and filed; and

THAT the Provincial Offences Administration Building Committee hereby dissolve having successfully completed the Committee’s mandate.

INTRODUCTION:

As Chairman of the Provincial Offences Administration (POA) Building Committee, on behalf of the Committee, I am pleased to provide the following summary of the Committee’s activities and accomplishments over the past year.

BACKGROUND:

Since February 26, 2001 the County of Elgin has been responsible for the administration and prosecution of most Provincial Offence charges issued within Elgin County and St. Thomas. Provincial Offences are non-criminal charges and include, but are not exclusive to, fines issued under the Highway Traffic Act, Liquor Licence Act, Trespass to Property Act, Compulsory Automobile Insurance Act, and by-laws. Space in the County building was identified for this service in 2001 and it was intended to be a temporary location until a permanent location could be identified.

There are a total of four (4) full-time staff who work at the POA Facility who assist with the scheduling of matters for court, facilitating court days, processing fine payments and data management of all court documents, as well as processing the enforcement of unpaid fines which includes suspending licences, issuing plate denials, and sending matters for collection proceedings as well as overall customer service for all aspects within the POA. In addition, there is one (1) full-time employee responsible for prosecuting the cases.

There are approximately 10,000 to 12,000 charges a year and 80 to 90 regular court days a year and added special trial dates as needed for lengthy matters. Offences in our jurisdiction are non-criminal and include Acts such as: the Highway Traffic Act, Compulsory Automobile Insurance Act, Liquor licence act, Environmental Protection Act

and Health and Safety Act as well as municipal by laws, and other charges within the Provincial Offence Act.

With those Acts charges are laid in three formats:

Part I which are tickets issued at the roadside, which you can either, pay, request an early resolution meeting or have a trial;

Part II which are parking tickets that you can either pay or choose to have a trial; and

Part III which are the more serious offences and are issued by way of a summons to appear on a designated court day, at which time you indicate whether you intend to proceed to trial or intend to enter a plea.

CHRONOLOGY OF DECISION MAKING

- Council directed staff on August 23, 2017 to proceed with architectural services to refine the POA facility needs (one court room and POA/legal offices) and prepare construction drawings and cost estimates for council's consideration.
- The Warden and CAO signed a licence agreement with the province for courtroom space at a cost of \$500 per diem, plus \$335.62 per month of use for a term of five years in December 2018, providing the county the ability to rent court space for special court cases or circumstances means that the construction of a new court facility for the County only required a single court room, thereby avoiding \$1 million of incremental project costs.
- Council approved the award of the tender with a total budget of \$5.2 million at the June 26, 2018 council meeting. Architectural work was completed by Ventin Group and the constructors were Southside Construction Inc.

COMMITTEE HIGHLIGHTS:

On December 13, 2018, Elgin County Council appointed the following Members of Council to serve as a POA Building Committee:

1. Warden McPhail
2. Councillor Jones
3. Councillor Mennill
4. Councillor Purcell

PROJECT HIGHLIGHTS:

- The new POA facility is situated on County-owned lands which offers easy access for residents and allowed for ample space (for such amenities as parking, etc), creating a "hub" for services including the County Building, Heritage Centre and POA facility all within close proximity to each other.

- The new POA Facility offers users an enhanced space and includes many security features that were missing from the previous location.
- The Committee met regularly in the first and second quarter of the year and provided design advice to staff and consultants to ensure the project remained within the budget established by County Council and on schedule.
- Construction of the building was completed in July, one month ahead of schedule and the project finished under budget (\$200k).
- All POA services have been relocated from the County Building to the new facility and the first court session was held on September 10, 2019.
- Landscaping began in October and the work is predominately complete around the POA building and Heritage Centre.
- Kettle Creek Conservation Authority will begin planting prairie tall grasses in the space between the buildings and will complete this area with tree planting in the Spring.

CONCLUSION:

I would like to commend Elgin County Council, Members of the POA Building Committee and staff for a successful building project – one that achieved savings and was completed ahead of schedule.

All of which is Respectfully Submitted

Duncan McPhail
 Chair
 Provincial Offences Administration Building Committee

FROM: Warden Duncan McPhail

DATE: November 1, 2019

SUBJECT: Warden Activity Report – September and October 2019

RECOMMENDATION:

THAT the report titled “Warden Activity Report – August 2019” from Warden McPhail dated November 1, 2019 be received and filed.

PURPOSE:

The purpose of this report is to provide County Council with a list of official functions that I attended as Warden in September and October 2019.

ACTIVITIES:

Meeting with Jeff Yurek MPP and representatives from the Township of Southwold	September 3, 2019
Elgin County Land Division Committee Meeting	September 5, 2019
Fred Bodsworth Library Grand Reopening Celebration – Port Burwell	September 5, 2019
Elgin County Plowing Match 2019 – Union	September 7, 2019
MPV WiFi meeting with CAO	September 9, 2019
Rodney Fair	September 13, 2019
Kirkan of the Tartans Event	September 15, 2019
Elgin County Council Strategic Planning	September 17, 2019
City-County Networking Event	September 17, 2019
Eat to Learn Breakfast – CASO Station	September 18, 2019
United Way Harvest Lunch	September 18, 2019
Lambton County Warden’s Picnic	September 25, 2019
Review of Ambulance Services – PEI/NS	September 30 – October 2, 2019
Elgin County Council Strategic Planning	October 7, 2019
Housing Meeting with Central Elgin and Indwell: Hope and Homes	October 9, 2019
Meeting with Elgin Hospice Planning Committee	October 11, 2019
Meeting with Mayor Joe Preston – St. Thomas	October 15, 2019

CONCLUSION:

A number of important meetings were held in September/October and important work directed by Council including Land Division Review, EMS review, exploring local last-mile Internet solutions and Council's Strategic Planning will continue until the end of my term as Warden. Additionally, I attended a number of networking events and am pleased to see the community rally behind such important organizations as Eat to Learn and United Way.

All of which is Respectfully Submitted

Duncan McPhail
Warden

FROM: Deputy Warden Grant Jones

DATE: November 6, 2019

SUBJECT: Health Recruitment Partnership Committee - Annual Report

RECOMMENDATION:

THAT the report titled “Health Recruitment Partnership Committee - Annual Report” from Deputy Warden Grant Jones dated November 6, 2019 be received and filed.

INTRODUCTION:

The County of Elgin, Elgin’s partner municipalities, and the City of St. Thomas continue to work aggressively to recruit and retain physicians in our community through the Health Recruitment Partnership. As a Council-appointed Member on the Health Recruitment Partnership Committee, the purpose of this report is to provide an update to Council on the Committee’s work over the past year.

COMMITTEE HIGHLIGHTS:

The need to attract medical professionals, especially family physicians in Elgin-St. Thomas is an ongoing concern as the provision of family physicians is an important quality of life issue to attract families, businesses and industry to our community.

- The HRP’s Health Recruiter, Cheryl Fish has had a busy year establishing and strengthening connections with prospective physicians and retiring physicians.
- I attended two events in 2019 to promote Elgin County as a desirable community for medical practitioners and medical students who are from Elgin-St. Thomas in an effort to build positive relationships with prospective medial professionals who show an interest in the area.
- I attended meetings on a bi-monthly basis.
- The Committee awards up to 5 scholarship awards of \$1000 each per year to individuals who are enrolled in a Canadian Medical School (emphasis placed on the pursuit of a career in family medicine). In 2019, 5 scholarships applications were received and will be awarded at the Nov. committee meeting.
- Elgin County’s contribution to this program in 2019 was \$57,000 and this money is used to fund an incentive program for new physicians, scholarships for medical students and the wages of the part-time Health Recruiter. The funding arrangement is 60% County and 40% City of St. Thomas.
- In 2019, two (2) physicians were awarded with incentive funding.

CONCLUSION:

The Committee's work in 2020 will include a review of the Committee Terms of Reference, reviewing and approving scholarship applications, and approving incentive programs for local physicians. The Elgin-St. Thomas Health Recruiter is available to provide an update to Elgin County Council at any time.

All of which is Respectfully Submitted

Grant Jones
Deputy Warden

FROM: Councillor Bob Purcell, Chair
Terrace Lodge Redevelopment Committee

DATE: November 19, 2019

SUBJECT: Terrace Lodge Redevelopment Building Committee Annual Report 2019

RECOMMENDATION:

THAT the report titled “Terrace Lodge Redevelopment Building Committee Annual Report 2019” from Councillor Purcell on behalf of the Terrace Lodge Redevelopment Building Committee dated November 19, 2019 be received and filed.

INTRODUCTION:

The purpose of this report is to provide Elgin County Council with an overview of the activities of the Terrace Lodge Redevelopment Committee over the past year.

MILESTONES:

- In December 2018, Elgin County Council appointed the following Members of Council to the Terrace Lodge Redevelopment Building Committee:
 1. Councillor Purcell
 2. Councillor Mennill
 3. Councillor French
 4. Councillor Marks
- At the first Committee meeting in 2019, I was appointed Chair of the Terrace Lodge Redevelopment Building Committee.
- One of the first decisions contemplated by Elgin County Council was to direct whether the 100-bed Long Term Care Home would be revitalized from a Class-C facility to a Class-A facility through new construction or through a no-compromise renovation. Council made the decision to proceed with a redevelopment of Terrace Lodge through renovation.
- In March of this year, MMMC Architects were selected as the prime consultants for architectural, design and oversight services for the Terrace Lodge Redevelopment Project. The decision to proceed with this firm was confirmed by the Committee within the budget established by Council to have an upset limit for this work of \$1,779,337, plus taxes and estimated expenses of \$55,840, less potential savings of up to \$50,141.

- The Terrace Lodge Redevelopment Building Committee engaged members of the community, members of staff, as well as residents and their families at two public open houses on June 25, 2019. Feedback received from the public information sessions was used by the Building Committee to inform the design.
- The Terrace Lodge Steering Committee requested and received an additional financial commitment of 15% of the total budget from County Council in order to manage project challenges, including asbestos, and to incorporate enhancements identified through public and staff consultation.
- Staff worked directly with the Building Committee to identify opportunities to complete the project in three (3) phases instead of four (4) which is expected to shorten the overall project by several months.
- The project's architect's detailed design work was submitted to the Ministry and work to adjust the plans in accordance with Ministry standards/guidelines the Ministry of Health and Long Term Care is ongoing.
- The Committee has balanced the financial implications related to the project with the opportunities related to the construction. The Committee has carefully reviewed the project design and budget and provided advice and direction on the financial sustainability of the project – ensuring the best use of County resources at all times.

CONCLUSION:

This Committee remains dedicated to driving this much anticipated project forward and is looking forward to breaking ground in Spring 2020.

All of which is Respectfully Submitted

Bob Purcell
Chair
Terrace Lodge Redevelopment Committee



REPORT TO COUNTY COUNCIL

FROM: Mike Hoogstra, Purchasing Coordinator

DATE: November 8, 2019

SUBJECT: Quarterly Information Report - Contract Awards
July 1, 2019 to September 30, 2019

RECOMMENDATION:

THAT the report titled “Quarterly Information Report - Contract Awards, July 1, 2019 to September 30, 2019” dated November 8, 2019 be received and filed.

INTRODUCTION:

As per the County of Elgin's Procurement Policy, an information report containing the details relevant to the exercise of delegated authority for all contracts awarded that exceed \$15,000 including amendments and renewals is to be prepared and reported to Council. This report covers the period from July 1, 2019 to September 30, 2019.

DISCUSSION:

The Council of the Corporation of the County of Elgin delegated authority to the Directors to award contracts as follows:

Value	Report Status
Greater than \$15,000 but less than \$50,000	No report to Council required if within 10% of the approved budget allocation
Greater than \$50,000 but less than \$100,000	No report to Council required if within approved budget

Council also approved that an information report would be brought forward containing details of the award of contracts including amendments and renewals. The detailed report of the award of contracts is attached as Appendix A.

All of which is Respectfully Submitted

Approved for Submission

Mike Hoogstra
Purchasing Coordinator

Julie Gonyou
Chief Administrative Officer

Jim Bundschuh
Director of Financial Services

APPENDIX A
Purchases/Projects greater than \$15,000
July 1, 2019 to September 30, 2019

Department	Budget Allocation	Project	Supplier / Contractor	Amount (HST excluded)
Information Technology	Operating	Annual Software Maintenance Agreement for Kronos Workforce (payroll/scheduling system)	Kronos	\$24,722
Information Technology	Capital	Microsoft Exchange Licenses (VOR Contract)	Softchoice	\$19,840
Homes & Senior Services	Capital	Convection Steamer – Terrace Lodge	Williams Food Equipment	\$21,000
Engineering	Operating	Plumbing Services Contract (2 Year Term)	Sobek Plumbing	\$32,000
Finance	Capital	Soft Landscaping (Trees, Shrubs, etc.) for new POA Courthouse and Heritage Centre	Second Nature Landscape Design	\$56,533
Finance	Capital	Hard Landscaping & Multi-Use Path for new POA Courthouse and Heritage Centre	Dufferin Construction	\$40,840



REPORT TO COUNTY COUNCIL

FROM: Heather Rosevear, Human Resources Assistant

DATE: November 26, 2019

SUBJECT: Amendments to Human Resources Policy 8.60 – Asbestos in Buildings

RECOMMENDATION:

THAT Council approve the changes to the Asbestos in Buildings Policy 8.60 as attached.

INTRODUCTION:

Revisions to Human Resources Policy 8.60 – Asbestos in Building, have been made to strengthen the policy as per the Occupational Health & Safety Act (OH&S Act).

DISCUSSION:

Amendments have been made to policy 8.60 that will provide further direction and awareness with regards to construction work, repair, maintenance and removal of asbestos-containing material(s) in County owned facilities.

The Occupational Health & Safety Act requires this policy to be reviewed by the Joint Health & Safety Committees annually; therefore, a date last reviewed has been added to provide confirmation that the policy has been reviewed as per the OH&S Act requirements.

CONCLUSION:

Revisions to Policy 8.60 – Asbestos in Buildings have been made to ensure compliance with the Occupational Health and Safety Act. The County's Joint Health and Safety Committees have reviewed and provided input regarding the attached updates.

All of which is Respectfully Submitted

Approved for Submission

Heather Rosevear
Human Resources Assistant

Julie Gonyou
Chief Administrative Officer

Amy Thomson
Director of Human Resources



County of Elgin Human Resources Policy Manual

Subject: Asbestos in Buildings

Policy Number: 8.60

~~**Date Approved:** September 11, 1991~~

~~**Date Last Revision:** March 11, 2003~~

Date Last Reviewed:

Code: A

Section: 8

REFERENCE: Occupational Health & Safety Act, Designated Substance – Asbestos Regulation [837-278/05](#)

The purpose of this Policy is to protect County employees, ~~contractors, residents and visitors to all County owned facilities~~ from asbestos fibre exposure by:

- Ensuring all asbestos-containing materials in ~~all County owned facilities Buildings~~ are sealed to prevent any release of fibres and to minimize its disturbance.
- Monitoring the condition of asbestos containing materials and maintaining them in a good state of repair.

Where asbestos-containing material(s) is present in County ~~owned facilities~~ buildings:

- a) The locations will be identified ~~and~~. The records will be maintained in the building.
- ~~b) All insulating material on pipes and boilers will be treated as asbestos.~~
b) The building will be inspected at least annually by ~~a~~ management and an ~~an~~ employee worker representative ~~of the Joint Health & Safety Committee~~. Routine Joint Health and Safety Committee inspections will include inspection of known asbestos locations, and ~~the~~ reporting of any ~~observable~~ deteriorating material(s).
- c) The Department Head, ~~in consultation with their JHSC through their appropriate Committee~~, will take measures to ensure repair, where periodic inspection reveals deterioration.

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- d) Prior to ~~contracting construction~~ work that involves disturbance of asbestos:
- A report will be prepared that includes:
 - ~~Type of asbestos~~
 - Drawings, plans, and specifications to indicate the ~~asbestos~~-locations of all asbestos-containing materials
 - For each location, indicate whether the material is friable or non-friable
 - In the case of friable sprayed-on material, for each location:
 - i. If the material is known to be asbestos-containing material, the type of asbestos, if known, will be included, or
 - ii. In any other case, a statement that the material will be treated as though it contains a type of asbestos other than chrysotile.
 - The Joint Occupational Health & Safety Committee and ~~the County~~-Human Resources Co-ordinator will be advised.

e) Any repair, maintenance or removal work will be performed only by persons trained in accordance with the Occupational Health and Safety Act (OHSA) Asbestos Regulation 837 278-05. All tasks involving the disturbance of asbestos-containing materials will be conducted only after appropriate controls in accordance with Regulation 278/05, including isolating and control of work area access, have been identified and implemented.

f) Engineering Services shall be consulted prior to any work beginning that requires any type of building maintenance activity (e.g. drilling and cutting into building materials or entering into concealed ceiling spaces).

g) Access to areas that contain friable asbestos-containing material (e.g. above false ceilings, mechanical and electrical rooms, tunnels) shall be controlled and accessible only to authorized personnel approved by Engineering Services.

h) Asbestos removal or repair operations will be conducted in occupied spaces, where possible, outside of normal hours of operation. Only Elgin County employees and/or contractors authorized by Engineering Services will be allowed to enter the asbestos work site.

e)j) Where possible and practical, asbestos-containing material will not be purchased by the County of Elgin.

f)j) Asbestos work shall be classified Type 1, 2 or 3, and shall be conducted in accordance with the OHSA Regulation.

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County of Elgin Human Resources Policy Manual

g) — Records of the locations, any inspections, and or repairs will be kept on site. Copies of the records and any results of asbestos sampling will be forwarded to ~~the County~~ Human Resources ~~Co-ordinator~~, and the Joint Occupational Health & Safety Committee.

k) —

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REPORT TO COUNTY COUNCIL

FROM: Brian Masschaele, Director of Community and Cultural Services

DATE: November 6, 2019

SUBJECT: Social Media Policy Approval

RECOMMENDATION:

THAT the “Social Media Policy” attached to this report as “Appendix A” be hereby adopted effective immediately.

INTRODUCTION:

This report recommends that Council approve the attached Social Media Policy to govern the establishment and use of County social media accounts.

DISCUSSION:

In 2009, County Council approved the use of social media sites to market County events and activities. Social media is broadly defined as any on-line application, platform, site or account created and maintained by an organization or individual which facilitates engagement, sharing of opinions and information. Common tools include Facebook, Instagram and Twitter. Since that time, County departments have made positive use of these tools and have attracted thousands of followers, particularly in the areas of economic development, tourism, library and cultural services.

While Council has authorized the usage of social media sites, a formal policy for their administration has not yet been approved. It is prudent to have such a policy to govern the type of content that is appropriate on County-controlled sites and to establish protocols for responding to inappropriate content. The attached policy was drafted after review of several other policies in the municipal and public library sectors. The County’s Solicitor has reviewed and has no concerns regarding Council’s endorsement. If approved, the policy would apply to all staff, Councillors and departments engaging in social media activity on the County’s behalf.

CONCLUSION:

Social media remains a critical tool to market activities and to solicit feedback from residents on County projects and initiatives. County departments have made effective and positive use of these tools for many years and this usage will only continue to grow. As a result, it is prudent to put a transparent policy in place to govern administration.

All of which is Respectfully Submitted

Approved for Submission

Brian Masschaele
Director of Community and Cultural Services

Julie Gonyou
Chief Administrative Officer



Appendix A

County of Elgin Policy Manual

Subject: **Social Media Policy**

Date of Approval:

SOCIAL MEDIA POLICY

The County of Elgin makes use of social media as an engagement tool for residents, users of County services, community partners, County Councillors and staff. Social media is defined as any on-line application, platform, site or account created and maintained by the County of Elgin which facilitates engagement, sharing of opinions and information about County-related subjects or community issues.

In using social media, the County of Elgin is committed to:

- Responding to questions and concerns as quickly as possible;
- Maintaining the highest levels of accuracy, objectivity, and impartiality in the information communicated;
- Respecting freedom of speech and difference of opinion while protecting Councillors, staff and users from offensive, abusive, or otherwise inappropriate speech;
- Providing accessible and inclusive services.

INAPPROPRIATE USE

The County of Elgin prohibits the use of its social media for any purpose which would contravene any legislation or government regulation, or which might result in civil liability to the County or to any person. The Ontario Human Rights Code prohibits certain forms of discrimination and harassment of other individuals or groups, and the Criminal Code of Canada includes prohibitions against child pornography, obscenity, hate literature, sedition and literature for illicit drug use. Civil liability encompasses laws pertaining to libel and slander. Use of social media facilitated by the County of Elgin is conditional on the user's agreement to observe this policy. By continuing to use the application, the user indicates agreement to all requirements of this policy.

Comments, posts and messages are welcome on County of Elgin social media sites, provided they do not contain:



- Content that contains profanity, pornography, sedition, defamation, discrimination, the incitement of hate or the promotion of illegal activity;
- Personal attacks, insults, threatening language or content that could be construed as bullying;
- Potentially libelous statements;
- Plagiarized or copyrighted material;
- Private, personal information published without consent;
- Comments totally unrelated to the content of the forum;
- Hyperlinks to material that is not directly related to the discussion;
- Commercial promotions or spam;
- Organized political activity;
- Attempts to modify, hack or gain access to files, passwords, networks or data belonging to others.

RESPONSIBILITY

All social media sites affiliated with the County of Elgin will be regularly screened by County employees. All postings which contain any of the above will be removed at the earliest opportunity and the poster barred from posting any subsequent messages to the County's social media sites.

The County of Elgin reserves the right to edit or modify posted content when reposting or providing comment. The County is not responsible for the authenticity of content posted by external users to the County's social media sites. Being followed by the County on social media or having messages or content created by external users shared through the County's social media does not necessarily imply endorsement.

SHARING OF INFORMATION

The County of Elgin will not use information shared through its social media for commercial purposes nor will it share this information with third parties. All information shared through the County's social media will be managed under the terms of the *Municipal Freedom of Information and Protection of Privacy Act*.



REPORT TO COUNTY COUNCIL

FROM: Michele Harris, Director of Homes and Seniors Services
DATE: November 1, 2019
SUBJECT: Homes – YWCA Pool Agreement Renewal

RECOMMENDATIONS:

THAT Council authorize staff to sign the one (1) year agreement with YWCA St. Thomas-Elgin for the use of the Terrace Lodge pool; and,

THAT the report titled “Homes – YWCA Pool Agreement Renewal” from the Director of Homes and Seniors Services dated November 1, 2019 be received and filed.

INTRODUCTION:

The Terrace Lodge pool has been utilized by the St. Thomas-Elgin YWCA for community supervised aquatic programs for many years. The current pool rental agreement between Corporation of County of Elgin (Terrace Lodge) and YWCA St. Thomas-Elgin expires December 31, 2019.

DISCUSSION:

The County Solicitor and Purchasing Coordinator reviewed the current agreement and insurance documents and provided minor recommendations for change. Additionally, previous agreements had two (2) year duration; however, staff is recommending a one (1) year renewal agreement based on simultaneous work being done for the Terrace Lodge redevelopment project.

A recommendation of no increase to the annual fees paid by YWCA for the period of this agreement is being proposed based on previous fee increases being on a two (2) year cycle; with the last fee increase being January 2019.

Negotiations with YWCA St. Thomas-Elgin were successful in securing the County Solicitor recommendations for change.

CONCLUSION:

Staff is recommending a one (1) year agreement with changes as recommended by the County Solicitor with YWCA St. Thomas-Elgin for the period of January 1, 2020 to December 31, 2020; with no increase in fees.

All of which is Respectfully Submitted

Michele Harris
Director of Homes and Seniors Services

Approved for Submission

Julie Gonyou
Chief Administrative Officer

This Agreement made in quadruplicate this day of , 2019

BETWEEN:

**CORPORATION OF THE COUNTY OF ELGIN
(Hereinafter referred to as "Elgin")**

OF THE FIRST PART

AND

**YWCA OF ST. THOMAS-ELGIN
(Hereinafter referred to as "YWCA")**

OF THE SECOND PART

WHEREAS Elgin is the owner of certain lands and premises known as Terrace Lodge at 49462 Talbot Line, Aylmer, Ontario, which premises include a swimming pool and related equipment and facilities;

AND WHEREAS YWCA wishes to arrange for use of such swimming pool on various days and at various times for purposes of conducting supervised Aquatic Programs to the public at large;

AND WHEREAS Elgin and YWCA have agreed upon the terms and conditions under which YWCA shall have use of the said swimming pool and related equipment and facilities for the said purpose and now wish to reduce such terms and conditions to writing;

NOW THEREFORE, in consideration of payment of the sum of ONE DOLLAR (\$1.00) now paid by each Party to the other and the promises and covenants hereinafter set forth, the sufficiency and receipt of which consideration is hereby acknowledged, Elgin and YWCA hereby agree as follows:

1.0 General

- 1.1 Subject to the terms and conditions set forth below, YWCA shall be granted use of the swimming pool at Terrace Lodge for purposes of conducting supervised Aquatic Programs to the public at large.
- 1.2 In conjunction with the use of the swimming pool as provided for herein, YWCA, including its staff and representatives and further including the persons participating in the Aquatic Programs anticipated herein, shall be permitted access to and use of equipment and facilities related to the said swimming pool, including but not limited to change room facilities.

2.0 Term

- 2.1 The within agreement shall commence on the 1st day of January, 2020 and shall end on the 31st day of December, 2020.

3.0 Dates/Terms of Use

- 3.1 YWCA, including its staff and representatives and further including the persons participating in the Aquatic Programs contemplated herein, shall have access to and use of the swimming pool and related equipment and facilities as required operating such programs in reasonable fashion in accordance with a Schedule approved by Elgin prior to commencement of any particular program session. In this regard, YWCA further agrees to submit to Elgin a proposed Schedule for access to and use of the swimming pool and related equipment for such Aquatic Programs at least thirty (30) days prior to the commencement of such program session, which proposed Schedule Elgin shall promptly review and consider and, if acceptable, approve.

- 3.2 Notwithstanding the foregoing, YWCA agrees that, as part of the overall Aquatic Programs utilizing the swimming pool and related equipment, but subject to the availability of a qualified instructor and sufficient registered participants, it shall offer a community Aquasize Program a minimum of three mornings per week during any particular session, which program shall be at no cost to Elgin; provided that, at all times, YWCA shall use its best efforts to obtain the services of a qualified instructor and maximum registered participants in all elements of its Aquatic Programs, including but not limited to the community Aquasize Program referred to above.
- 3.3 In the event that circumstances require cancellation of any scheduled use of the swimming pool and related equipment and facilities at the instance of either party, such party shall notify the other in writing as soon as possible and prior to the date of such scheduled use and such resulting cancellation shall be without recourse, claim or charge at the instance of either party.

4.0 Payment to Elgin

- 4.1 In consideration of the use of the swimming pool and related equipment and facilities as provided for herein, YWCA shall pay to Elgin a fee of TWO THOUSAND THREE HUNDRED DOLLARS (\$2,300.00), exclusive of taxes.
- 4.2 On or before December 15, 2019, Elgin shall prepare and deliver to YWCA an invoice in the sum of \$2,300.00, plus applicable taxes, as contemplated by section 4.1 above.
- 4.3 On or before January 15, 2020, YWCA shall pay to Elgin the amount of \$2,300.00, plus applicable taxes, in satisfaction of the commitment set forth in section 4.1 above and in payment of the invoice contemplated in section 4.2 above.

5.0 Responsibilities of YWCA

- 5.1 During the term of this agreement, YWCA shall:
- 5.1.1 Arrange for and conduct all Aquatic Programs in a safe and prudent manner, in accordance with established operating standards, including but not limited to standards and procedures established by the Canadian Red Cross;
- 5.1.2 Ensure that the Aquatic Programs contemplated by this agreement shall be conducted under the supervision of a sufficient number of qualified swimming instructors;
- 5.1.3 Take all reasonable steps to ensure the safety of persons participating in the Aquatic Programs contemplated by this agreement;
- 5.1.4 Take all reasonable steps to ensure that the swimming pool and related equipment facilities will not suffer damage through the course of Aquatic Programs contemplated by this agreement;
- 5.1.5 Be responsible for any and all damage caused or attributed to the negligence or omission of YWCA, including its staff, representatives, and instructors and further including the persons participating in the Aquatic Programs contemplated by this Agreement, and the cost of repair of such damage; provided that the YWCA shall not be responsible for damage attributed to normal wear and tear of the said swimming pool and related equipment and facilities and/or negligence or omission attributable to or committed by Elgin, including its employees, servants, agents, or contractors;

- 5.1.6 Take all reasonable steps required to ensure that its staff, representatives, and instructors and any persons participating in the Aquatic Programs contemplated by this agreement shall comply with and abide by any and all police, fire, and sanitary regulations imposed by any federal, provincial, or municipal authority, particularly in relation to use of municipal facilities;
- 5.1.7 At its sole expense, obtain and keep in force during the term of this Agreement a general liability insurance policy satisfactory to Elgin and underwritten by an Insurer licensed to conduct business in the Province of Ontario. The policy shall provide coverage for Bodily Injury, Death, Property Damage including loss of use thereof, and Personal Injury and shall include but not be limited to:
- (a) A limit of not less than FIVE MILLION DOLLARS (\$5,000,000.00) per occurrence;
 - (b) Add Elgin as an additional insured with respect to the operations of the YWCA as Named Insured;
 - (c) The policy shall contain a provision for cross liability and severability of interest in respect of YWCA as Named Insured;
 - (d) Non-owned automobile coverage with a limit of not less than TWO MILLION DOLLARS (\$2,000,000.00) and shall include contractual non-owned coverage (SEF 96);
 - (e) Products and completed operations coverage;
 - (f) Contractual Liability;
 - (g) Owners and Contractors Protection;
 - (h) Include volunteers as insureds;
 - (i) Physical / emotional / psychological abuse and, without limiting the generality of the foregoing, specifically related to child participants in programs contemplated by this Agreement.
 - (j) If applicable coverage shall include volunteers.
 - (k) The policy shall provide 30 days prior notice of cancellation.
- 5.1.8 Obtain from each participant in the supervised Aquatic Programs contemplated by this agreement, a written acknowledgement and release, signed by the participant or his or her parent or responsible adult and in a form acceptable to Elgin and its solicitor, and,
- 5.1.8.1 acknowledging that the said person participates in the Aquatic Programs voluntarily and assumes any and all risks associated with such participation, including injury and death;
 - 5.1.8.2 acknowledging that the said person shall comply with the directions of the swimming and Aquafit instructors, including but not limited to those matters relating to police, fire, and sanitary regulations imposed by any federal, provincial, or municipal authority, particularly in relation to use of municipal facilities;
 - 5.1.8.3 releasing Elgin from any claims, damages, suits, actions, and causes of action, including but not limited to injury or death suffered while on the lands and premises owned by Elgin for purposes of participation within the Aquatic Programs contemplated by this agreement

A copy of which acknowledgement and release will be provided by YWCA to Elgin prior to the first date upon which such person attends at the lands and premises of Elgin at Terrace Lodge for purposes of participating in those Aquatic Programs contemplated by this agreement.

5.1.9 In addition to but without limiting that set forth in s. 5.1.7 above, the Parties hereto agree that:

(a) Prior to execution of the agreement and upon the placement, renewal, amendment, or extension of all or any part of the insurance, referred to above, the YWCA shall promptly provide Elgin with confirmation of coverage and, if required, a certified true copy(s) of the policy(s) certified by an authorized representative of the insurer together with copies of any amending endorsements applicable to the Agreement;

(b) All applicable deductibles under the above required insurance policies are at the sole expense of the YWCA;

(c) All policies of insurance shall apply as primary and not as excess of any insurance available to Elgin.

6.0 Responsibilities of Elgin

6.1 During the term of this agreement, Elgin shall

6.1.1 clean and maintain the swimming pool and related equipment facilities in a sanitary condition suitable for safe use by persons participating in Aquatic Programs;

6.1.2 test the water within the subject swimming pool on a regular basis and adjust chemical requirements with the results of such tests;

7.0 Termination

7.1 In the event that either party is in default of any term of this Agreement or obligation created thereby, which default continues for at least fifteen (15) days after written notification of same to the defaulting party, the non-defaulting party shall have the right to terminate this Agreement upon a further thirty (30) days written notice to the defaulting party, which right shall be exercised without recourse by or remedy to the defaulting party.

7.2 Notwithstanding that set forth in Section 7.1 above, Elgin at all times shall have the absolute and unfettered discretion to terminate this Agreement, without default on the part of YWCA, upon ninety (90) days written notice to YWCA, which right of termination is exercisable without recourse or default.

8.0 Release/Indemnification

8.1 YWCA shall defend, indemnify, and save harmless Elgin, its elected officials, officers, employees, and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever, including but not limited to bodily injury, sickness, disease or death or to damage to or destruction of tangible property including loss of revenue or incurred expense resulting from disruption of service, arising out of or allegedly attributable to the negligence, acts, errors, omissions, misfeasance, nonfeasance, fraud or willful misconduct of YWCA, its directors, officers, employees, agents, contractors and subcontractors, or any of them, in connection with or in any way related to the Aquatic Programs authorized or otherwise contemplated by this Agreement. This indemnity shall be in addition to and not in lieu of any insurance to be provided by YWCA in accordance with the terms of this Agreement and shall survive this Agreement.

YWCA agrees to defend, indemnify, and save harmless Elgin from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever arising out of or related to the status of YWCA with WSIB. This indemnity shall be in addition to and not in lieu of any proof of WSIB status and compliance to be provided by YWCA in accordance with this Agreement and shall survive this Agreement.

9.0 Miscellaneous

- 9.1 The parties hereto agree that any amendment to this agreement shall be in writing, executed by authorized officers and/or representatives of each of the parties to this agreement, in the form of an amending agreement.
- 9.2 Any notice or written communication between the parties to this agreement shall be delivered or sent by prepaid mail addressed to the parties at the following addresses:

For the Corporation of the County of Elgin

Terrace Lodge Home for the Aged
49462 Talbot Line
Aylmer, Ontario N5H 3A5
Attention: Director of Homes and Seniors Services

For the YWCA of St. Thomas-Elgin

St. Thomas YWCA
16 Mary Street
St. Thomas Ontario N5R 2V8
Attention: Marla Champion, Executive Director

- 9.3 The parties agree to do or cause to be done all acts and things necessary to implement and carry into effect this agreement to its full extent.
- 9.4 This agreement shall enure to the benefit and be binding upon the parties and their respective successors and permitted assigns.
- 9.5 In this agreement, words importing the singular include the plural and visa versa and words importing gender include all genders.
- 9.6 The insertion of headings and a division of this agreement into sections are for convenience of reference only and shall not effect the interpretation thereof.
- 9.7 This agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior agreements, understanding, negotiations, and discussions with respect to the subject matter hereof, whether oral or written. No supplement, modification, or waiver of this agreement shall be binding unless executed in writing by both parties.
- 9.8 The invalidity or unenforceability of any provision of this agreement or any covenant herein contained shall not affect the validity or enforceability of any other provision or covenant hereof or herein contained. Any such invalid provision or covenant shall be deemed to be severable.

9.9 This agreement shall be construed in accordance with the laws of the Province of Ontario. The parties agree to attorn to the jurisdiction of the appropriate Courts of the Province of Ontario.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed by their respective authorized officers and/or representatives as of the date first written above.

SIGNED, SEALED & DELIVERED

in the presence of

) **CORPORATION OF THE**
) **COUNTY OF ELGIN**
)
) Per: _____
) Name: Duncan McPhail
) Position: Warden
)
)
) Per: _____
) Name: Julie Gonyou
) Position: Chief Administrative Officer
)
) We have the authority to bind the
) Corporation
)
) **YWCA of St. Thomas-Elgin**
)
) Per: _____
) Name: Marla Champion
) Position: Executive Director
)
) I have authority to bind the YWCA of
) St. Thomas-Elgin

FROM: Michele Harris, Director of Homes and Seniors Services

DATE: November 1, 2019

SUBJECT: Homes – Dietary Policy Manual Review and Revisions

RECOMMENDATIONS:

THAT Council approve the County of Elgin Homes and Seniors Services Dietary Policy Manual review and revisions for 2019; and

THAT the report titled “Homes – Dietary Policy Manual Review and Revisions” from the Director of Homes and Seniors Services dated November 1, 2019 be received and filed.

INTRODUCTION:

Departmental policy and procedure manuals ensure consistency and quality in the services provided by Elgin County Homes and Seniors Services. As per the Long-Term Care Homes Act (LTCHA), 2007, policies and procedures are to be reviewed annually. This ensures inclusion of Best Practice and legislative guidelines and aligns with the LTCHA and Regulations.

DISCUSSION/CONCLUSION:

The Homes Policy Manual for Dietary (Section 1 – 7) has been reviewed and revised. The revised manual includes revisions to the following policies and procedures:

- 1.3 - Dress Code – reference to administration/human resources policy
- 1.4 - Orientation Program – delete - duplicate and per collective agreement (CA)
- 1.5 - Orientation Checklist - delete – duplicate and per collective agreement (CA)
- 1.6 - Lunch and Coffee Breaks – delete - duplicate and per collective agreement (CA)
- 1.7 - Procedural Manual – delete – duplicate
- 1.8 - Work Appraisal – delete – duplicate to Human Resources policy
- 1.9 - Food Service Worker Training – delete – Long-Term Care Home Act states requirements
- 2.1 - Menu Planning, Review and Approval – updated reference; removal of specifics r/t food guide
- 2.25 – Snack Prep & Delivery Audit – delete – duplicate
- 5.9 – Food Sanitation – delete – duplicate
- 6.16 Pre Use Equipment Inspection Forms – delete – duplicate

The Managers of Support Services of each of the Homes, in consultation with the Contracted Registered Dietitian, has reviewed and approved the revisions which align with the LTCHA, 2007 and Regulations, and improve resident and staff safety and service delivery.

The policy manual in its entirety and the noted policy revisions may be reviewed through the County Website <https://www.elgincounty.ca/homes-seniors-services/employee-portal/>

All of which is Respectfully Submitted

Approved for Submission

Michele Harris
Director of Homes and Seniors Services

Julie Gonyou
Chief Administrative Officer

FROM: Michele Harris, Director of Homes and Seniors Services

DATE: November 1, 2019

SUBJECT: Homes – Housekeeping and Laundry Policy Manual Review and Revisions

RECOMMENDATIONS:

THAT Council approve the County of Elgin Homes and Seniors Services Housekeeping and Laundry Policy Manual review and revisions for 2019; and

THAT the report titled “Homes – Housekeeping and Laundry Policy Manual Review and Revisions” from the Director of Homes and Seniors Services dated November 1, 2019 be received and filed.

INTRODUCTION:

Departmental policy and procedure manuals ensure consistency and quality in the services provided by Elgin County Homes and Seniors Services. As per the Long-Term Care Homes Act (LTCHA), 2007, policies and procedures are to be reviewed annually. This ensures inclusion of Best Practice and legislative guidelines and aligns with the LTCHA and Regulations.

DISCUSSION/CONCLUSION:

The Homes Policy Manual for Housekeeping and Laundry (Section 1 – 7) has been reviewed and revised. The revised manual includes revisions to the following policies and procedures:

- 2.3 – Cleaning of Entrances, Hallways, Reception Areas and Lounges – minor wording updates re: flooring types
- 2.4 - Cleaning of Washrooms – update to best practices
- 2.7 - Cleaning of Interior Windows – update to Health and Safety requirements
- 2.12 – Carpet Maintenance – Cleaning – update to best practices
- 2.15 – Thorough Cleaning of Rooms – Pullouts – update to best practices
- 2.17 – Inventory Control – grammatical updates
- 2.20 - Dining Room Cleaning – delete reference to carpet
- 7.2 – Discharged Resident Room Cleaning – update to best practices
- 7.4 – Housekeeping Cart – update to best practices
- 7.5 – Housekeeping Room - update to best practices
- 7.6 – Infection Control – Housekeeping – update to Health and Safety Requirements (no aerosol/trigger sprays for chemicals)
- 7.8 – Isolation Cleaning – update to best practices

- 7. 9 – Clostridium Difficile (C-Diff) – product updates
- 7.10 – Scabies – grammatical updates
- 7.11 – Routine Practices for Environmental Cleaning – Infection Prevention – removal of outdated reference
- 7.12 – Cleaning Procedure for VRE – update to best practices
- 7.13 – Cleaning Procedure for MRSA – update to best practices
- 7.14 – Cleaning Procedure for Biological Spills – update to Health and Safety and infection control best practices
- 7.16 – Waste Management - update to Health and Safety and infection control best practices
- 7. 17 – Handling of Wastes Associated with Cytotoxic Drugs – removal of product specific information
- 7.19 – Procedure for Cleaning Rooms of Resident on Contact Precautions for Carbapenemase-producing Enterobacteriaceae (CPE) – New policy to ensure resident and staff safety and to align with best practices

The Managers of Support Services of each of the Homes has reviewed and approved the revisions which align with the LTCHA, 2007 and Regulations, improve resident and staff safety and service delivery.

The policy manual in its entirety and the noted policy revisions may be reviewed through the County Website <https://www.elgincounty.ca/homes-seniors-services/employee-portal/>

All of which is Respectfully Submitted

Approved for Submission

Michele Harris
Director of Homes and Seniors Services

Julie Gonyou
Chief Administrative Officer



REPORT TO COUNTY COUNCIL

FROM: Michele Harris, Director of Homes and Seniors Services

DATE: November 8, 2019

SUBJECT: Homes – Nursing Policy Manual Review and Revisions

RECOMMENDATIONS:

THAT Council approve the County of Elgin Homes and Seniors Services Nursing Policy Manual review and revisions for 2019; and

THAT the report titled “Homes – Nursing Policy Manual Review and Revisions” from the Director of Homes and Seniors Services dated November 8, 2019 be received and filed.

INTRODUCTION:

Departmental policy and procedure manuals ensure consistency and quality in the services provided by Elgin County Homes and Seniors Services. As per the Long-Term Care Homes Act (LTCHA), 2007, policies and procedures are to be reviewed annually. This ensures inclusion of Best Practice and legislative guidelines and aligns with the LTCHA and Regulations.

DISCUSSION/CONCLUSION:

The Homes Policy Manual for Nursing has been reviewed and revised by the Managers of Resident Care, Resident Care Coordinators, and Director of Homes and Seniors Services. The revised manual includes revisions to the following policies and procedures:

- Abbreviations – update to Local Health Integration Network (LHIN) from Continuing Care Access Centre (CCAC)
- Admission of a Resident – typos; grammatical updates; revised purpose
- Alarms – Bed and Chair – process change to reflect best practice
- Ambulance Services – change in Patient Transfer Authorization Centre (PTAC) process from fax to online; inclusion of Infection Prevention and Control (IPAC) requirements
- Apical – Radial Pulse – addition of reporting obligations/requirements
- Artificial Eye – Care of – grammatical updates and typos
- Auscultation – reporting requirements
- Bed Rails – update to align with best practices
- Bed Safety – Prevention of Entrapment – revision and removal of appendix B from policy to Point Click Care Assessments; reinforcement of education prior to bed rail usage
- Bladder Irrigation – addition of reporting requirements

- Care Plans and Conference – typos; update timelines for completion and assessments within Point Click Care (PCC)
- Cleaning Showers – addition of Personal Protective Equipment (PPE)
- Colostomy and Ileostomy Care – update to reporting requirements
- Colostomy Irrigation – grammatical updates
- Compress – Hot – delete reference to bean bag usage
- Death of a Resident – update to LHIN from CCAC; appendix typo; update re: procedure for conducting a reasonable next of kin/claimant search for an unclaimed body
- Documentation – formatting; wording change from client to resident
- Dressing – Dry – update to include weekly assessment form reference
- Dressing – Sterile – update to align with best practices
- Duragesic (Fentanyl) Pain Patch – update to align with best practice
- Edmonton Symptom Assessment Scale (ESAS) – grammatical; removal of tool from policy to PCC
- Enteral Feeding – grammatical; update to align with best practice
- Falls Prevention and Management – update to align with Best Practices through BPSO work; some tools moved to PCC; delete Appendix A and E; renaming of appendices from A – G to A – E
- Foot Care – adding reporting obligations
- Health Record – additions to the contents list; update from CCAC to LHIN
- Diabetes Management – Treatment of Hypoglycemia – NEW policy
- Intravenous Therapy – Care and Maintenance – delete reference to IVAC; update from CCAC to LHIN
- Medication – Narcotics and Controlled Drugs – notification guidelines
- End-of-Life Care Plan Checklist – updated to include the palliative and end-of-life (PEOL) clinical support tool assessment
- Palliative Performance Scale (PPS) – to align with the PEOL clinical support tool
- Pain Management – updated to include the PEOL clinical support tool assessment
- Palliative and End-of-Life Care – updated to include the PEOL clinical support tool
- PPS, ESAS, FAST flow sheet - updated to include the PEOL clinical support tool
- Responsive Behaviours – updated to align with best practices; removal of tools from policy to PCC; and, renaming of remainder of tools from Appendix A – J to Appendix A
- Restraints – Minimizing Restraining of Residents: Use of Restraints and Personal Assistance Devices (PASDs) –update to align with best practices; removal of tools from policy to PCC; and, renaming of remainder of tools from Appendix A – N to Appendix A - F
- Skin Care and Wound Management – removal of assessments from policy to PCC; renaming of remainder of appendices from A – G to A – D
- Transfer or Discharge of a Resident from Home – update from CCAC to LHIN

The nursing manual policy revisions align with the LTCHA, 2007, related Regulations and best practices to support resident and staff safety and service delivery.

The policy manual in its entirety and the noted policy revisions may be reviewed through the County Website <https://www.elgincounty.ca/homes-seniors-services/employee-portal/>

All of which is Respectfully Submitted

Approved for Submission

Michele Harris
Director of Homes and Seniors Services

Julie Gonyou
Chief Administrative Officer

FROM: Brian Lima, Director of Engineering Services

DATE: October 30, 2019

SUBJECT: T:GO Intercommunity Transit Pilot Project in the Municipality of Bayham

RECOMMENDATION:

THAT the report titled, “T:GO Intercommunity Transit Pilot Project in the Municipality of Bayham” from the Director of Engineering Services dated October 30, 2019 be received and filed.

INTRODUCTION:

T:GO Transit is a community transportation service which provides an alternative, low cost means of transportation within Tillsonburg and surrounding areas. The provision of this transit service is provided on a contractual basis, in partnership with the Town of Tillsonburg.

T:GO currently offers one fully accessible, service animal friendly, air conditioned & heated, nine passenger seated accessible vehicle with a maximum capacity of 12 people.

This report details a proposed new transit route extension into Elgin County, specifically within the Municipality of Bayham.

DISCUSSION:

On March 14, 2018, the Government of Canada and the Province of Ontario signed an Integrated Bilateral Agreement to deliver up to \$7.47 billion to Ontario for public transit infrastructure by March 31, 2028.

Through the Ministry of Transportation (MTO) Community Transportation Grant Program, the province is providing municipalities with \$30 million over five years to support local transit and intercommunity bus service in areas that are currently unserved or underserved by public transit. The Program was aimed at making it more convenient for Ontarians, including seniors, students, youths, persons with disabilities and others to access essential services in their communities, connect with other transportation services, and travel between cities and towns.

In response to a Program funding application submitted by the Town of Tillsonburg, the Town received notification in April 2018 that their application to implement an intercommunity transit pilot project with funding up to \$1,457,732 over 5 years was approved. Following the Provincial Election and subsequent change in government,

public announcement of Community Transportation Grant recipients did not occur until January 2019.

Since such time, Town and MTO staff have finalized the intercommunity project work plan which looks to implement four (4) intercommunity bus routes utilizing a nine-passenger seated accessible vehicle in the Spring 2020 that will continue to operate at least until the ending of the funding Program of March 2023.

- Route 1: Tillsonburg – Norwich – Woodstock – Ingersoll loop
 - o Running 2 vehicles/day – 3 trips/day = 5 days/week
 - o Increasing to 4 trips/day in January 2022
- Route 2: Norfolk Connection with Langton – Delhi – Courtland
 - o Running 1 vehicle/day – 3 trips/day – 3 days/week
- Route 3: Bayham Connection with Straffordville – Vienna – Port Burwell
 - o Running 1 vehicle/day – 3 trips/day – 3 days/week
- Route 4: Woodstock Hospital – Victoria Hospital, London
 - o Running 1 vehicle/day – 3 trips/day – 3 days/week

Refer to the attached diagram which details the four (4) finalized project work plan transit routes.

In preparation for the anticipated Spring 2020 launch of the intercommunity transit project, departmental administration staff have just recently been advised that two transit stop locations within the County’s Plank Road (CR19) road allowance in the hamlet of Eden located in the Municipality of Bayham are intended for implementation as part of Route 3; operational details of which are being finalized.

As part of the County’s approval process and in consultation with the County Solicitor, a County Road Use Agreement with the transit owner/operator will need to be prepared and executed requiring clauses, which include but are not limited to, the provision for plans, approval for work, indemnification, insurance, etc.

Development of a comprehensive marketing strategy and communications plan that promotes the intercommunity and existing T:GO transit service is currently being prepared by Town staff and will be detailed to the public in the near future.

CONCLUSION:

The Town of Tillsonburg is finalizing operational transit details in advance of their planned Spring 2020 implementation of a 5-year intercommunity transit pilot project consisting of a route in Elgin County, within the Municipality of Bayham. Once implemented, transit Route 3 extending from Tillsonburg to Port Burwell which will travel along Plank Road (CR19) will also consist of additional stops in Vienna, Straffordville, and Eden.

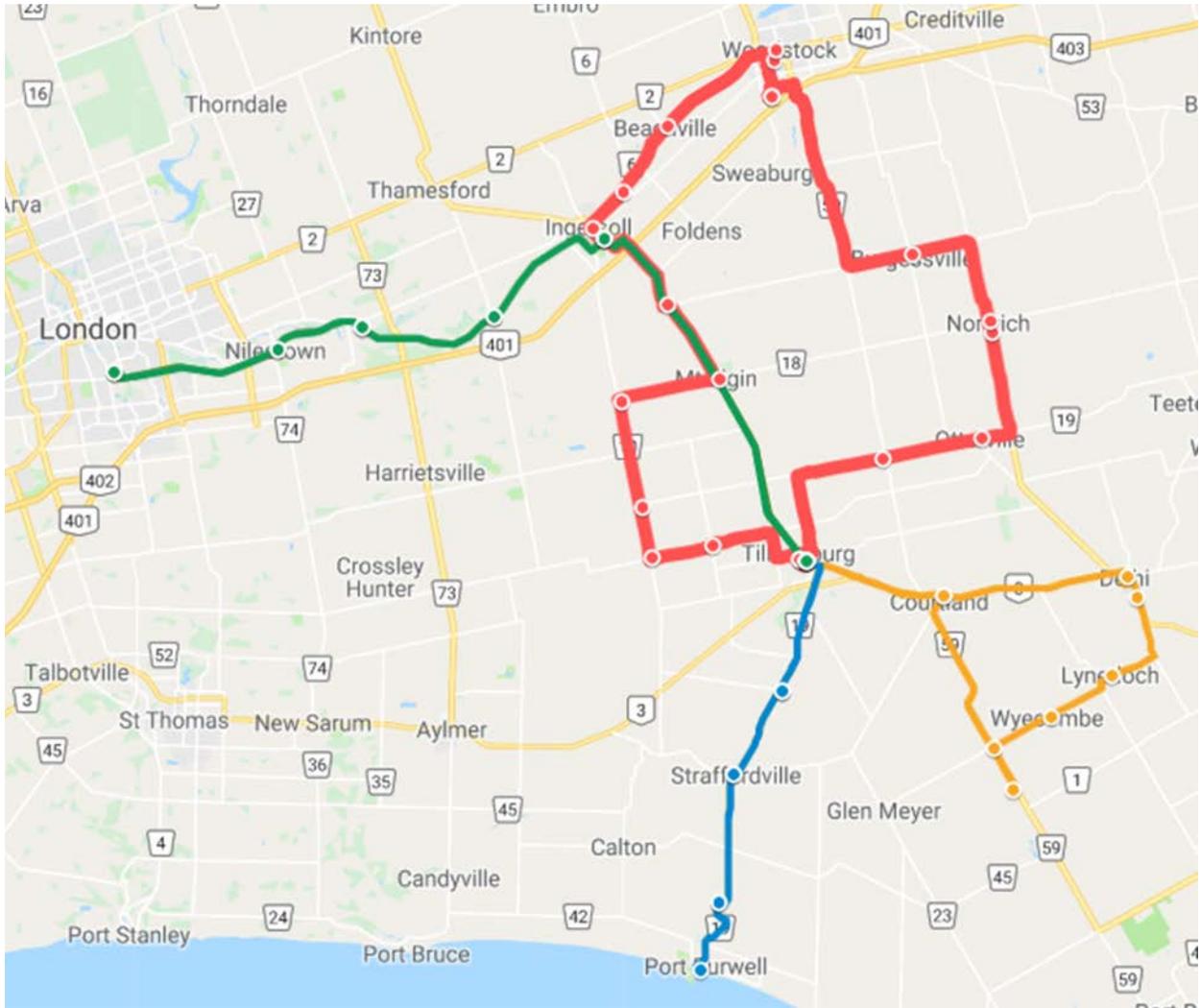
All of which is Respectfully Submitted

Approved for Submission

Brian Lima
Director of Engineering Services

Julie Gonyou
Chief Administrative Officer

T:GO Intercommunity Transit Pilot Project Route Map



- Route 1
- Route 2
- Route 3
- Route 4

FROM: Brian Lima, Director of Engineering Services
Mike Hoogstra, Purchasing Coordinator

DATE: November 4, 2019

SUBJECT: Contract Award – Village of Sparta Reconstruction Project
Contract No. 2019-36

RECOMMENDATIONS:

THAT Bre-Ex Construction Inc. be selected for the Village of Sparta Reconstruction Project, Contract No. 2019-36 at a total price of \$2,108,457.08 exclusive of H.S.T.; and

THAT additional project funds in the amount of \$275,000 (excluding HST) be preapproved for inclusion in the 2020 Capital Budget to fund the County’s proportionate project cost in partnership with the Municipality of Central Elgin; and

THAT the Warden and Chief Administrative Officer be directed and authorized to sign the contract.

INTRODUCTION:

As part of the approved 2019 Capital Budget, a revised tender was advertised and issued as per the County’s Procurement Policy for the Village of Sparta Reconstruction project in the Municipality of Central Elgin.

DISCUSSION:

A total of thirteen (13) contractors downloaded tender documents for this project. Eleven (11) contractors submitted bids for this tender which closed on October 31. Bids were received as follows:

Company	Bid Price (exclusive of HST) AS READ	Bid Price (exclusive of HST) CORRECTED
Bre-Ex Construction Inc.	\$2,108,464.28	\$2,108,457.08
J-AAR Excavating Limited	\$2,368,281.66	
291 Construction Ltd.	\$2,432,597.80	\$2,435,549.80
Van Bree Drainage and Bulldozing Limited	\$2,473,518.05	
Birnam Excavating Ltd.	\$2,540,988.89	\$2,541,081.87
PV-EX Construction Ltd.	\$2,544,367.00	\$2,580,387.00
Cassidy Construction London Ltd.	\$2,561,297.86	\$2,563,803.46
Titan Group Construction	\$2,565,318.55	
L82 Construction Limited	\$2,657,171.26	\$2,652,967.36
C.H. Excavating	\$2,744,377.01	
Amico Infrastructures (Oxford) Inc.	\$3,109,123.05	

Bre-Ex Construction Inc. submitted the lowest compliant bid for the project at a total price of \$2,108,457.08 inclusive of a contingency allowance and exclusive of HST. This construction project includes the replacement of storm sewer infrastructure and the installation of storm sewer private drain connections to each property, the costs of which will be proportionately funded by the Municipality of Central Elgin.

While the lowest submitted bid is within Spriet Associates' revised pretender budget estimate of \$2,800,000, the County's approved 2019 project budget in the amount of \$1,825,000 needs to be increased with an additional \$275,000 in the 2020 Capital Budget necessary to fund its proportionate project cost.

CONCLUSION:

Staff are pleased with the results of the tender and recommend award of the project to the successful Contractor. An increase of the project capital budget in the amount of \$275,000 is required to fund the County's proportionate project cost in partnership with the Municipality of Central Elgin. Work on this project will be completed in two phases and is anticipated to commence April 2, 2020 with substantial completion scheduled for August 2020.

As per the County of Elgin's Purchasing Policy, if change orders are required and the cost increases above the tender amount approved by Council by less than 10%, and the amount is within the overall budgeted project amount, work will proceed upon authorization by the Director. However, if the cost increases above the tender amount approved by Council by more than 10%, the Director will prepare a further report to Council outlining the expenditures.

All of which is Respectfully Submitted

Approved for Submission

Brian Lima
Director of Engineering Services

Julie Gonyou
Chief Administrative Officer

Mike Hoogstra
Purchasing Coordinator

FROM: Brian Lima, Director of Engineering Services
Stephen Gibson, County Solicitor
Steve Evans, Manager of Planning

DATE: November 18, 2019

SUBJECT: Land Severances – Unsolicited Conveyance of Lands

RECOMMENDATION:

THAT the report titled, “Land Severances – Unsolicited Conveyance of Lands” from the Director of Engineering Services, County Solicitor, and Manager of Planning dated November 18, 2019 be received and filed.

INTRODUCTION:

At its meeting on July 13, 2019, Council directed staff to prepare a follow-up report which includes opinion as to potential repercussions on repealing the County’s current policy not to accept unsolicited lands to accommodate Land Division Consent applications, as well as a legal opinion and report which considers an exemption for Notice of Application For Consent Application No. E 21/19 made by Vanquaethem Farms Ltd.

DISCUSSION:

As per the Planning Act in its current written form, parcels of land that have previously been granted an “unqualified Land Division Consent”, must physically alter those lands necessary to “spoil” the existing property description before they could be involved in a future severance involving a merger.

Whereby there does not exist a willing adjacent property recipient to transfer a small parcel of property containing its own unique stamped deed and description, the Planning Act condition can also be met by transferring the small parcel to a municipality.

The County has had a long-standing practice of not accepting additional property abutting a County road allowance that is not otherwise requested or required, and which cannot form part of the road allowance or be designated for the purpose of road dedication for widening purposes.

In accordance with Section 11(2) 4 of the Municipal Act, 2001, a municipality may pass by-laws respecting public assets acquired for the purpose of exercising its authority under the Act. Therefore, consideration by Council must be given as to what basis supports granting such an exemption.

Reasons not to accept such parcels include: administrative and legal costs to facilitate the transfer, costs to ensure no encumbrances exist on the transferred parcel,

avoidance of additional unnecessary liability risk, and the precedent potential to participate in future third party land division applications.

Should an exemption by Council be granted leading to the receipt of such parcel in the absence of a prescribed purpose, such parcel transaction would automatically be deemed surplus to the County's need, and thereafter is subject to disposition in accordance with the County's Sale and Other Disposition of Land By-Law No. 07-30.

In maintaining the County's policy to not accept unsolicited lands to accommodate Land Division Consent applications pertaining to the Notice of Application For Consent Application No. E 21/19 made by Vanquaethem Farms Ltd., alternatively either the Municipality of Bayham can elect to receive such parcel transfer, or the consent granted recipient would need to file a separate severance application whereby the description of the lands which are to merge, has been reduced by satisfactory amendment since the date of it having been previously granted a unqualified Consent. A diagram submitted in support of the application is detailed below for reference.

Staff therefore once again recommends that the County of Elgin policy to not accept unsolicited lands to accommodate Land Division Consent applications that have otherwise not been previously requested or required by the County continue to be maintained.

CONCLUSION:

The Planning Act currently requires a change be made to the description of the lands which have in the past had the benefit of an unqualified Land Division Consent. This condition is included in all Decisions where the lands to be severed are being added to lands which have the benefit of an unqualified consent. Essentially, the altered description "spoils" the previous severance so that titles can be merged.

The County is not required to participate in this solution, nor has the County traditionally accepted parcels of land that have not been specifically requested or required. Such County practice was formalized into a policy by Council at its meeting on Tuesday, September 11, 2018.

Staff recommends that the County of Elgin policy to not accept unsolicited lands to accommodate Land Division Consent applications that have otherwise not been previously requested or required by the County continue be maintained.

All of which is Respectfully Submitted

Approved for Submission

Brian Lima
Director of Engineering Services

Julie Gonyou
Chief Administrative Officer

Stephen Gibson
County Solicitor

Steve Evans
Manager of Planning

FROM: Brian Lima, Director of Engineering Services

DATE: November 18, 2019

SUBJECT: Imperial Road Transportation Impact Study Follow-up Site Visit

RECOMMENDATION:

THAT the report titled “Imperial Road Transportation Impact Study Follow-up Site Visit” from the Director of Engineering Services dated November 18, 2019 be received and filed.

INTRODUCTION:

At their September 11, 2018 meeting, County Council received and filed a staff report in response to a request from the Township of Malahide of raised concerns to review Imperial Road (County Road 73) in the vicinity of Moore’s Flower & Garden Centre (hereinafter referred to as Moore’s) and Clovermead Adventure Farm (hereinafter referred to as Clovermead).

At their July 9, 2019 meeting, County Council received and filed a report titled “Imperial Road Transportation Impact Study Preliminary Findings”. That report detailed IBI Group’s preliminary findings and included an obligation to perform a follow-up field observation and report during the autumn of 2019 with the understanding that Clovermead experiences its peak business activity around the Thanksgiving weekend in October. This report summarizes the additional updated data obtained from the site visit on October 5, 2019 and complementary traffic data obtained between November 1 to 3, 2019 to conclude IBI Group’s study.

DISCUSSION:

IBI Group was retained by County staff to undertake a transportation impact study (hereinafter referred to as TIS) for the section of Imperial Road between Glencolin Line and College Line in order to analyze the peak business seasons of existing and future traffic conditions in the vicinity of Moore’s and Clovermead - two seasonal trip generators. Each of these businesses have different peak activity times, hence the need to independently study each location at different times of the year and specifically during the Victoria Day weekend and one week before the Thanksgiving Day weekend respectively.

IBI Group has completed their follow-up site visit and report complemented by automatic traffic recorder data provided by County staff and such report is attached as Appendix A for reference.

Based on the Fall follow-up site visit, the report concluded the following:

1. Traffic Operations Analysis - The peak, 2-way hour volume along Imperial Road occurred on Saturday, November 2, 2019 at 11:00 a.m. and was recorded at 512 vehicles in total. The peak hour volume of vehicles totaled 117 that entered and exited the accesses into Clovermead between 11:00 a.m and 12:00 a.m. on October 5, 2019. All movements in and out of the study area are operating well below capacity and within acceptable levels of service during peak business hour.
2. Traffic Safety Observations – Although the historic collision review noted that Imperial Road experiences fewer collisions than a typical two-lane rural road in North America, there were two instances where vehicles nearly collided while making turning movements at Clovermead accesses. These observations underscored the appropriateness of potential mitigation measures outlined in the June 2019 TIS. Specifically, recommending the installation of additional “no-parking” signage and “80km/h” maximum speed signs. In support of those recommendations, signage was installed earlier this year that additionally included “bus entrance” warning signage.
3. Left-Turn Lane Warrant - A technical left-turn lane warrant analysis determined that, under existing and 2031 peak traffic conditions, that a southbound left turn lane with a 15m storage lane is warranted at the northern Clovermead access. The report also emphasizes that an absolute “worst case” scenario has been assessed and that even if technically warranted, the implementation of turning lanes may not be appropriate due to constructability, low cost-benefit or other factors. Additionally, the construction of turning lanes may impact departure sight distance, particularly when multiple accesses exist.

Based on the aforementioned conclusions, IBI Group is recommending the following mitigation measures be established at this time:

- Consider closing one of the two Clovermead accesses in order to consolidate and reduce potential conflict points,
- Consider keeping Aunt Lena’s access open (located 130 metres south of the Clovermead access) provided that safety and geometric standards are met (as noted by TAC),
- Monitor the new consolidated Clovermead access as the anticipated growth of business developments in the area occur, in order to ensure the area is operating safely and geometric standards are met (as noted by TAC),
- Complete another traffic assessment when hourly through volume exceeds 620 vehicles (projected highest hourly volume in 2031). This assessment should consist of a similar scope of work and include a traffic operations assessment, safety assessment and left-turn lane warrant assessment. If at least two out of these three assessments determine that a left-turn lane is warranted, the County should complete a cost-benefit analysis and consider building the left turn lane if the results of the cost-benefit analysis are favourable.

CONCLUSION:

The transportation impact study of Imperial Road from Glencolin Line to College Line was undertaken by IBI Group on behalf of the County and the Township of Malahide. Based on their analysis of the study area, traffic volumes, and traffic operations during two distinct seasonal periods during 2019, a number of recommendations were presented. Additional signage identifying the posted speed limit, additional prohibited parking signage and bus entrance warning signage has since been installed. IBI Group also recommends the consideration of the closure and consolidation of one of the Clovermead accesses in order to reduce potential conflict points. Finally, the TIS recommends the future completion of a similar TIS where at least two of three assessment variables (operation, safety and left-turn warrant) along with a cost-benefit analysis must support the construction of a left-turn lanes before they are justified.

All of which is Respectfully Submitted

Approved for Submission

Brian Lima
Director of Engineering Services

Julie Gonyou
Chief Administrative Officer



IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

November 18, 2019

Brian Lima
Director of Engineering Services
Elgin County
450 Sunset Drive
St. Thomas, ON N5R 5V1

Dear Mr. Lima:

FOLLOW-UP SITE VISIT | IMPERIAL ROAD (ELGIN COUNTY 73) FROM GLENCOLIN LINE TO COLLEGE LINE, ELGIN COUNTY

The objective of this letter is to summarize the results of the autumn site visit to Clovermead Adventure Farm (“Clovermead”), to determine if the conclusions and recommendations made in June 2019, when the seasonal peak volumes at Moore’s Flower & Garden Centre (“Moore’s”) were observed, remain appropriate when Clovermead’s seasonal peak volumes are considered.

1. Background

In June 2019, IBI Group submitted the report *Transportation Impact Study – Imperial Road (Elgin County 73) From Glencolin Line to College Line, Elgin County*. This report examined existing and future (2031) traffic conditions in order to address traffic operations and safety concerns raised by the Township of Malahide in the vicinity of two seasonal trip generators – Moore’s and Clovermead.

Based on turning movement counts and vehicle volume counts collected on Saturday, May 18, 2019 (peak demand at Moore’s), analysis revealed the following:

- No traffic operational constraints were observed at the accesses to businesses in the study area under existing conditions, or under projected 2031 conditions; and
- Midblock segments of Imperial Road are operating under capacity in existing conditions, and are expected to continue to operate under capacity in 2031.

In addition, a safety analysis of the study area revealed the following:

- 85th percentile vehicle speeds within the study area were 10 to 15 km/h above the assumed speed limit of 80 km/h. As there are no speed limit signs within the study area, signage is recommended to provide guidance to motorists;
- A review of historical collisions patterns along Imperial Road indicates that the study area experiences, relatively, fewer collisions than a typical rural two-lane arterial roadway in North America;
- Stopping sight and departure sight distances at the accesses to businesses in the study area exceed the minimum distances specified by the Transportation Association of Canada Geometric Design Guide for Canadian Roads (June 2017) (“TAC”). Due to vertical curves in the roadway, decision sight distance does not meet TAC guidelines, but no collisions attributable to this deficiency were observed.

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- A left-turn lane warrant analysis determined that, under 2031 peak traffic conditions, a northbound left-turn lane is warranted at the Moore's Main Access. However, it must be noted that the analysis considered an absolute worst case scenario, which is likely to only be present on weekends during the peak gardening season. A predictive safety analysis determined that a dedicated left-turn lane would reduce the likelihood of collisions in the study area, but given the low rate of existing collisions, the cost – benefit of a lane would likely be low.
- Given driveway density within the study area, a predictive collision analysis was conducted on a two-way left-turn lane which would serve all businesses within the study area. This measure was found to provide a superior collision reduction potential than an isolated left-turn lane, but given the low rate of existing conditions the cost / benefit ratio would likely be very low.

Brian Lima – November 18, 2019

2. Existing Conditions

This section documents the transportation network in the study area in 2019, including existing traffic volumes and existing traffic operational assessment.

2.1. Automatic Traffic Recorder Counts

Three Automatic Traffic Recorder (ATR) counts were completed on Imperial Road during a three-day period from Friday, November 01, 2019 to Sunday, November 03, 2019, in order to capture the period where Clovermead experiences the peak business season. The approximate locations of the three ATR counts were 92 metres north of Northern Access (Count Station 1), 108 metres north of Clovermead Access (Count Station 2), and 217 metres south of Aunt Lena (Count Station 3), as illustrated in **Exhibit 2-1**.

Exhibit 2-1: Count-Station Locations



Brian Lima – November 18, 2019

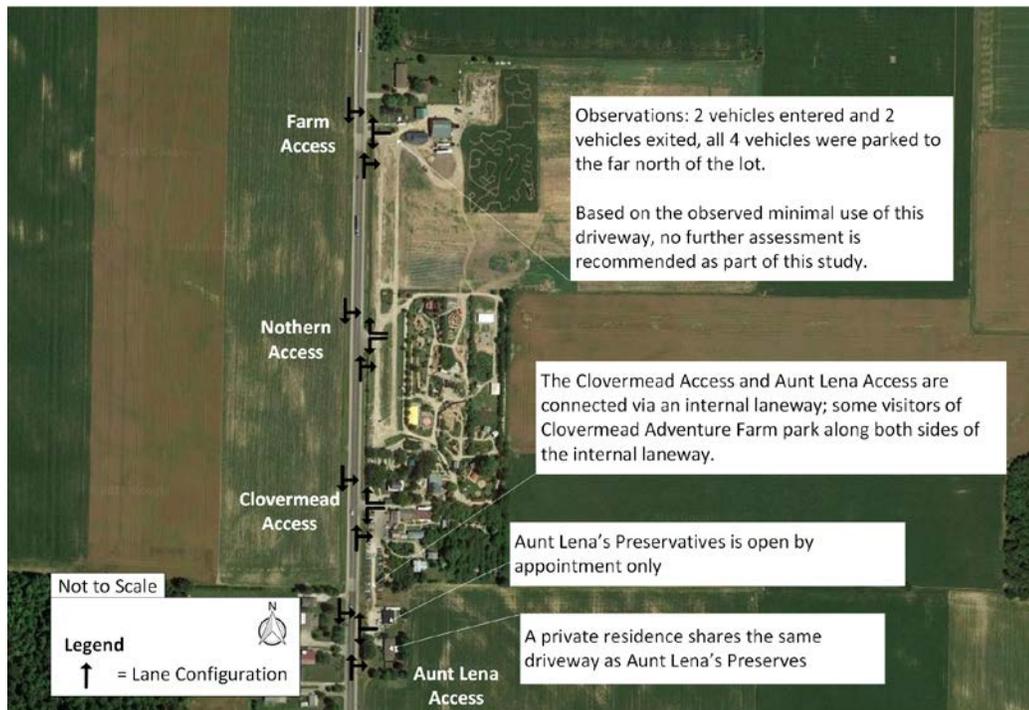
The peak hour occurred on Saturday, November 02, 2019 at 11:00 a.m., where 512 two-way vehicles were captured at Count Station 3. Approximately 54% of the traffic was captured travelling northbound (275 vehicles) and the remaining 46% were captured travelling southbound (237 vehicles).

The peak hour captured at Count Station 3 is during the peak business hours of Clovermead’s.

2.2. Autumn Turning Movement Counts

As the initial observations were conducted during the spring when Moore’s experiences their seasonal peak volumes, additional observations were conducted in the autumn during the peak season at Clovermead. **Exhibit 2-2** illustrates the study area specific to the autumn site visit.

Exhibit 2-2: Clovermead Study Area



In addition to the accesses observed in the spring, the autumn observations considered the Northern Access (locked during the spring), and the Farm Access at the far north end of the property.

In order to determine peak vehicle demand at Clovermead, IBI Group collected access volume counts on October 5, 2019, between 10:45 a.m. and 12:45 p.m. As per a discussion with the business owner, this day and time period reflects both the busiest period of the year and day for Clovermead. A summary of the observed vehicle volumes are presented in **Exhibit 2-3**.

It must be noted that, at the time of observations, there was minimal vehicular-use of the Farm Access (2 vehicles in, and 2 vehicles out). Consequently, no further analysis of this driveway is recommended at this time. TAC notes that, on rural arterial roads like Imperial Road, an access

Brian Lima – November 18, 2019

spacing of 400 metres is desirable. However, in cases where the spacing of existing private accesses do not conform to this guideline, TAC notes that they remain in use, provided that safety and geometric standards are met.

Exhibit 2-3: Clovermead Traffic Volumes - Inbound/Outbound

Starting Time	Aunt Lena Access					Clovermead Access					Northern Access					Total
	Inbound		Outbound			Inbound		Outbound			Inbound		Outbound			
	NBR	SBL	WBR	WBL	Sub-total	NBR	SBL	WBR	WBL	Sub-total	NBR	SBL	WBR	WBL	Sub-total	
10:45 a.m.	0	0	0	2	2	5	3	1	2	11	0	10	0	0	10	23
11:00 a.m.	2	0	0	1	3	8	2	1	2	13	1	17	0	1	19	35
11:15 a.m.	1	0	0	0	1	6	6	1	2	15	2	13	0	0	15	31
11:30 a.m.	0	0	0	0	0	4	4	2	2	12	0	13	0	0	13	25
11:45 a.m.	0	0	0	2	2	4	3	4	2	13	0	10	1	0	11	26
12:00 p.m.	1	0	0	1	2	5	2	0	1	8	0	15	2	0	17	27
12:15 p.m.	0	0	0	0	0	5	4	0	0	9	0	14	0	0	14	23
12:30 p.m.	0	0	1	0	1	6	4	3	3	16	0	10	0	2	12	29
Peak Hour (11:00 a.m. - 12:00 p.m.)	3	0	0	3	6	22	15	8	8	53	3	53	1	1	58	117

As shown in **Exhibit 2-3**, the peak hour was observed to occur between 11:00 a.m. and 12:00 p.m. During this time, 117 vehicles were observed entering and exiting Clovermead, with the majority of these movements being southbound left-turns into the Northern Access.

2.2.1. Existing Traffic Volumes

The peak hour traffic volumes observed at Northern Access, Clovermead Access, and Aunt Lena Access were combined for the purposes of assessing the traffic operations of the study area. The traffic volumes are presented in **Exhibit 2-4**.

Brian Lima – November 18, 2019

2.3. Existing Conditions Analysis (Saturday)

Using the turning movement counts described **Exhibit 2-4**, the study area intersections (site accesses) were analyzed using the software package Synchro 9.2, which is based on methodology outlined in the *Highway Capacity Manual (HCM)*.

For the existing conditions, **Exhibit 2-5** presents the results of the traffic operations analysis at the site accesses of Clovermead during the peak business hour. Full Synchro reports for the Existing Traffic Conditions can be found in **Appendix A**.

Exhibit 2-5: Existing Conditions Traffic Operations

Intersection	Intersection Delay (s)	Lane	Lane LOS	Control Delay (s)	v/c Ratio	95 th Percentile Queue (m)	Storage Length (m)
Imperial Road / Northern Access	1.0	SBLT	A	1.8	0.05	1	-
		WBL	B	11.9	0.00	<1	-
Imperial Road / Clovermead Access	0.6	SBLT	A	0.6	0.01	<1	-
		WBL	B	11.2	0.02	<1	-
Imperial Road / Aunt Lena Access	0.1	SBLT	A	0.0	0.00	0	-
		WBLR	B	12.3	0.01	<1	-

All movements in and out of the study area are operating well below capacity, with acceptable levels of service during Clovermead's peak business hour.

Brian Lima – November 18, 2019

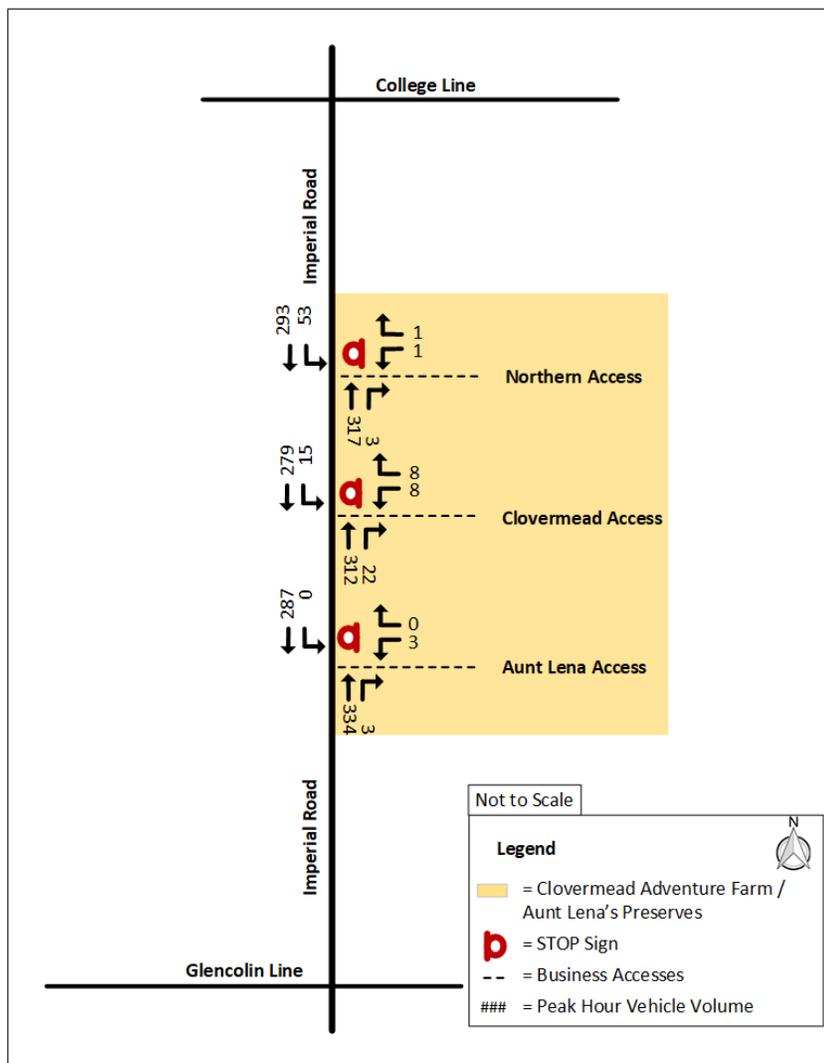
3. 2031 Future Conditions

This section examines the future (2031) traffic scenario of the study area.

3.1. 2031 Future Traffic Volumes

Similar to the report, a 1.88% annual background growth rate was applied to the existing traffic volumes (through movements only) to estimate the future traffic volumes in 2031, as illustrated in Exhibit 3-1

Exhibit 3-1: Future Traffic Condition



Brian Lima – November 18, 2019

3.2. 2031 Future Traffic Conditions Analysis

Using the volumes illustrated in **Exhibit 3-1**, traffic operations analysis was conducted to determine future intersection performance in 2031.

For the 2031 future total conditions, **Exhibit 3-2** presents the results of the traffic operations analysis at the study area site accesses during the peak business hour. Full Synchro reports for the 2031 Future Traffic Conditions can be found in **Appendix B**.

Exhibit 3-2: 2031 Future Conditions Traffic Operations

Intersection	Intersection Delay (s)	Lane	Lane LOS	Control Delay (s)	v/c Ratio	95 th Percentile Queue (m)	Storage Length (m)
Imperial Road / Northern Access	0.9	SBLT	A	1.7	0.05	1	-
		WBL	B	13.0	0.00	<1	-
Imperial Road / Clovermead Access	0.6	SBLT	A	0.5	0.01	<1	-
		WBL	B	12.1	0.02	<1	-
Imperial Road / Aunt Lena Access	0.1	SBLT	A	0.0	0.00	0	-
		WBLR	B	13.7	0.00	<1	-

All movements in and out of the Clovermead and the Aunt Lena accesses are anticipated to operate well below capacity, with acceptable levels of service during the peak business hour at Clovermead in 2031.

Brian Lima – November 18, 2019

4. Traffic Safety Observations

With respect to the safety analysis, qualitative observations on October 5, 2019 noted two instances of vehicles nearly colliding while making turning movements at the Clovermead accesses. In addition, motorists were noted as being generally more aggressive when compared to spring observations. While the historical collision review noted that Imperial Road experiences fewer collisions than a typical two-lane rural road in North America, these observations underscore the appropriateness for the potential mitigation measures outlined in June 2019:

- Add signage identifying the posted speed limit at the following locations, on either side of Imperial Road (both travel directions):
 - Just north of Glencolin Line;
 - Between Moore's Flower & Garden Centre and Clovermead Adventure Farm; and
 - Just south of College Line;
- Prohibit parking on the shoulder along Imperial Road, between Moore's Flower & Garden Centre and Clovermead Adventure Farm; and
- Consider active enforcement during the peak business seasons of both businesses in an attempt deter drivers from parking on the shoulder.

Brian Lima – November 18, 2019

5. Mitigation Alternatives

This section would outline different mitigation alternatives based on the analysis of the existing and the future traffic conditions.

5.1. Addition of Left-Turn Lanes

This section outlines the analysis conducted to determine if dedicated left-turn lanes are warranted in the study area. It must be noted that even if technically warranted, the implementation of turning lanes may not be appropriate due to constructability, low cost-benefit, or other factors. In addition, turning lanes may impact departure sight distance – particularly when major road traffic is turning into an access other than the one being used for departures.

5.1.1. Left-Turn Lane Warrant Analysis

A left-turn lane warrant analysis conducted in June 2019 indicated that a northbound left-turn lane would be warranted at the Moore's Main Access in 2031. However, given the access spacing in the study area, and its superior collision reduction potential, a two-way left-turn lane serving both Moore's and Clovermead may be a more appropriate means of accommodating left-turn demand from Imperial Road.

As part of this updated assessment, a left-turn lane warrant analysis was conducted to determine if the existing left-turn movements at the study area intersections satisfies the requirement to construct a dedicated left-turn lane at any of the Clovermead accesses. The left-turn lane warrant analysis was based on the Transportation Association of Canada (TAC) *Geometric Design Guide for Canadian Roads* (June 2017), which considers the following variables:

- Advancing volume (V_A);
- Opposing volume (V_O);
- Percentage of left turning vehicles in advancing volume; and
- Design speed of the roadway.

A design speed of 100 km/h (20 km/h above the posted speed limit of 80 km/h) was used to reflect the 85th percentile operating speed for Imperial Road within the study area. **Exhibit 5-1** summarizes the results of the left-turn storage lane warrants in the southbound direction. A graphical assessment of each scenario is found in **Appendix C**.

Brian Lima – November 18, 2019

Exhibit 5-1: Southbound Left-Turn Storage Lane Warrant Summary

Intersection	Design Speed	Existing (2019) Conditions					Future (2031) Conditions				
		V _A (vph)	V _O (vph)	% Left Turns in V _A	Left Lane Required?	Storage (m)	V _A (vph)	V _O (vph)	% Left Turns in V _A	Left Lane Required?	Storage (m)
Imperial Road / Northern Access	100	293	258	18%	Yes	15	346	320	15%	Yes	15
Imperial Road / Clovermead Access	100	241	272	6%	No	-	294	334	5%	No	-
Imperial Road / Aunt Lena Access	100	234	275	0%	No	-	287	337	0%	No	-

As shown in **Exhibit 5-1**, a southbound left-turn lane with a length of 15 metres is warranted based on existing conditions. In 2031, a 15-metre southbound left-turn lane is anticipated to continue to be warranted.

It must be noted that the above findings assume a worst-case scenario at an access which is only opened to the public during the peak season. In addition, the traffic operations analysis showed minimal delay to southbound through vehicles when turns were made from a shared lane.

Brian Lima – November 18, 2019

6. Conclusions and Recommendations

Based on the autumn analysis, the following conclusions are presented:

- Traffic operations analysis using volumes collected in the autumn did not alter the conclusions reached in June 2019. The accesses to Clovermead were found to be operating without capacity constraints, and are expected to do so into the future;
- Vehicle volumes at the Clovermead Access were observed to be minimal, and no further analysis of this access is recommended at this time. TAC notes that, on rural arterial roads like Imperial Road, an access spacing of 400 metres is desirable. Although, in cases where the spacing of existing private accesses do not conform to this guideline, TAC notes that they remain in use, provided that safety and geometric standards are met.
- Two “close calls” were observed in the field, and motorists were observed to be more aggressive in the autumn than under spring conditions. This underscores the appropriateness of additional signage as a first step in addressing vehicle speeds, and of addressing roadside parking to reduce sight line obstructions;
- Left-turn volumes observed at the Northern Access are such that a 15 metre left-turn lane is warranted (in addition to the facility which was found to be warranted at Moore’s in 2031). It should be noted that these observations were based on a worst-case scenario at an access which is only open to the public during the peak season.

6.1. Recommendations

Based on the conclusions of the autumn analysis, the following recommendations are presented:

- Apply the mitigation measures identified in the June 2019 report (and summarized in **Section 4** of this letter);
- Consider closing the North Access and direct traffic to use the Clovermead Access (or vice versa), located approximately 165 metres to the south in order to reduce the potential for “close calls” by reducing the number of potential conflict points;
- Consider keeping Aunt Lena’s Access open, located approximately 130 metres south of the Clovermead Access, provided that safety and geometric standards are met (as noted by TAC);
- Monitor the new consolidated Clovermead Access and Elgin County (within the study area) as the anticipated growth of business developments in the area occur, in order to ensure that the study area is operating safely without capacity constraints.
- Complete another traffic assessment when hourly through volumes exceed 620 vehicles (highest forecasted peak hour through volume in 2031). The traffic assessment should consist of a similar scope of work, including traffic operations assessment, safety assessment, and left-turn lane warrant assessment. If at least two out of the three assessments determine that a left-turn lane is warranted within the study area, Elgin County should complete a cost-benefit analysis and consider building the left-turn lane if the results of the analysis are favourable.

Brian Lima – November 18, 2019

I trust that this preliminary assessment of autumn conditions on Imperial Road is satisfactory. Please do not hesitate to contact me should you have any questions regarding our assessment or our recommendations.

Yours truly,

IBI GROUP

A handwritten signature in black ink, appearing to read "Fadi Madi". The signature is written in a cursive style with a large initial "F" and "M".

Fadi Madi, P.Eng
Transportation Engineer
416-596-1930 ext. 61867
fadi.madi@ibigroup.com

Appendix A

2019 Existing Conditions Synchro Reports

HCM Unsignalized Intersection Capacity Analysis
2: Imperial Road & Aunt Lena Access

Existing Traffic Volumes (Saturday)
Autumn Weekend



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↙		↑	↘		↓
Traffic Volume (veh/h)	3	0	272	3	0	234
Future Volume (Veh/h)	3	0	272	3	0	234
Sign Control	Stop		Free		Free	
Grade	0%		0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	3	0	296	3	0	254
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None		None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	552	298			299	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	552	298			299	
tC, single (s)	6.4	6.2			4.2	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.3	
p0 queue free %	99	100			100	
cM capacity (veh/h)	495	742			1234	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	3	299	254			
Volume Left	3	0	0			
Volume Right	0	3	0			
cSH	495	1700	1234			
Volume to Capacity	0.01	0.18	0.00			
Queue Length 95th (m)	0.1	0.0	0.0			
Control Delay (s)	12.3	0.0	0.0			
Lane LOS	B					
Approach Delay (s)	12.3	0.0	0.0			
Approach LOS	B					
Intersection Summary						
Average Delay			0.1			
Intersection Capacity Utilization			24.5%	ICU Level of Service	A	
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
4: Imperial Road & Clovermead Access

Existing Traffic Volumes (Saturday)
Autumn Weekend

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	8	8	250	22	15	226
Future Volume (Veh/h)	8	8	250	22	15	226
Sign Control	Stop		Free		Free	
Grade	0%		0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	9	9	272	24	16	246
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)	1					
Median type			None		None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	562	284			296	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	562	284			296	
tC, single (s)	6.4	6.2			4.2	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.3	
p0 queue free %	98	99			99	
cM capacity (veh/h)	482	755			1237	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	18	296	262			
Volume Left	9	0	16			
Volume Right	9	24	0			
cSH	964	1700	1237			
Volume to Capacity	0.02	0.17	0.01			
Queue Length 95th (m)	0.4	0.0	0.3			
Control Delay (s)	11.2	0.0	0.6			
Lane LOS	B		A			
Approach Delay (s)	11.2	0.0	0.6			
Approach LOS	B					
Intersection Summary						
Average Delay			0.6			
Intersection Capacity Utilization			34.2%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
 15: Imperial Road & Northern Access

Existing Traffic Volumes (Saturday)
 Autumn Weekend



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	1	1	255	3	53	240
Future Volume (Veh/h)	1	1	255	3	53	240
Sign Control	Stop		Free		Free	
Grade	0%		0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	1	277	3	58	261
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)	1					
Median type			None		None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	656	278			280	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	656	278			280	
tC, single (s)	6.5	6.3			4.2	
tC, 2 stage (s)						
tF (s)	3.6	3.4			2.3	
p0 queue free %	100	100			95	
cM capacity (veh/h)	403	748			1254	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	2	280	319			
Volume Left	1	0	58			
Volume Right	1	3	0			
cSH	807	1700	1254			
Volume to Capacity	0.00	0.16	0.05			
Queue Length 95th (m)	0.1	0.0	1.1			
Control Delay (s)	11.9	0.0	1.8			
Lane LOS	B		A			
Approach Delay (s)	11.9	0.0	1.8			
Approach LOS	B					
Intersection Summary						
Average Delay			1.0			
Intersection Capacity Utilization			42.5%	ICU Level of Service		A
Analysis Period (min)			15			

Appendix B

2031 Future Total Conditions Synchro Reports

HCM Unsignalized Intersection Capacity Analysis
2: Imperial Road & Aunt Lena Access

Future Traffic Volumes (Saturday)
Autumn Weekend



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↶		↷		↶	↷
Traffic Volume (veh/h)	3	0	334	3	0	287
Future Volume (Veh/h)	3	0	334	3	0	287
Sign Control	Stop		Free		Free	
Grade	0%		0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	3	0	363	3	0	312
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None		None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	676	364			366	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	676	364			366	
tC, single (s)	6.4	6.2			4.2	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.3	
p0 queue free %	99	100			100	
cM capacity (veh/h)	419	680			1165	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	3	366	312			
Volume Left	3	0	0			
Volume Right	0	3	0			
cSH	419	1700	1165			
Volume to Capacity	0.01	0.22	0.00			
Queue Length 95th (m)	0.2	0.0	0.0			
Control Delay (s)	13.7	0.0	0.0			
Lane LOS	B					
Approach Delay (s)	13.7	0.0	0.0			
Approach LOS	B					
Intersection Summary						
Average Delay			0.1			
Intersection Capacity Utilization			27.8%	ICU Level of Service	A	
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
4: Imperial Road & Clovermead Access

Future Traffic Volumes (Saturday)
Autumn Weekend

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	8	8	312	22	15	279
Future Volume (Veh/h)	8	8	312	22	15	279
Sign Control	Stop		Free		Free	
Grade	0%		0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	9	9	339	24	16	303
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)	1					
Median type			None		None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	686	351			363	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	686	351			363	
tC, single (s)	6.4	6.2			4.2	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.3	
p0 queue free %	98	99			99	
cM capacity (veh/h)	408	692			1168	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	18	363	319			
Volume Left	9	0	16			
Volume Right	9	24	0			
cSH	815	1700	1168			
Volume to Capacity	0.02	0.21	0.01			
Queue Length 95th (m)	0.5	0.0	0.3			
Control Delay (s)	12.1	0.0	0.5			
Lane LOS	B		A			
Approach Delay (s)	12.1	0.0	0.5			
Approach LOS	B					
Intersection Summary						
Average Delay			0.6			
Intersection Capacity Utilization			36.9%	ICU Level of Service		A
Analysis Period (min)	15					

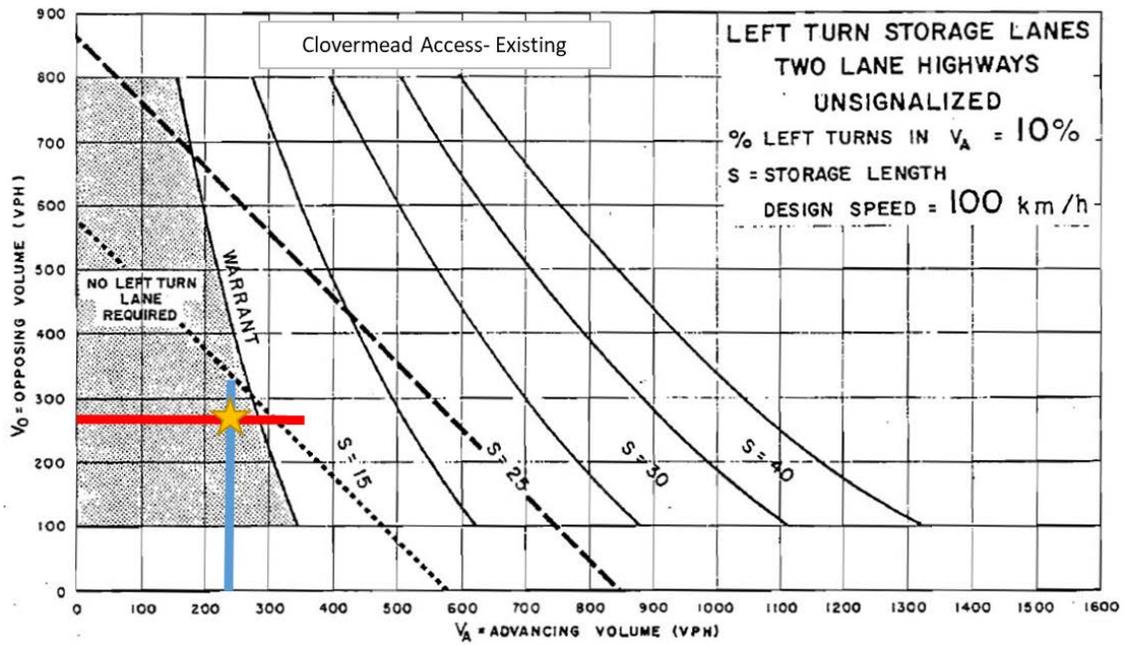
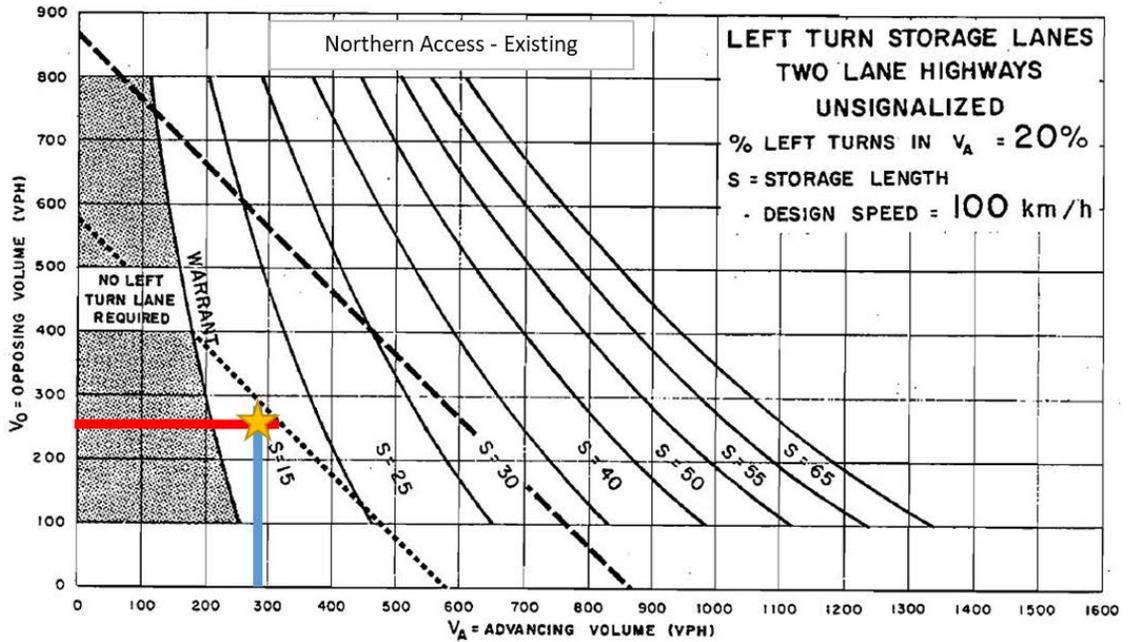
HCM Unsignalized Intersection Capacity Analysis
 15: Imperial Road & Northern Access

Future Traffic Volumes (Saturday)
 Autumn Weekend

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	1	1	317	3	53	293
Future Volume (Veh/h)	1	1	317	3	53	293
Sign Control	Stop		Free		Free	
Grade	0%		0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	1	345	3	58	318
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)	1					
Median type			None		None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	780	346			348	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	780	346			348	
tC, single (s)	6.5	6.3			4.2	
tC, 2 stage (s)						
tF (s)	3.6	3.4			2.3	
p0 queue free %	100	100			95	
cM capacity (veh/h)	339	685			1184	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	2	348	376			
Volume Left	1	0	58			
Volume Right	1	3	0			
cSH	678	1700	1184			
Volume to Capacity	0.00	0.20	0.05			
Queue Length 95th (m)	0.1	0.0	1.2			
Control Delay (s)	13.0	0.0	1.7			
Lane LOS	B		A			
Approach Delay (s)	13.0	0.0	1.7			
Approach LOS	B					
Intersection Summary						
Average Delay			0.9			
Intersection Capacity Utilization			48.6%	ICU Level of Service		A
Analysis Period (min)	15					

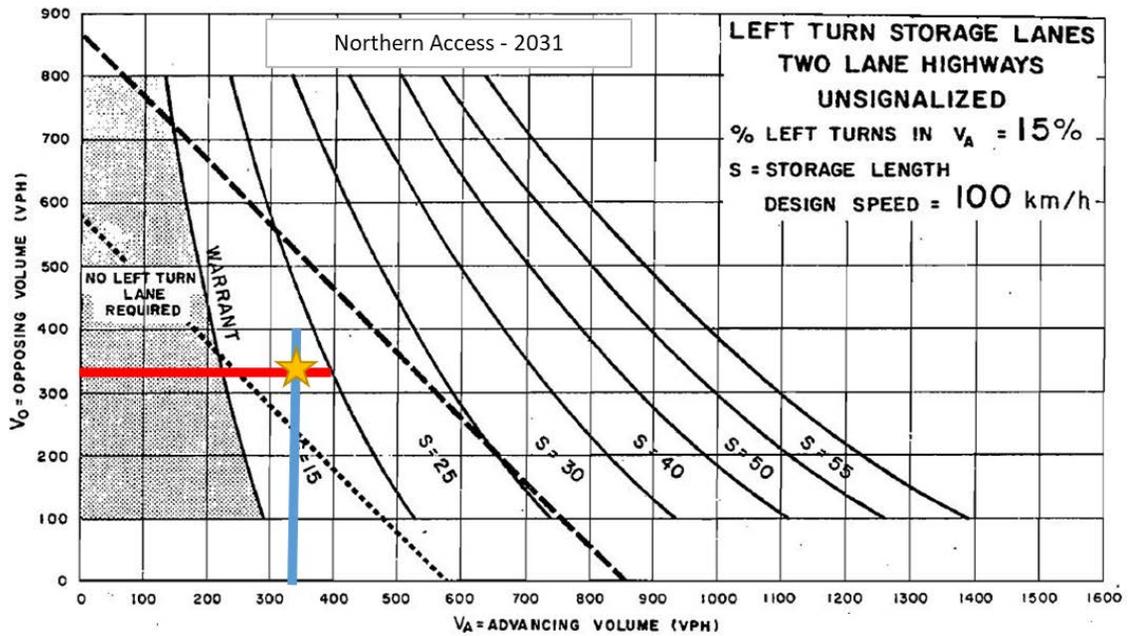
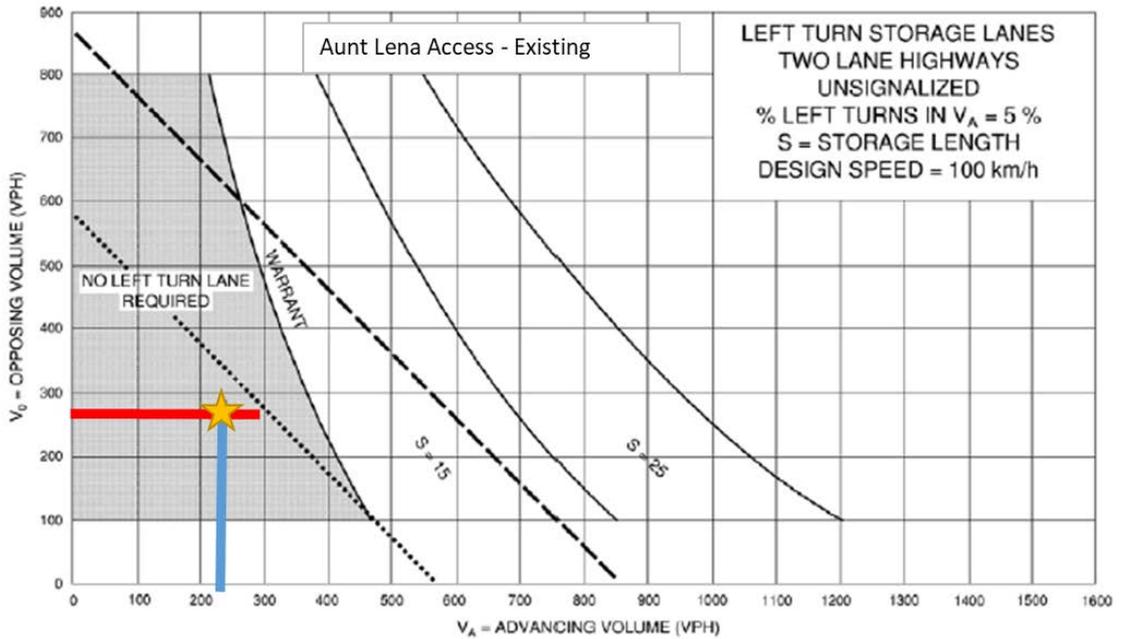
Appendix C

Left-Turn Storage Lane Warrants



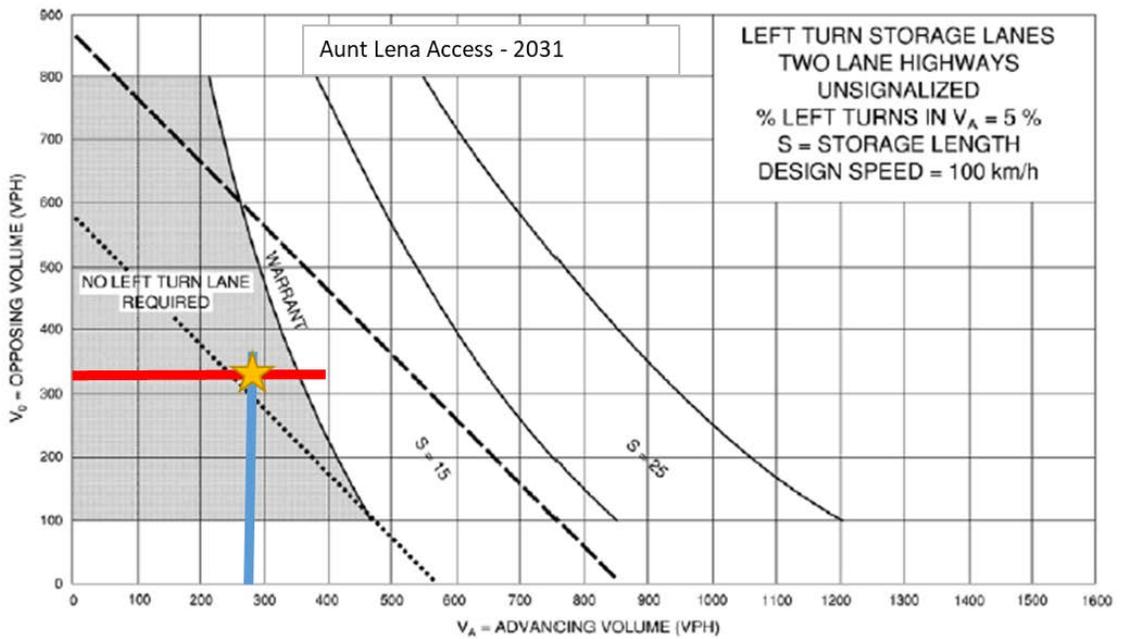
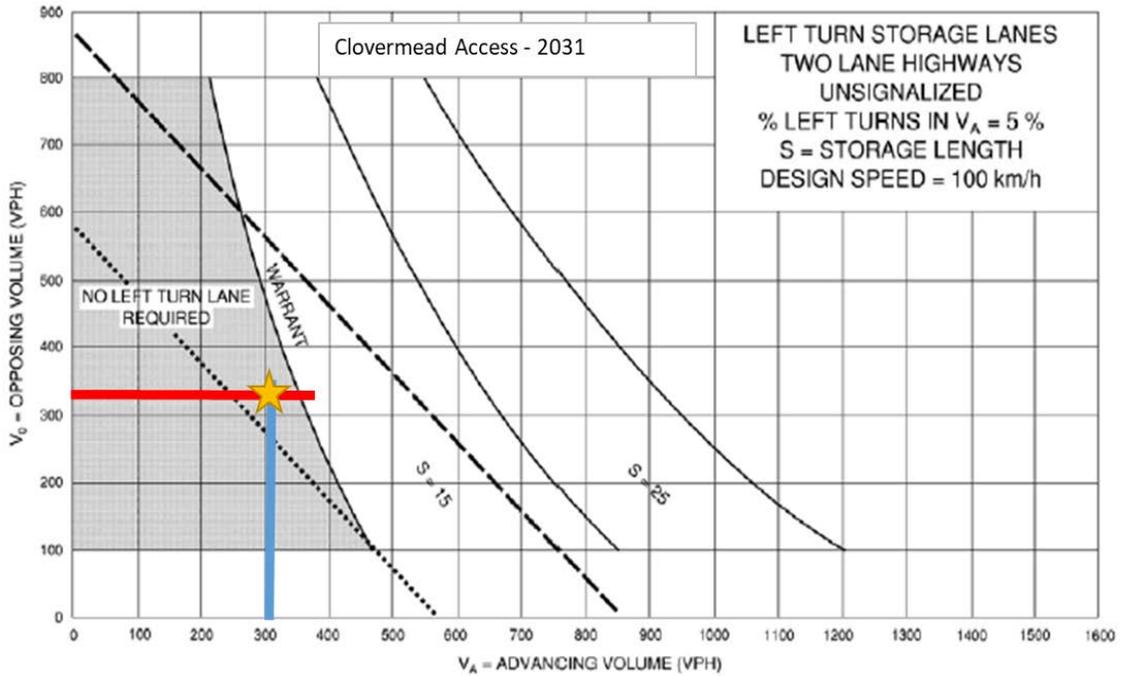
Index:

	TRAFFIC SIGNALS MAY BE WARRANTED IN RURAL AREAS OR URBAN AREAS WITH RESTRICTED FLOW		Opposing Volume
	TRAFFIC SIGNALS MAY BE WARRANTED IN "FREE FLOW" URBAN AREAS		Advancing Volume



Index:

	TRAFFIC SIGNALS MAY BE WARRANTED IN RURAL AREAS OR URBAN AREAS WITH RESTRICTED FLOW		Opposing Volume
	TRAFFIC SIGNALS MAY BE WARRANTED IN "FREE FLOW" URBAN AREAS		Advancing Volume



Index:

	TRAFFIC SIGNALS MAY BE WARRANTED IN RURAL AREAS OR URBAN AREAS WITH RESTRICTED FLOW		Opposing Volume
	TRAFFIC SIGNALS MAY BE WARRANTED IN "FREE FLOW" URBAN AREAS		Advancing Volume



REPORT TO COUNTY COUNCIL

FROM: Alan Smith, General Manager of Economic Development

DATE: November 18, 2019

SUBJECT: Tourism Value Proposition and Investment Attraction Plan

RECOMMENDATIONS:

THAT the report titled “Tourism Value Proposition and Investment Attraction Plan” from the General Manager of Economic Development dated November 18, 2019 be received and filed for information; and

THAT a Request for Proposal (RFP) be issued to retain consultancy services to assist with the development of a Tourism Value Proposition and Investment Attraction Plan, as described in the November 18, 2019, Council report.

INTRODUCTION:

With the disbanding of the St. Thomas Elgin Tourism Association (STETA), in 2008, the County’s Economic Development department took responsibility of developing the local tourism sector. Since then, the County has successfully developed tourism products in areas like arts, motorcycle, agri-tourism, culinary, lakeshore, and cycling. Businesses catering to these areas have expanded, with new ones starting which has resulted in strengthening Elgin’s tourism sector and the local economy. There are, however, still opportunities to be identified that will further enhance the sector and grow Elgin’s economy. To identify the market opportunities and attract businesses to fill these gaps, a tourism value proposition and investment attraction plan needs to be created. It must be stressed that investment attraction for this project will be synonymous with business attraction. This will not however preclude opportunities that would require specific attraction of capital investment, for example.

DISCUSSION:

The County of Elgin, as evidenced through its economic development and tourism programming, has a unique quality of place, offering residents and visitors idyllic rural landscapes, historic towns and villages, agri-tourism and waterfront living, as well as a wide variety of recreational and cultural pursuits. This in turn has provided Elgin with a strong competitive advantage on which to attract investment, talent, future residents and visitors. Consequently, tourism plays an integral part of the department’s economic development programming.

Although the County in partnership with its municipal partners have made great strides, since 2008, in expansion of the tourism sector with product development more can be done to increase tourism’s contribution to Elgin County’s economy. To achieve this, gaps in the marketplace or opportunities need to be identified with the appropriate value

proposition developed and marketed to identified businesses; all contained in an investment attraction plan for the tourism sector.

The Plan will contain a value proposition which will address Elgin's local market gaps, and advantages while identifying specific areas for tourism investment attraction in Elgin County. More specifically, the project will result in the identification of the size and scale of the opportunities, and where possible, the demographic and economic profiles of the consumer markets, as well as the catchment area and its market growth. This will be completed through assessing the current competitive environment for tourism opportunities. The value proposition will position Elgin County as a destination of choice for tourism investment.

To assist staff in developing this investment plan, \$25,000 has been allocated in the 2019 Economic Development department's operating budget to retain a consultant through a Request for Proposal (RFP) process. The main features of the consultancy work will include, but not limited to, the following:

- an economic analysis of the tourism sector (locally and provincially);
- trends in the tourism sector will be highlighted;
- a best practice review of how other municipalities are attracting tourism businesses;
- interviews with local tourism business operators to gauge their insight to what businesses/investment is required to grow the tourism sector in Elgin County;
- identification of market gaps and opportunities for tourism sector development in Elgin County;
- identify types of tourism businesses that could be attracted to fill those market gaps/opportunities;
- review the zoning and permitted land uses pertaining to the types of potential tourism development opportunities found;
- identify locations in Elgin County that could support the private sector business opportunities and market conditions;
- development of a value proposition for investment opportunities; and
- a detailed plan with recommendations on how to attract private sector businesses to fulfill the identified opportunities (this will include, but not limited to, specific marketing actions and tactics targeted to identified businesses and/or investors).

The anticipated results of this project will be for Elgin to possess a clearer understanding of the local tourism market gap(s) and how to effectively fill these gaps or opportunities to strengthen and diversify the local tourism sector and economy. A detailed plan on how to market these opportunities to targeted businesses/investors to attract new tourism businesses, including services and products, will be developed; thus, attracting more tourists to Elgin County resulting in a stronger rural economy through investment, job growth, and development. It is anticipated that development of the Plan will take approximately just over three months to complete.

CONCLUSION:

Although the County in partnership with its municipal partners has successfully developed and promoted a variety of tourism products, and visitation to Elgin County is positive, there is recognition that the potential for further tourism development remains strong. Consequently, to realize this potential, opportunities to enhance tourism needs to be identified. Based on the creation of a tourism value proposition, strategies with specific actions for the attraction of tourism related businesses to Elgin needs to be developed. This tourism value proposition and investment attraction plan will thus provide direction to the department to attract the type of businesses to the County to fill the identified gaps in the market place resulting in a stronger tourism sector and economy.

All of which is Respectfully Submitted

Approved for Submission

Alan Smith
General Manager of Economic Development

Julie Gonyou
Chief Administrative Officer



REPORT TO COUNTY COUNCIL

FROM: Rosemary Kennedy, Chairman
Elgin County Land Division Committee
Steve Evans, Manager of Planning

DATE: November 6, 2019

SUBJECT: Elgin County Land Division Activities for 2019

RECOMMENDATION:

THAT the report titled “Elgin County Land Division Activities for 2019” from the Elgin County Land Division Committee Chairman and the Manager of Planning, dated November 6, 2019 be received and filed.

INTRODUCTION:

In 1971 Elgin County Council appointed a five-member Land Division Committee in accordance with the Planning Act. At that time the Committee was the consent-granting authority for all local municipalities in the County except for the Townships of Yarmouth and Southwold and the Villages of Port Stanley and Belmont which delegated their authority to the County in 1974.

DISCUSSION:

The Land Division Committee acts as a quasi-judicial body, similar to a minor court of law. It must be unbiased and has a duty to act fairly. Ideally it operates at arms length and free from political interference.

The Elgin County Land Division Committee is the consent-granting authority for the County of Elgin and its purpose is to authorize the separation of parcels of land where a plan of subdivision is deemed unnecessary. When making a decision on an application for consent, the approval authority shall have regard to the requirements of the Planning Act, the Provincial Policy Statement (2014), the policies of the Elgin County Official Plan and local municipal Official Plans, Ministry and Agency comments, and input from the public. In making sound planning decisions the Committee carefully reviews all of the information received in its deliberations.

The Secretary-Treasurer is responsible for the daily operations of the Land Division Committee. This involves the keeping of files, minutes, records and decisions of all applications and all other official business of the Committee. The Secretary-Treasurer attends all meetings and acts in an advisory capacity regarding policy and procedure.

There are seven members on the Land Division Committee which are appointed by County Council for the term January 1, 2019 to December 31, 2022. Five new members were appointed in January to fill vacancies left by members who had fulfilled their terms of office. The members include:

Rosemary Kennedy - Chairman, Rosemary is responsible for the Township of Malahide

Kathleen Schaper - Vice Chairman, Kathleen is responsible for the Town of Aylmer

John Seldon - John is responsible for the Municipality of Bayham

Dennis O’Grady - Dennis is responsible for the Municipality of Central Elgin

John “Ian” Fleck - Ian is responsible for the Municipality of Dutton/Dunwich

John Andrews - John is responsible for the Township of Southwold

Dugald Aldred - Dugald is responsible for the Municipality of West Elgin

All members of the Elgin County Land Division Committee are members of the Ontario Association of Committees of Adjustment and Consent Authorities (OACA). This organization provides seminars, conferences and annual workshops which help members stay current with changing legislation and committee procedures. The OACA also offers a “Committee Members Training Series” of videos which was a valuable resource for our Land Division Committee orientation session last January.

The Elgin County Land Division Committee provides a vital role in the processing of consent (severance) applications. An increase in the number of applications in the last few years has required the Committee to meet for full day sessions on a more regular basis. The largest number of severances are for new building lots in settlement areas and for residences that are surplus to a farm operation. The Committee also deals with easements and rights-of-way and the creation of new farm parcels.

The attached Land Division Committee Report – Statistics for 2019 indicates the numbers and types of severances that the Committee heard from November 1, 2018 to October 31, 2019.

CONCLUSION:

In reviewing 88 applications for consent over the past 12 months the Elgin County Land Division Committee continues to be very active.

It has been a pleasure serving as Chairman and working with such a committed group of individuals over the past year.

All of which is Respectfully Submitted

Approved for Submission

Rosemary Kennedy, Chair
Elgin County Land Division Committee

Julie Gonyou
Chief Administrative Officer

Steve Evans
Manager of Planning

LAND DIVISION REPORT - STATISTICS FOR 2019

**LAND SEVERANCES
NOVEMBER 1, 2018 - OCTOBER 31, 2019**

Municipality	Granted Conditionally		Not Granted		Existing Lot		New Lot		Surplus Dwelling		Easement/ Right of Way/ Lease		Deferred or Tabled	
	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
AYLMER	3	1			1	1	2						2	3
BAYHAM	11	20			6	2	5	13		5			5	7
CENTRAL ELGIN	24	9	1		8	3	6	5	9		1	1	2	2
DUTTON/DUNWICH	5	12			2	2		2	3	4		4		
MALAHIDE	31	21	1		2	2	22	9	6	9	1	1	4	
SOUTHWOLD	20	14			4	2	8	3	8	9			2	2
WEST ELGIN	15	11			3	1	6	3	5	7	1		3	
TOTAL (2018 - 111)	109		2		26		49		31		3		18	
TOTAL (2019 - 88)		88		0		13		35		34		6		14

Number of Hearings - Full Days 7
 - Half Days 2

FROM: Jenna Fentie, Legislative Services Coordinator

DATE: November 14, 2019

SUBJECT: Lake Erie Region Source Protection Committee Appointment

RECOMMENDATION:

THAT the recommendations supporting the re-appointment of Lloyd Perrin to the Lake Erie Region Source Protection Committee from the Township of Southwold, Township of Malahide, City of St. Thomas, and Municipality of Middlesex Centre be received and filed.

INTRODUCTION:

Pursuant to Ontario Regulation 288/07, the Grand River Source Protection Authority must undertake a joint appointment for a representative to fill the municipal representative position on the Lake Erie Source Water Protection Committee. Lloyd Perrin, Director of Asset Management and Development for the Municipality of Central Elgin, is the current municipal representative on the committee and his term expires in the fall of 2019. Municipalities within each municipal grouping established by the Grand River Source Protection Authority are required to jointly nominate one representative to fill the position.

The purpose of this report is to notify Council of the resolutions passed by municipalities supporting the re-appointment of Lloyd Perrin to the Lake Erie Region Source Protection Committee.

DISCUSSION/CONCLUSION:

The Lake Erie Region Source Protection Committee is a 24-member multi-stakeholder committee comprised of seven members representing municipalities, seven members representing the economic sector, and seven members representing the public sector. The Committee also includes two representatives from Six Nations of the Grand River and one representative from the Mississaugas of the New Credit First Nation.

Ontario Regulation 288/07 Section 2. (1.) states that the municipal members appointed by the Source Protection Authority must represent the interests of the municipalities that are located, in whole or in part, in the Source Protection Region. Section 3. (3.) requires that the Source Protection Authority must appoint the person jointly submitted by the municipalities in a group. If the municipalities do not submit a joint nomination, then the Source Protection Authority can select a person to be appointed.

Lloyd Perrin was appointed by the Grand River Source Protection Authority in 2007 and represents Elgin County, Township of Malahide, Municipality of Central Elgin, Township of Southwold, City of St. Thomas, Middlesex County, Township of Thames Centre,

Township of Middlesex Centre, and City of London. Terms are for four (4) years and there are no term limits for members of the Source Protection Committee.

Attached to the report are resolutions passed by Township of Malahide, Township of Southwold, City of St. Thomas, and Municipality of Middlesex Centre supporting the re-appointment of Mr. Perrin to the Lake Erie Source Protection Committee. Mr. Perrin has held this position for twelve (12) years and represents a municipality that owns and operates multiple water systems in the Lake Erie Region Source Protection area. Past precedent dictates that County Council receive and file the attached recommendations as water services fall under the jurisdiction of our local municipal partners.

All of which is Respectfully Submitted

Approved for Submission

Jenna Fentie
Legislative Services Coordinator

Julie Gonyou
Chief Administrative Officer



Meeting Date: October 23, 2019

Submitted by: Ann Wright, Clerk

Report No: C-10-2019

Subject: Lake Erie Source Protection Committee Nomination

Recommendation:

THAT the Council for the Municipality of Middlesex Centre supports the re-appointment of Lloyd Perrin as the Lake Erie Region Source Protection Committee municipal representative.

Purpose:

To seek Council's support of the reappoint of Lloyd Perrin as the Lake Erie Region Source Protection Committee municipal representative

Background:

The Lake Erie Region Source Protection Committee is a 24 member multi-stakeholder committee comprised of seven members representing municipalities, seven members representing the economic sector, and seven members representing the public sector. The committee also includes two representatives from Six Nations of the Grand River and one representative from the Mississaugas of the New Credit First Nation.

Correspondence was received from Kettle Creek Conservation Authority notifying that the term appointment for Lloyd Perrin, Lake Erie Region Source Protection Committee municipal representative, is scheduled to expire this fall. Lloyd was appointed to the 24 member committee in 2007 to represent the municipal grouping for this area. Lloyd has indicated that he is happy to continue to serve as the municipal representative and a report will be going to the Board of Directors to support Lloyd's continued appointment to the Committee, however, the Grand River Source Protection Authority needs confirmation from Council that Middlesex Centre supports Lloyd to continue as the local representative.

Analysis:

The term for the Lake Erie Region Source Protection Committee municipal representative, is scheduled to expire this fall.

Llyod Perrin is happy to continue as the municipal representative Elgin County, Township of Malahide, Municipality of Central Elgin, Township of Southwold, City of St. Thomas, Middlesex County, Municipality of Thames Centre, Municipality of Middlesex Centre and the City of London.

The Grand River Source Protection Authority needs confirmation from Middlesex Centre Council that you wish Lloyd to continue as the local representative.

Financial Implications:

N/A

Strategic Plan:

This matter aligns with following strategic priorities:

- 5e. Operational Excellence: Forging partnerships with other levels of government.
- 3d. Quality of Life: Promoting environmental initiatives.
-

Attachments:

N/A



October 22, 2019.

Grand River Conservation Authority
Source Protection Program Manager
Lake Erie Source Protection Region
400 Clyde Road, Box 729
Cambridge, Ontario
N1R 5W6

Dear Sirs:

RE: Representation on Committee

We wish to confirm the Council of the Township of Malahide is in agreement with the re-appointment of Lloyd Perrin as a member of the Lake Erie Region Source Protection Committee representing the Township of Malahide.

If you require any further information or documentation, please do not hesitate to contact this office.

Yours very truly,
TOWNSHIP OF MALAHIDE

A handwritten signature in black ink, appearing to read "M. Casavecchia-Somers".

M. CASAVECCHIA-SOMERS, D.P.A., C.M.O., CMM III
Chief Administrative Officer/Clerk

- Copy -
- Lloyd Perrin
 - Elgin County
 - City of London
 - Municipality of Central Elgin
 - Township of Southwold
 - City of St. Thomas
 - County of Middlesex
 - Township of Thames Centre
 - Township of Middlesex Centre
 - City of London – Cathy Saunders

October 10, 2019

Grand River Conservation Authority
Attn: Martin Keller
Via Email: mkeller@grandriver.ca

Re: Lake Erie Source Water Protection Committee Appointment

Dear Mr. Keller:

Please be advised that the Council of the Corporation of the City of St. Thomas passed the following resolution on October 7th, 2019:

“THAT: Council of the Corporation of the City of St. Thomas concur with the reappointment of Lloyd Perrin to the Lake Erie Source Water Protection Committee.”

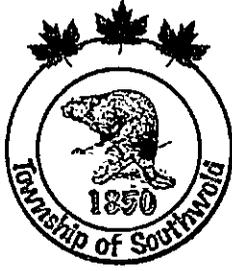
If you have any questions, please contact myself at the information above.

Sincerely,



Melanie Knapp
Corporate Administrative & Accessibility Clerk

c/c Maria Konefal, City of St. Thomas mkonefal@stthomas.ca
Elizabeth VanHooren, KCCA elizabeth@kettlecreekconservation.on.ca
Cathy Saunders, City of London csaunder@london.ca
Julie Gonyou, County of Elgin cao@elgin.ca
Kathy Bunting, County of Middlesex kbunting@middlesex.ca
Jennifer Reynaert, Town of Aylmer jreynaert@town.aylmer.on.ca
Michelle Casavecchia-Somers, Township of Malahide mcasavecchia@malahide.ca
Don Leitch, Municipality of Central Elgin dleitch@centralelgin.org
Paul Shipway, Municipality of Bayham pshipway@bayham.on.ca
Tena Michiels, Municipality of Thames Centre tmichiels@thamescentre.on.ca
Lisa Higgs, Township of Southwold cao@southwold.ca
Ann Wright, Municipality of Middlesex Centre wright@middlesexcentre.on.ca



TOWNSHIP OF SOUTHWOLD

OFFICE OF THE CLERK

35663 Fingal Line
Fingal, ON N0L 1K0

Phone: (519) 769-2010
Fax: (519) 769-2837
Email: cao@southwold.ca

October 17, 2019

Lake Erie Source Protection Region
C/O Grand River Conservation Authority
400 Clyde Road, Box 729
Cambridge, ON N1R 5W6

Via Email: mkeller@grandriver.ca

Attention: Martin Keller, Source Protection Program Manager

Dear Mr. Keller:

RE: Lake Erie Region Source Protection Committee

Please be advised that Council, at its Regular Meeting on Tuesday October 15, 2019 passed the following resolution:

2019-376 L. Perrin appointment to Lake Erie Region Source Protection Committee

THAT Council of the Township of Southwold supports the joint nomination of Lloyd Perrin to the Lake Erie Region Source Protection Committee as the municipal representative representing Elgin County, Township of Malahide, Municipality of Central Elgin, Township of Southwold, City of St. Thomas, Middlesex County, Township of Thames Centre, Township of Middlesex Centre, and the City of London.

CARRIED

If you have any questions or require anything further, please contact the undersigned.

Yours truly,

Lisa Higgs
CAO/Clerk

Cc: Maria Konefal, City of St. Thomas mkonefal@stthomas.ca
Elizabeth VanHooren, KCCA elizabeth@kettlecreekconservation.on.ca
Cathy Saunders, City of London csaunder@london.ca
Julie Gonyou, County of Elgin cao@elgin.ca
Kathy Bunting, County of Middlesex kbunting@middlesex.ca
Jennifer Reynaert, Town of Aylmer jreynaert@town.aylmer.on.ca
Michelle Casavecchia-Somers, Township of Malahide mcasavecchia@malahide.ca
Don Leitch, Municipality of Central Elgin dleitch@centralelgin.org
Paul Shipway, Municipality of Bayham pshipway@bayham.on.ca
Tena Michiels, Municipality of Thames Centre tmichiels@thamescentre.on.ca
Ann Wright, Municipality of Middlesex Centre wright@middlesexcentre.on.ca



REPORT TO COUNTY COUNCIL

FROM: Julie Gonyou, Chief Administrative Officer

DATE: October 24, 2019

SUBJECT: Ontario Cannabis Legalization Fund (OCLIF)

RECOMMENDATIONS:

THAT the report titled “Ontario Cannabis Legalization Fund (OCLIF)” from the Chief Administrative Officer dated October 24, 2019 be received and filed; and

THAT the funding received through the Ontario Cannabis Legalization Implementation Fund (OCLIF) in the amount of \$56,092 be designated as one-time funding and be applied to the resources utilized to develop County policies, complete research and provide training and education with respect to recreational cannabis legalization.

INTRODUCTION:

Cannabis Statute Law Amendment Act (Bill 36) received Royal Assent October 17, 2018. To help with the implementation costs of recreational cannabis legalization, the province has committed \$40 million in funding over two years to municipalities through the Ontario Cannabis Legalization Implementation Fund (OCLIF). Lower-tier and upper-tier municipalities will receive a 50/50 split of the allocation. The household numbers will be split between the upper and lower tier and the allocation calculated accordingly. Decisions to adjust the split in allocation and transfer funding can be made at the local level as needed.

The County received two equal payments of \$29, 640 from the Ministry of Finance through the OCLIF in January and February 2019, totalling \$56,092. One OCLIF allocation notice from the Ontario Ministry of Finance was received to support the second payment and is attached to this report.

The purpose of this report is to seek Council’s direction with respect to designating the OCLIF funding and recommends that this funding remain at the County and be applied to the resources utilized to develop County policies, complete research and provide training and education with respect to recreational cannabis legalization.

BACKGROUND:

The following report provides background information on the OCLIF funding. While this report recommends that the funding be applied to cannabis-related County-level work that has already been completed over the past year, Council may wish to explore utilizing these funds in other areas. Municipalities must use their OCLIF funding to address the implementation costs that directly relate to the legalization of recreational

cannabis. The following additional options are presented to Council for consideration and direction:

1. **POLICE ENFORCEMENT:** Allocate the OCLIF funding to Aylmer Police and Elgin Ontario Provincial Police to cover costs related to police officers' training and equipment costs.

Complementary to this municipal funding (OCLIF), the province continues to increase the capacity of law enforcement to help detect drug impaired driving through training. The Province has also created a specialized legal team to support drug impaired driving prosecutions, increased capacity at the province's Centre of Forensic Sciences, and has created a Cannabis Intelligence Coordination Centre.

2. **SOUTHWESTERN PUBLIC HEALTH:** Allocate some portion of this funding to Southwestern Public Health in support of a public education campaign and smoking by law enforcement.

Complementary to this municipal funding (OCLIF), the province continues to support local boards of health (public health units) by providing a suite of tools and resources for enforcement of the *Smoke-Free Ontario Act, 2017*, which includes rules for smoking and vaping cannabis. Additionally, the Province is conducting an integrated public awareness campaign to communicate the rules and regulations for recreational cannabis and educate Ontarians about the health and safety measures in place to protect them.

3. **COUNTY OF ELGIN POLICY & BYLAW DEVELOPMENT:** Retain some portion of the funds to be held by the County of Elgin to fund other costs related to the implementation of cannabis legislation including policy, policy research and bylaw development.

4. **EMERGENCY MEDICAL SERVICES:** Allocate some portion of this funding to Emergency Medical Services.

Should Council wish to explore Options 1-4 (above), it is recommended that staff be directed to prepare a follow-up report for Council's review at the December 12, 2019 meeting.

Within the services provided directly by the County of Elgin, the legalization of cannabis has undoubtedly put pressure on the County's Provincial Offenses Act Court, Human Resources and Legal Departments in corporate policy development and review, Planning in planning policy review, research and amendments and Official Plan amendments, and Long-Term Care in Policy Development and requirement for a designated smoking area at Bobier Villa Long Term Care Home (not an eligible expense).

Elgin County must use the money received through the OCLIF solely for the purpose of paying for implementation costs directly related to the legalization of cannabis. We are not permitted to use the money to pay for costs that have been, or will be, funded or

reimbursed by any other government body or third party and costs not related to cannabis legalization.

It is anticipated that the County of Elgin will be required to report on the OCLIF. Information regarding reporting obligations has not yet been released. The County is required to retain and maintain all records relating to money received from the fund. In addition, the Province or any authorized representative or identified independent auditor, may request to review the records or conduct an audit in respect of the expenditure of money a municipality has received from the fund. County Council must designate these funds to an area which will be accountable for how the funds are used to support the legalization of cannabis.

CANNABIS EXPENDITURES:

Homes and Long Term Care Policy
Human Resources Policy Development
Research and County Council Reports
Legal Review of Cannabis Policies
Awareness/Education – Cannabiz Conference

CONCLUSION:

Cannabis has been legal for more than one (1) year. It is important for Council to allocate this funding to the area with the highest immediate need and the area which will be able to report how the funds will be used to directly support cannabis legalization.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer



REPORT TO COUNTY COUNCIL

FROM: Julie Gonyou, Chief Administrative Officer

DATE: November 16, 2019

SUBJECT: Active Health Services Ltd. – Provision of Physiotherapy Services, Long Term Care

RECOMMENDATION:

THAT the Warden and Chief Administrative Officer be directed to execute the agreement with Active Health Services Ltd. (Bayshore Healthcare Ltd) for a term ending June 19, 2020.

PURPOSE:

The purpose of this report is to bring forward an unsigned agreement for Physiotherapy Services with Active Health Services Ltd. (Bayshore Healthcare Ltd), which covers an extended period which began June 18, 2018 and which ends on June 19, 2020.

As a matter of housekeeping, this agreement is brought forward and staff seek Council's authorization for the Warden and Chief Administrative Officer to execute the agreement for services that have been provided by Active Health Services Ltd since award of RFP No. 2015-11.

CONCLUSION:

The County Solicitor, Purchasing Coordinator, Director of Homes and Seniors Services and CAO have reviewed the agreement and recommend correcting this oversight.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer

This Extension and Amending Agreement made in Triplicate and effective the 8th day of June, 2018

BETWEEN:

Corporation of the County of Elgin
(hereinafter called 'Elgin')

Of the First Part

AND:

Active Health Services Ltd
(d.b.a. Lifemark Senior Wellness)
(hereinafter called 'Service Provider')

Of the Second Part

WHEREAS Elgin entered into an Agreement with Bayshore Healthcare Ltd on June 18, 2015 for the provision of Physiotherapy Services, in response to Bayshore's proposal submission to Elgin's RFP No. 2015-11.

AND WHEREAS on October 26, 2016 Elgin signed consent to the sale of Bayshore Healthcare Ltd to Lifemark Senior Wellness;

AND WHEREAS the initial term of which Agreement commenced on June 18, 2015 and ended on June 18, 2018 (hereinafter the "Agreement");

AND WHEREAS the Agreement included a contract extension that stated "The County at its discretion may extend the contract up to an additional two (2) years upon mutual agreement between both parties subject to performance review and acceptable pricing at the anniversary date of the contract";

AND WHEREAS Elgin and the Service Provider wish to reduce the terms of such extension and amendment arrangements to writing:

NOW, THEREFORE, in consideration of payment of the sum of ONE DOLLAR (\$1.00) BY EACH Party hereto to the other Parties hereto and the mutual covenants and promises contained herein, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties hereto agree as follows:

Extension of Term of Agreement (Article 1)

- Elgin and the Service Provider agree that the Agreement is hereby further extended for a two year period commencing June 18, 2018 and ending June 19, 2020.

Funding Increase in 2019

- The Service Provider acknowledges and agrees to the requirement that the proposed 2019 funding increase from the Ontario Government for Physiotherapy services will be utilized for additional hours of service.

Date: _____, 2019

CORPORATION OF THE
COUNTY OF ELGIN

and

ACTIVE HEALTH SERVICES LTD
(d.b.a. Lifemark Senior Wellness)

Elgin/Active Health Services Ltd
Amending Agreement

Stephen H. Gibson
450 Sunset Drive
St. Thomas, ON N5R 5V1

County Solicitor



REPORT TO COUNTY COUNCIL

FROM: Julie Gonyou, Chief Administrative Officer
Brian Lima, Director of Engineering Services

DATE: November 20, 2019

SUBJECT: Highway 3 Transportation Needs Assessment Study

RECOMMENDATION:

THAT the Warden be directed to send a letter to the Ministry of Transportation, MPP Yurek, City of St. Thomas, Municipality of Central Elgin, Township of Southwold, Town of Aylmer, and Township of Malahide with notice that the County is not interested in pursuing the Highway 3 Transportation Needs Assessment Study from St. Thomas to Aylmer.

INTRODUCTION:

In 2011, the County of Elgin along with the City of St. Thomas, the Town of Aylmer, the Townships of Malahide and Southwold, and the Municipality of Central Elgin petitioned the Ministry of Transportation to carry out a traffic assessment study along a portion of Highway 3 to release lands for potential development within the affected municipalities.

Council approved that the County and Ministry of Transportation Ontario (MTO) enter into partnership to hire a consultant to update a previous study regarding Highway 3 between St. Thomas and Aylmer. Both parties had agreed to fund the project 50/50.

The purpose of the Study was to assess Highway 3 within the Study Area between Highway 4 and Springfield Road and determine the immediate (10 year), short-term (20 year), and long-term (30 year) operational and capacity needs, the levels of reserve capacity beyond the 30-yr horizon, and determine opportunities that address those needs. This Study was intended to help the MTO decide whether or not the current Highway 3 by-pass designations that are east and west of St. Thomas should be retained or revoked (in full or in part), and under what conditions.

This report recommends that, we no longer proceed with the Study to allow impacted municipalities to advocate for the removal of the by-pass designation in its entirety between St. Thomas and Aylmer.

BACKGROUND:

Through recent discussions between the Warden and MPP Yurek, it is clear that there exists a desire to no longer proceed with the Study which would allow for impacted municipalities to formally request the MTO to revoke the by-pass designation in part or whole on lands that had been previously identified for a future Highway #3 bypass. Such outcome if grant by the Minister of Transportation would no longer sterilize those lands

affected by the designation, allowing municipal partners to realize potential future development opportunities.

CONCLUSION:

In support of the County's partner municipalities, we recognize that removal of the bypass designation would no longer hinder development opportunities for the designated lands, however the MTO's entrance requirements for the existing portion of Highway #3 will not be relaxed either.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer

Brian Lima
Director of Engineering Services

FROM: Julie Gonyou, Chief Administrative Officer

DATE: November 6, 2019

SUBJECT: Terrace Lodge Redevelopment Fundraising Committee Annual Report

RECOMMENDATION:

THAT the report titled “Terrace Lodge Redevelopment Fundraising Committee Annual Report” from the Chief Administrative Officer dated November 6, 2019 be received and filed.

INTRODUCTION:

The purpose of this report is to provide County Council with a summary of the Committee’s activities over the past year.

BACKGROUND:

The Terrace Lodge Redevelopment Fundraising Committee (“Committee”) was a committee established by the Township of Malahide in support of the Terrace Lodge Redevelopment Project. In June 2019, the Committee became a sub-Committee of the Terrace Lodge Redevelopment Committee and Council approved a new Terms of Reference for the Committee. Committee activities were suspended during the design and planning phase of the Terrace Lodge Redevelopment project and the Committee reconvened in July 2019.

Since approving a new Terms of Reference and establishing the Committee as a sub-Committee of the Terrace Lodge Redevelopment Committee, the Committee has met on two (2) occasions (July 11, 2019 and October 29, 2019). Each meeting of the Committee was approximately two (2) hours in length.

Minutes of the Committee are received by the Terrace Lodge Redevelopment Committee.

COMMITTEE HIGHLIGHTS:

- **Appointment of Chair:** At the most recent Committee meeting, Councillor Giguère was nominated to hold and accepted the position of Chair of the Committee. The Committee established a regular meeting schedule.
- **Policy Review:** The Committee reviewed and provided feedback on a *Fund Development – Gift Acceptance Policy* drafted by staff.
- **Project Review:** The Committee received updates on the project design plans to date and provided feedback through the Public Information Sessions held in the Spring.

- **Value Added Components:** Committee members were provided with an overview of the Butterfly Care Model that has been implemented at Malton Village (Region of Peel) that Members of the Terrace Lodge Redevelopment Committee attended and discussed, at a high level, opportunities for non-core, value-added project components that would enhance the quality of life for residents at Terrace Lodge.
- **Ongoing Work of the Committee:** Ongoing work includes:
 - Development of a list of prospective donors;
 - Development of a list of value-added components for review by the Terrace Lodge Redevelopment Project Committee;
 - Recruitment of new Members;
 - Preparation of a draft short-term and long-term Fundraising Plan and Fundraising Target that supports the Terrace Lodge Redevelopment Project;
 - Campaign development; and
 - Development/Establishment of Partnerships.

CONCLUSION:

The Terrace Lodge Redevelopment Project planning is well underway with plans for construction in Spring 2020. It is anticipated that the Committee will work closely with the Terrace Lodge Redevelopment Committee to prioritize donations, enhance the profile of the project and build lasting relationships with donors and corporations.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer

FROM: Julie Gonyou, Chief Administrative Officer
DATE: November 11, 2019
SUBJECT: Draft Fund Development Gift Acceptance Policy

RECOMMENDATION:

THAT the Fund Development Gift Acceptance Policy be approved as presented.

INTRODUCTION:

The purpose of this report is to review a Fund Development Gift Acceptance Policy (“Policy”) drafted by the CAO, Director of Financial Services and Director of Homes and Seniors Services for county-wide fundraising initiatives, including, but not limited to, the activities of the Terrace Lodge Fundraising Committee.

BACKGROUND:

The purpose of the Fund Development Gift Acceptance Policy (attached) is to ensure that informed decisions are made regarding the acceptance of gifts to benefit Elgin County and the donor, and that such gifts are receipted in accordance with the Canada Revenue Agency (CRA) and the Canadian Income Tax Act.

The Terrace Lodge Fundraising Committee reviewed the Policy and recommended that it be presented to County Council.

CONCLUSION:

A formal policy for funds raised by Elgin County to support non-core services (value-added) will ensure the process for handling donations aligns with Council’s desire to manage the funds, recognize the donor and issue receipts for donations.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer

Title: Fund Development - Gift Acceptance Policy

Effective Date: November 26, 2019

Issued by: Terrace Lodge Fund Development Committee

PURPOSE:

The purpose of the policy is to ensure that informed decisions are made regarding the acceptance of gifts to benefit Elgin County and the donor, and that such gifts are receipted in accordance with the Canada Revenue Agency (CRA) and the Canadian Income Tax Act. All gifts will be assigned to an appropriate Project account (with an assigned unique identifier in the accounting Project system) for tracking for receipts and expenditures. For specific Projects that are larger in scope, County Council may choose to establish a Fundraising Committee to manage the donations.

A Fundraising Committee (herein referred to as “the Committee”) encourages the solicitation and acceptance of gifts that help to fulfill the vision, mission and priorities of the Committee. Donations to the Committee will fund enhanced and value-added services and programs, and capital enhancements which support the mission and objectives of the specific Project.

DEFINITION OF TERMS:

Bequest is a specific provision in a will directing assets from an estate to the Terrace Lodge Redevelopment Project.

Conflict of Interest means any event (whether actual or perceived) in which the Committee or anyone representing the Committee may benefit from the knowledge of, or participation in, the acceptance of a gift.

Fair Market Value means the highest price, expressed in dollars, that a property would bring in an open and unrestricted market, between a willing buyer and a willing seller who are knowledgeable, informed and prudent, and who are acting independently of one another. (Canada Revenue Agency, “Fair Market Value” Summary Policy CSPF02)

Gift is a voluntary transfer of real or personal property from a donor who freely disposes of his or her property to a donor who received the property given. The transaction shall not result directly or indirectly in a right, privilege, material benefit or advantage to the donor or to the person designated by the donor.

Gift in Kind (services/goods) A gift in kind is a non-monetary gift, which is a gift or property such as artwork, equipment, securities and cultural and ecological property. A contribution of service for example: time, skills or effort, is not property and, therefore,

does not qualify as a gift or gift in kind for purposes of issuing an official receipt. An independent qualified appraisal determines the fair market value of the gift.

Fund is a designated Project(s) held by the County of Elgin for the purposes of fulfilling the vision, mission and priorities of a Fund Development Committee including enhanced and value-added services and programs, and capital enhancements which support the mission and objectives of the Committee.

Planned or Legacy Gift is a way of giving to a charity and arranging donations which serve the interests of the charitable organization as well as the personal, financial, and tax situation of the individual donor.

Professional Advisor means a professional external to the Committee with the ability to provide expert tax, legal or financial planning advice to assist staff and to advise donors (or prospective donors) on their charitable giving.

Securities are gifts of publicly held shares.

Sponsorship is a gift from a corporate entity, individual or community group in support of the Terrace Lodge Redevelopment Project a Committee project or event, in return for some form of recognition.

Designated is a gift that a donor indicates where they want their money to be allocated.

Undesignated is a gift that the donor lets the Committee decide what the highest priority needs of the Terrace Lodge Redevelopment Project are.

Pledge is a commitment of a gift given over a predetermined time frame.

Terrace Lodge Fund is a designated fund held by The County of Elgin for the purposes of fulfilling the vision, mission and priorities of the Fund Development Committee including enhanced and value-added services and programs, and capital enhancements which support the mission and objectives of the Terrace Lodge Redevelopment Project.

POLICY STATEMENT:

The following policy and guidelines are applicable to all fundraising activities conducted by the Committee.

The purpose of this policy is to identify various types of gifts acceptable by the Committee and the Canada Revenue Agency, and to provide specific acceptance guidelines for each type of charitable gift. The intent of this policy is to provide guidance to the Committee, County and Municipal staff and respective Councils, and donors regarding gift acceptance by the Committee. In all gifts and sponsorship exchanges between the donor and the

Committee, the donor's interest must be taken into account while ensuring the integrity of the Committee and its best interest.

The Committee encourages the solicitation and acceptance of gifts that help to fulfill the vision and mission of the Terrace Lodge Redevelopment Project. This policy is intended to facilitate the gift giving process, providing prospective donors with many options for giving.

GUIDELINES FOR THE ACCEPTANCE OF GIFTS:

Gift in Kind (services/goods)

The cost of an appraisal is paid by the donor.

Monetary Gifts and Gift Acceptance

The County and its Committees will accept monetary gifts in the form of cash, cheque or online. Online donations will receive an official tax receipt electronically through the County's online partner. For other donations, receipts will be issued to donors who have given a gift of \$20 or more. Those receipts will be issued by the receiving department. Receipts will be issued according to CRA principles and guidelines.

If a donation is collected outside of the County offices, the Council member, staff or volunteer will issue an unofficial receipt from a County-issued receipt book. An official receipt will be issued by the receiving department to donors who have given a gift of \$20 or more within three (3) months of the donation.

Pledges and Planned/Legacy Gifts

A pledge or promise to make a gift is not in itself a gift. Therefore, the County cannot issue an official donation receipt for a pledge. However, when a donor honours a pledge, by making a voluntary transfer of property, a donation receipt can be issued. Generally, payments made on a gift pledge will be recognized when received, although certain gift pledges may be recognized in full at the time of the pledge with the approval of Council.

Expenditures will only be made once a gift is received. Any exception to the pre-spending restriction must be approved by Council.

Sponsorship

The Committee encourages all gifts of sponsorship towards programming, living space enhancements, equipment, technology, and other materials so long as they comply with the needs of Terrace Lodge and regulations of CRA. This includes gifts of cash, gifts in kind, securities, life insurance policies, artwork and bequests. Appraisals for gifts in kind will be the responsibility of the donor and receipts will be issued according to CRA

guidelines. The Committee will respect the wishes of the donor to the best of its ability and in the best interest of Terrace Lodge.

A memorandum of understanding (MOU) will be created to outline the terms of payment, nature of the name or brand and terms regarding recognition of the gift.

The County of Elgin will issue an unofficial receipt for the amount donated to the donor and will follow CRA guidelines in terms of the advantage to the donor.

Refusal of Gift

The Committee may refuse the acceptance of a gift if deemed not beneficial to the Terrace Lodge Redevelopment Project. Donors will be advised accordingly. The Committee would decline a gift and if any one of the following conditions were known:

- there are conditions to a gift and its designation, which are not consistent with the priorities of the County;
- the gift is seeking to unduly influence access to County business;
- the gift could financially jeopardize the donors and/or the Committee;
- the gift or terms are illegal;
- the County does not have the resources to honour the gift term or determine its value; or
- the gift could jeopardize the County's charitable status.

Privacy

The privacy of donors will be respected in compliance with the Municipal Freedom of Information and Privacy Act of Ontario. Records management will be in compliance with this Act.

The Committee, County of Elgin and its partners will not share, sell or trade donor lists.

RESPONSIBILITY TO DONORS:

Ethics

All staff and Committee members will conduct themselves in accordance with professional standards including accuracy, truth and integrity. The Committee will inform, serve, guide and otherwise assist donors who wish to support the Terrace Lodge Redevelopment Project and activities but not to pressure or unduly persuade.

Ethics

All Council members, staff and volunteers will conduct themselves in accordance with professional standards including accuracy, truth and integrity. The County will inform, serve, guide and otherwise assist donors who wish to support the County but not to pressure or unduly persuade.

Independent Counsel

In order to avoid a conflict of interest by the County and its representatives, volunteers and staff, acting on behalf of the County, shall in all cases encourage donors to discuss the proposed gift arrangement with legal and/or tax advisors of the donor's choice. It is the role of this independent counsel to ensure that the donor receives a full and accurate explanation of all aspects of the gift and to provide advice on tax, legal or financial planning to the donor. Donors will be encouraged to discuss gift plans with their families or designates.

Gift Direction

In all cases, the Committee will work closely with the donor to ensure there is a mutually beneficial agreement on the donor's intent for their gift designation. Donations to the County will fund non-core and value-added services and programs.

Expenditures

Expenditures of all donated funds up to \$50,000 will be approved by the responsible Director, or designate; and the Committee, if established, prior to being spent, ensuring adherence to donor intentions. All expenditures of undesignated gifts over \$50,000 must be approved by County Council. Under no circumstances may expenditures be made that exceed the funds received to date without County Council approval.

Financial Management

Donated funds, designated or undesignated, will be deposited in a trust account in a fund line that best describes the donor's wishes. If a project does not exist that matches the donor's intentions, the responsible Director will request that Finance establish a new project. All receipting of donations and controlling of expenditures will be conducted by the Financial Services department and its director in accordance with County policies, audit guidelines and CRA guidelines, and in such a manner as to ensure transparency and the receipt and use of donated funds.

Donations/Pledges may be announced publicly at the shared discretion of the donor and the County. Donor recognition must be appropriately spent as per CRA guidelines (recognition should not exceed more than 10% of the gift).

Annual financial reports, inclusive of Annual Registered Charity returns, will be factual and accurate in all material respects. The financial reports will be prepared in accordance with Generally Accepted Accounting Principles and standards established by the Canadian Institute of Chartered Accountants.

Uncollectable pledges will be reported to Council annually as part of the budget/tax rate setting process.

Power to Vary

Should the intended purpose of a gift be changed, every attempt will be made to contact the donor to discuss the change. If obtaining donor permission is not feasible, the Committee will choose a designation of the Committee's choosing that aligns most similarly with the donor's original intent and carry out all recognition plans as originally discussed with the donor. If the change is for a donation of greater than \$50,000, Council approval is required.

INQUIRIES:

Director of Corporate Services/Treasurer, Township of Malahide

Chief Administrative Officer, County of Elgin

RELATED POLICIES:

Municipal Property and Building Commemorative Naming Policy

Approved: November 26, 2019

FROM: Julie Gonyou, Chief Administrative Officer

DATE: November 6, 2019

SUBJECT: Community Engagement – Strategic Plan Survey Distribution Update

RECOMMENDATION:

THAT the report titled “Community Engagement – Strategic Plan Survey Distribution Update” from the Chief Administrative Officer, dated November 6, 2019 be received and filed.

INTRODUCTION:

As a follow-up to a report received by County Council on October 22, 2019, the purpose of this report is to provide Council with information with respect to the promotion and distribution of County Council’s Draft Strategic Plan Survey.

BACKGROUND:

As directed by Elgin County Council, staff endeavoured to promote and distribute the Draft Strategic Plan Survey as widely as possible. Staff prepared Survey Kits which included a letter from the Warden, a collection box, promotional poster as well as print copies of the survey and reminder cards. The reminder cards were designed to provide necessary information for those who preferred to fill out the survey online.

Print Based:

- With the support and assistance of our partner municipalities, over 1250 print-based surveys and 100 reminder cards were distributed across Elgin County in 34 designated locations.
 - Locations included Municipal Offices, Libraries, Long Term Care Homes, Arenas and Community Centres, Heritage Centre, Provincial Offences Building, County Administration Building, etc.
- An additional 500 reminder cards were delivered to other frequently visited areas in the County.
- Each Elgin County Councillor received a package including both print-based surveys and reminder cards to distribute to local Councillors and hand out at events and meetings.

Online Survey:

- A link to Council’s Draft Strategic Plan Survey was posted on Elgin County’s website as well as the majority of our partner municipal websites.
- The County and a number of other municipalities and members of the public “shared” the link to help promote the survey and encourage others to complete it.

- An email link was sent to all staff at the County (approximately 450 users) as well as a number of other stakeholders/groups using existing community networks and forms of communications.

CONCLUSION:

The survey officially launched on November 1, 2019 and closed on November 21, 2019. Staff will sort and analyze the data in advance of Council's next Strategic Planning session scheduled for December 9, 2019, when Council will have the opportunity to use the survey results/feedback into a final draft Strategic Plan.

Survey response rates will be reported to County Council along with a Final Draft of Council's Strategic Plan 2020-2022 at a future meeting.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer

FROM: Julie Gonyou, Chief Administrative Officer

DATE: October 28, 2019

SUBJECT: Council Committee By-Law and Revisions to Council's Procedural By-Law

RECOMMENDATIONS:

WHEREAS pursuant to Procedural By-Law 18-38, Section 35 (b) which states that "Council shall adopt terms of reference and these terms of reference shall be reviewed with each term of Council and prior to any new Committee appointments"; and

WHEREAS Council directed that a By-Law be drafted to define the mandate and meeting procedures for Committees established by the Corporation of the County of Elgin; be it therefore resolved

THAT Council hereby enact By-Law 19-40 being a By-Law "To Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the County of Elgin"; and

THAT Council review changes to Council's Procedural By-Law 18-38 and consent to changes made with respect to Council Committees; and

THAT Council repeal By-Law 18-38 being a By-Law "To Regulate the Proceedings in the Municipal Council of the Corporation and Committees thereof, and To Repeal By-Law No. 11-06" and hereby enact By-Law 19-41 being a By-Law "To Regulate the Proceedings in the Municipal Council of the County of Elgin, and To Repeal By-Law No. 18-38"; and

THAT Council appoint Councillor Martyn to the Community Safety and Well-Being Coordinating Committee to serve along with Councillor French; and

THAT Council appoint Councillor Giguère, Councillor Ketchabaw and Councillor French to the Council Budget Committee to serve along with the Warden; and further

THAT the report titled "Council Committee By-Law and Revisions to Council's Procedural By-Law" from the Chief Administrative Officer, dated October 28, 2019 be received and filed.

INTRODUCTION:

The purpose of this report is to present, for Council's review, three (3) documents:

1. By-Law 19-40 being a By-Law "To Define the Mandate and Meeting Procedures for Committees Established by the Corporation of the County of Elgin"; and

2. Revisions to By-Law 18-38 being a By-Law “To Regulate the Proceedings in the Municipal Council of the Corporation of the County of Elgin and Committees Thereof, and To Repeal By-Law No. 11-06”; and
3. By-Law 19-41 being a By-Law “To Regulate the Proceedings in the Municipal Council of the Corporation of the County of Elgin, and to Repeal By-Law No. 18-38.

BACKGROUND:

To clarify the process for the establishment and review of Committees, a By-Law, distinct from Council’s Procedural By-Law 18-38, has been drafted and was reviewed by Council in draft form on October 22, 2019.

Additional changes have been made to the draft By-Law including the following:

- reference to the Water Advisory Committee included (Schedule D-1 – Agencies and Boards with Council Appointees)
- Schedule E – Advertisement and Application Form for Citizen Appointments to Boards and Committees
- Schedule F – Council Appointments to Committees/Boards/Agencies
- Appendix I – Council Approved Terms of Reference and Relevant By-Laws

Council’s Procedural By-Law 18-38 was reviewed and the majority of references to Committees and Boards were removed to ensure clarity. Due to the nature of the changes, Council will be required to repeal By-Law 18-38 and enact By-Law 19-41.

The Warden recommends and Council must approve the following appointments to Council Committees:

- **Councillor Martyn** – Community Safety and Well-Being Coordinating Committee along with Councillor French whose appointment is included in the Terms of Reference (Schedule B-1 – Advisory Committee – Community Safety and Well-Being Coordinating Committee)
- **Councillor Giguère, Councillor Ketchabaw, Councillor French and Warden McPhail** – Council Budget Committee (Schedule A-5 Standing Committee – Council Budget Committee)

CONCLUSION:

Council will be required to review the Committee By-Law and approve the 2020 Warden’s suggestions for Committee appointments on December 12, 2019.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer

*Corporation of the County of Elgin
Committee By-Law 19-40*

“A By-Law to Define the Mandate and Meeting Procedures for
Committees Established by the Corporation of the County of Elgin”

JULIE GONYOU, CHIEF ADMINISTRATIVE OFFICER | CLERK

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COUNTY OF ELGIN

By-Law 19-40

**“TO DEFINE THE MANDATE AND MEETING PROCEDURES FOR COMMITTEES
ESTABLISHED BY THE CORPORATION OF THE COUNTY OF ELGIN”**

WHEREAS pursuant to Section 238 of the Municipal Act, 2001, S.O. 2001, as amended, every municipality shall pass a procedure by-law for governing the calling, place and proceedings of Meetings; and

WHEREAS the Council of the Corporation of the County of Elgin did pass By-Law 18-38, in order to make and establish rules and regulations under which Council and Committees of Council are to operate; and

WHEREAS the Council of the Corporation of the County of Elgin did pass By-Law 18-36 “Being a By-Law to Appoint a Land Division Committee and to Repeal By-Law No. 15-03”; and

WHEREAS Council deems it expedient to adopt a By-Law to make and establish rules and regulations for the mandate and meeting procedures for Committees established by Council; and

WHEREAS Council has established Committees that are comprised of members of the public, staff and Members of Council;

NOW THEREFORE the Municipal Council of the Corporation of the County of Elgin enacts as follows:

1. THAT this By-Law shall apply to Council’s Committees and local boards where applicable.
2. THAT this By-Law comes into force and takes effect upon passing.
3. THAT any sections of By-Law 18-38 inconsistent with this By-Law be removed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 26th DAY OF NOVEMBER 2019.

Julie Gonyou
Chief Administrative Officer

Duncan McPhail
Warden

1. **Definitions**

(a) In this By-Law:

“Act” means the *Municipal Act, 2001* S.O. 2001, Chapter 25, as amended from time to time.

“Ad Hoc Committee” means a committee, sub-committee or similar entity of which at least 50 per cent of the Members are also Members of Council, appointed by Council to review and report on a specific issue. Once the final report is delivered and a resolution of Council is adopted concerning the specific issue, the Ad Hoc Committee is automatically dissolved.

“Advisory Committee” means a committee, sub-committee or similar entity which provides recommendations, advice and information to Council on those specialized matters which relate to the purpose of the Advisory Committee, to facilitate public input to County Council on programs and ideas to assist in enhancing the quality of life of the Community, in keeping with Council’s Strategic Plan principles.

“Alternate Member” means an authorized individual who, during the absence of the Member for whom that individual is an alternate, shall act in the place and stead of such member and perform such other duties as assigned.

“CAO/Clerk” means the Chief Administrative Officer/Clerk of the County or his or her designate, Clerk means the person duly appointed, by By-Law pursuant to Section 228 of the Act, as the Clerk of the County.

“Chair” means the position of the person appointed to preside, or presiding at, a meeting, whether that person is the regular Chair or not.

“Closed Session” means a meeting of Council or Committee that is not open to the public, pursuant to Section 239 of the Act or any successor provision thereto.

“Committee” means any advisory or other committee created by Council, of which at least one Member is also a Member of Council, which is established under any Act with respect to the affairs or purposes of one or more municipalities.

“Council” means the elected Mayors and/or Deputy Mayors or alternate of the County’s constituent municipalities when they sit in a deliberative assembly.

“County” means the Corporation of the County of Elgin.

“Delegation” means to address Council or Committee at the request of the person wishing to speak.

“Ex Officio” means a member who has the right, but not the obligation, to participate in the proceedings of the meeting, and is not counted in determining the number required for a quorum or whether a quorum is present at a meeting. Ex-Officio can not attend a Committee meeting if by attending a minimum quorum of Council is created.

“Inaugural Meeting” means the first meeting of Council after a regular election as set out in the Act.

“Legislated Committee” means a statutory committee established under legislation.

“Meeting” means an event wherein business is transacted for any regular or special purpose by Council or local board, or Committee or sub-Committee, of either of them, as the case may be, where, (a) a quorum of Members is present, and (b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council, local Board or Committee.

“Member” means a person duly elected to hold office with the County of Elgin’s constituent municipalities, pursuant to the *Municipal Elections Act*, S.O. 1996 Chapter 32, as amended; or a person appointed by Council to a Committee.

“Minutes” means a written Record of meetings of Council, and the Minutes are to include the events of the meeting, a list of attendees, a statement of the issues considered by the Members, and related responses and decisions on issues.

“Open Meeting” means a Meeting at which quorum of Members is present and they discuss or otherwise deal with a matter in a way that materially advances the business or decision-making of the relevant Council, local board, or Committee.

“Pecuniary Interest” means an interest that has a direct or indirect financial impact for a Member, be it positive or negative, as defined under the *Municipal Conflict of Interest Act*, RSO 1990, c. M. 50, ss. 2, ss. 3.

“Quasi-Judicial Board” means a local board or Committee that has been delegated Council’s decision-making powers; for example, the Land Division Committee.

“Quorum” means, in the case of Council, a majority of Members representing at least one-half of the lower-tier municipalities, pursuant to Section 237 of the Act. In the case of a Committee of Council, quorum is a majority of the whole number of Members of the Committee, including the Chair.

“Secretary” means the person responsible for recording the Minutes of Council or Committee meetings, the preparation of the agenda and the preparation of any resulting correspondence, as designated by the CAO/Clerk.

“Standing Committee” means a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.

“Steering Committee” means any advisory body, roundtable or other body Council established to advise on specific areas of interest, with Members of the public and staff making up more than 50 per cent of the membership and Council Members or other elected officials making up the rest.

“Warden” means the Warden of the Corporation of the County of Elgin, in accordance with the Act, and the term is interchangeable with “Chair”, “Chief Executive Officer (CEO)”, and “Head of Council” for the purposes of conducting Committee meetings.

2. Purpose

- (a) This By-Law (referred to as Council Committee By-Law) establishes the meeting procedures and mandate for Council Committee meetings.

3. Principles of the Council Committee By-Law

- (a) The principles of openness, transparency and accountability to the public guide the County’s decision-making process. In the context of Committee Meeting proceedings, this is accomplished by:
 - (i) Ensuring the decision-making process is understood by the public and other stakeholders;
 - (ii) Providing access to information and opportunities for input by the public and other stakeholders;
 - (iii) Exercising and respecting individual and collective roles and responsibilities provided for in this By-Law and other statutory requirements;
 - (iv) The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals have the opportunity to participate.
- (b) The principles of parliamentary law governing Council and Committee Meetings include:
 - (i) The majority of Members have the right to decide;
 - (ii) The minority of Members have the right to be heard;
 - (iii) All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - (iv) All Members have a right to an efficient Meeting;
 - (v) All Members have the right to be treated with respect and courtesy; and

(vi) All Members have equal rights, privileges and obligations.

4. Application

- (a) The rules and regulations contained in this By-Law set out the rules of order for the dispatch of business in Committee Meetings and shall be observed in all proceedings of Committees appointed by Council.
- (b) Except as otherwise provided for in this By-Law, all Committees must conform to the rules governing the procedures of a meeting of Council as outlined in Council's procedural By-Law 18-28.
- (c) Where an applicable procedure is prescribed by the Council's Procedural By-Law refers to a Councillor, that reference is deemed to refer to any Council Member of a Council Committee.

5. Interpreting the Council Committee By-Law

- (a) In the event of conflict between this By-Law and a valid and binding statute, the provisions of the statute prevail.
- (b) A specific statement or rule in this By-Law has greater authority than a general one.
- (c) If there is a conflict between two or more rules in this By-Law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the CAO/Clerk, rely on previous rulings or practices, or refer to *Robert's Rules of Order* (Newly Revised).

6. Suspension of Rules

- (a) The rules and regulations contained herein that are discretionary and not mandatory under statute may be temporarily suspended by a majority vote of Council or Committee Members present, with the exception of the following circumstances:
 - (i) Where required by law;
 - (ii) Contractual agreements binding the County;
 - (iii) Amending this Procedural By-Law; and
 - (iv) Quorum requirements.

7. Conflict of Interest

- (a) As required by the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss.2, ss.3, at the commencement of a Meeting, or prior to considering a Motion under New Business or at the first Meeting attended thereafter, a Member who was absent from any previous Meeting at which such matter was considered, such

Member shall disclose any direct or indirect pecuniary interest and state the general nature of such interest and it shall be recorded by the CAO/Clerk or recording secretary in the Minutes.

- (b) A Member shall file with the CAO/Clerk or recording secretary a written statement of any interest declared by the Member in accordance with the *Municipal Conflict of Interest Act, RSO 1990* and its general nature, and the CAO/Clerk or recording secretary will make the disclosure publicly available and will maintain a registry of written statements of disclosure.
- (c) In the case of items to be discussed in a Closed Session Meeting, the Member declaring a pecuniary or other conflict of interest shall leave the Meeting and shall take no action to participate in, or influence, the vote of the other Members when said item is to be resolved by Council.

8. Majority Vote

- (a) Unless this By-Law states otherwise, a matter passes when a Majority of Members present vote in the affirmative.

9. Creating, Amending or Dissolving a Committee

- (a) Council may, at any time on Motion of a Member duly considered and agreed to by a majority vote, strike a Committee, Ad Hoc Committee and/or Steering Committee, as the case may be, which shall consider and report on any matter or perform any special service within the spheres of jurisdiction of Elgin County, pursuant to the Act.
- (b) Council may appoint an Ad Hoc Committee and/or Steering Committee if an issue must be addressed and it does not fall within the scope of management staff.
- (c) Council may create a new Committee in response to any of the following:
 - (i) Requirements of applicable legislation or regulation (Federal, Provincial or Municipal By-Law);
 - (ii) Changing priorities;
 - (iii) To address significant public issues or trends;
 - (iv) Where public input is deemed desirable;
 - (v) Recommendation and report by staff; and
 - (vi) Any other reason deemed appropriate by Council.
- (d) In creating a new Committee, Council shall have regard for the following:
 - (i) Establishing a clearly defined mandate and terms of reference;
 - (ii) Membership and quorum requirements/qualifications;
 - (iii) Composition of the Committee;

- (iv) Alignment with the Corporate Strategic Plan and other departmental goals and objectives;
 - (v) The reporting relationship and frequency of progress reports;
 - (vi) Public and financial considerations;
 - (vii) Staff resources to be made available and the impacts on County departments;
 - (viii) The need for any sub-Committees/working groups; and
 - (ix) Defined timeline for completion of the assigned tasks.
- (e) Amendments to the mandate/terms of reference of a Committee may be initiated by Council, by resolution of the Committee or by a report and recommendation from staff.
- (f) The following factors may be considered by Council when amending a Committee's mandate/terms of reference:
- (i) Results of the Committee's annual report which measures progress against fulfilling the mandate;
 - (ii) Impact of the change on the mandate/terms of reference;
 - (iii) Continued relevance of the Committee's purpose/function;
 - (iv) The degree of public interest;
 - (v) Changes to the applicable legislation or regulations;
 - (vi) Changing Council priorities or new issues at Council;
 - (vii) Cost analysis and required resources; and
 - (viii) Committee term.
- (g) The dissolving of a Committee may be triggered by any one of the following:
- (i) Expiration of the Committee term;
 - (ii) Completion of the Committee's task or mandate;
 - (iii) Effectiveness of the Committee's operations (e.g. frequency of meetings, amount of Committee business, number of cancelled meetings);
 - (iv) Resolution of the issues that led to the creation of the Committee;
 - (v) The legislative requirement for the Committee no longer exists;
 - (vi) Merger with another Committee;
 - (vii) Results of the Committee's annual report which measures progress against fulfilling the mandate;
 - (viii) Changing Council priorities;
 - (ix) Recommendations by the Committee by resolution; and
 - (x) Report and recommendation by staff.
- (h) All Committees created by Council will be formally dissolved by a Council resolution that is implemented through amendments to this By-Law as necessary.

10. Accountability

- (a) Pursuant to the *Municipal Act*, 2001, except in the case of a Quasi-Judicial Board, or as otherwise provided for in a striking resolution or By-Law, Committees shall provide recommendations and advice to Council.
- (b) All Council Committees are accountable to County Council.
- (c) All Council Committees will report to County Council at least annually.
- (d) A Council Committee may provide reports or seek direction from Council at any time other than the annual report.
- (e) All decisions of Council Committees shall be in the form of recommendations to Council, except as otherwise explicitly provided by Council resolution and/or By-Law striking the Committee and shall be forwarded by the Secretary to the CAO/Clerk for inclusion in the County Council Meeting Agenda.
- (f) The powers and duties of established Council Committees shall be pursuant to this By-Law and Council's Procedural By-Law 18-38, giving direction but shall not include the decision-making authority of Council, pursuant to the Act. Except in the case of a Quasi-Judicial Board, or as otherwise explicitly provided for in this By-Law.

11. Duties of Committees

- (a) The general duties of Committees of Council shall be:
 - (i) To report to Council from time to time, whenever desired by Council and as often as the interest of the County may require, on all matters concerned with the duties imposed on them respectfully, and to recommend such action by Council in relation thereto as may be deemed necessary;
 - (ii) To cause to be prepared and introduced into Council all By-Laws as may be necessary to give effect to such of their reports or recommendations as are adopted by Council;
 - (iii) To consider and report on any and all matters referred to them by Council and every such report shall be signed by the Chair submitting the same;
 - (iv) To comply strictly with the transaction of all business to the rules prescribed in this By-Law.

12. Council Committee Terms of Reference

- (a) For every Committee, Ad Hoc Committee and/or Steering Committee established by Council, Council shall adopt terms of reference and these terms of reference shall be reviewed with each term of Council and prior to any new Committee appointments.

- (b) The terms of reference adopted by Council must include the following:
 - (i) Identification of Members as appointed including term or office for lay appointments if the term does not coincide with the term of Council;
 - (ii) The mandate of such Committee, Ad Hoc Committee and/or Steering Committee;
 - (iii) Specific duties, including delegated powers (if any); and
 - (iv) Requirement for a term report to provide a status update on the activities and accomplishments of the Committee, Ad Hoc Committee and/or Steering Committee.

13. Annual Report

- (a) The mandate/terms of reference for a new or existing Committee shall include the requirement that the Committee report to Council annually by the end of November each year, either directly or through the appropriate Standing Committee, respecting the following matters:
 - (i) A concise summary of the activities and accomplishments of the Committee during the current year;
 - (ii) A summary of the Committee's focus areas for the following year; said focus areas to be aligned with Council's Strategic Plan and objectives;
 - (iii) Any recommendations respecting proposed changes to the Committee's structure, composition or mandate/terms of reference.
- (b) The Annual Report shall provide a clear and concise summary of the committee's activities and future focus areas and shall be limited to a maximum of three (3) pages.

14. Council Committee Composition

- (a) Members of Council Committees will be appointed by Council by resolution.
- (b) Committee Composition is determined by County Council as established by approved Terms of Reference for each of Council's Committee.
- (c) The Warden shall recommend and Council shall appoint representatives from within their membership to various Committees/Boards/Agencies at their first Meeting in December of each year.
- (d) All members of Council shall be appointed to at least one position on any Committee, Local Board or Agency.
- (e) All Members of Council are equally eligible to serve on any Committee, Local Board or Agency.

- (f) Any Member of Council or Committee may be placed on a Committee notwithstanding the absence of such Member at the time of being named on such Committee.

15. Standing Committee Composition – Schedule “A”

- (a) The composition and terms of reference for Standing Committees established by the County of Elgin are in accordance with Schedule “A”, attached hereto and forming a part of this By-Law.
- (b) It is the responsibility of the Standing Committees to report to Council and all matters connected with their duties referred to them by Council and recommended such action as they deem necessary.

16. Advisory Committee Composition – Schedule “B”

- (a) The composition and terms of reference for Advisory Committees are in accordance with Schedule “B”, attached hereto and forming a part of this By-Law.

17. Legislated Committees – Schedule “C”

- (a) The composition and terms of reference for Legislated Committees are in accordance with Schedule “C”, attached hereto and forming a part of this By-Law.

18. Agencies and Boards with Council Appointees – Schedule “D”

- (a) The Committees to which Council makes appointments, but are not Committees of Council, is included in Schedule “D”. These Committees are bound by the rules established by their governing body.

19. Special Purpose (Ad Hoc) Committees

- (a) Council may establish Special Purpose (Ad Hoc) Committees for special projects, upon the recommendation of Council, Committee of the Whole, or staff.
- (b) A Special Purpose (Ad Hoc) Committee must have a clear mandate and well-defined terms of reference that must include:
 - (i) The Committee’s mandate/terms of reference;
 - (ii) The number of members;
 - (iii) The composition of membership, including members of staff, if applicable;
 - (iv) Reporting relationships;
 - (v) Staff and other resources to be made available; and
 - (vi) A start and finish date.

20. Citizen Appointments

- (a) When determined by Council or statute or legislation, as established by Terms of Reference for a Council Committee approved by Council, Members of the public will be eligible to serve on a Council Committee.
- (b) When Council decides to include members of the public on a Special Purpose (Ad Hoc) Committee, the Clerk will place an advertisement of the form and content set forth in Schedule E in the local newspaper and on the County's website inviting members of the public to apply to be a member of the Committee.

21. Citizen Appointments – Criteria to Serve on Committee

- (a) Citizen appointments to Committees listed in this By-Law must be at least 18 years or older, a landowner/business owner in the County of Elgin, and be one of the following:
 - (i) A Canadian Citizen; or
 - (ii) Permanent Resident, a person who has been given permanent resident status by immigrating to Canada but is not a Canadian Citizen, and has resided in Elgin County for at least one year;
 - (iii) Appointees must maintain residence in the County of Elgin for the duration of their term on the Committee.

22. Retention of Applications to Serve on Committees

- (a) Applications from Members of the Public who are not appointed during the regular appointment process will be kept on file in the office of the CAO/Clerk for a period of one (1) year from the date of submission.
- (b) If a vacancy occurs on a Council Committee within one (1) year, the applicants who applied to serve on that Committee and were not appointed will be contacted and asked if they are still interested in serving.
- (c) The County CAO/Clerk will also re-advertise vacancy in the newspaper.

23. Duration of Citizen Appointments

- (a) Members of the public will be eligible to serve for a maximum time established by the approved Terms of Reference.
- (b) Renewed membership on a Committee is not automatic and any member of the public who wishes to serve for an additional term must submit an additional application form or provide a letter which includes the necessary information in order to be considered for reappointment.

24. Chair and Vice Chair

- (a) Each Council Committee must, at its first meeting each year, appoint a Chair and Vice Chair from Members of Council appointed to the Committee.
- (b) For the purposes of clarity, a Member of the Committee who served as Committee Chair or Vice Chair may be reappointed as Committee Chair or Vice Chair.
- (c) If a Committee is unable to appoint a Chair or Vice-Chair, Council will appoint the Chair or Vice-Chair.

25. Role of the Council Committee Chair

- (a) In addition to duties prescribed by the Council Procedural By-Law 18-38, the Chair will perform the following duties for a Council Committee:
 - (i) If requested by Council, provide recommendations regarding the reappointment of Members of a Council Committee; and
 - (ii) Assist the County CAO/Clerk to prepare any reports required by Council including the Annual Report.

26. Role of the Warden

- (a) The Warden shall be a Member ex-officio of all Committees of Council as required and may vote on all questions before the Committee and the ex-officio Member shall not be counted in the formation of Quorum.

27. Role of Councillors Not Appointed to Committee

- (a) Members of Council or Committee may attend the Meetings of any of its Committees, but shall not be allowed to vote, nor should they be allowed to take part in any discussion or debate, except with the permission of the Majority of Members of the Committee.

28. Term of Appointment

- (a) Terms of Appointment are included in Council Committee Terms of Reference, as approved by Council annually through review of this By-Law.
- (b) Unless specifically provided for in this By-Law or By-Law 19-41, such Committee, Ad Hoc Committee and/or Steering Committee shall dissolve as soon as the services for which that Committee was appointed are performed.
- (c) Unless Council specifically sets out in this By-Law, or unless legislation provides otherwise, the term of office for Member appointments to Committees, Ad Hoc Committees and/or Steering Committees shall coincide with the term of Council.

- (d) Committee members will continue to serve on a Committee past the expiration of their term until they are replaced.
- (e) All Council memberships on all Committees end on November 30th of a municipal election year.
- (f) A non-statutory Council Committee shall not extend beyond the term of Council unless the newly elected Council conforms by resolution the continuance of the Committee.
- (g) Terms of Office and Memberships on external Boards/Commissions/Authorities or Quasi-Judicial Committees must be in accordance with this By-Law unless the term of office is established under statute or legislation.

29. Attendance and Absenteeism

- (a) The Committee Clerk will record the attendance of the Members in the minutes of the meeting.
- (b) Any member of a Committee who is absent, without cause acceptable to Council, for more than fifty percent (50%) of the meetings since their date of appointment will not be eligible for reappointment.
- (c) A member of a Committee of Council who intends to leave a meeting before the meeting is adjourned must inform the Chair of this intention either at the start of the meeting or prior to leaving.
- (d) Council may appoint a Member thereof to act on any Committee or at a Meeting thereof in lieu and during the absence of any Member thereof who is absent from the municipality or unable from illness to attend the Meeting(s) of such Committee, and the Member so appointed shall be deemed a Member of the Committee and entitled to act thereon, only during such absence or illness.

30. Location and Schedule of Meetings of Committees

- (a) The location and Meeting schedule of all Committees is determined by its Members, in accordance with each Committee's terms of reference and/or prescribed mandate.

31. Public Participation at Committee Meetings

- (a) All Council Committee Meetings that are open to the public and following the introduction of an agenda item and receiving comments from staff with questions from the Committee Members, Members of the public, if deemed appropriate by the Chair, may be invited to share their comments, views, suggestions and opinions.

- (b) An individual may make a delegation at any Committee meeting related to an item of business on the agenda. Any person or groups of persons wishing to address the Committee is required to make the necessary arrangements through the CAO/Clerk, at least eight (8) days prior to the date of the Committee Meeting. Written delegation briefs shall be provided so that sufficient time will permit distribution to the Members of the Committee, prior to the said meeting.
- (c) Once a delegation has addressed the Committee, no further request on the same issue will be entertained until written information is produced to Members and there is agreement that another delegation is warranted.
- (d) No person or delegation shall be permitted to address the Committee on a subject not on the agenda, unless permission is granted on the consent of the Chair and on two-thirds majority of Members in support of such presentation.
- (e) A delegation shall be limited to a maximum of fifteen (15) minutes. Council or Committee may, by Motion, and with the support of the majority of its members lengthen the time for hearing of delegations.
- (f) A delegation consisting of more than five (5) persons shall be limited to two (3) speakers and to a total time limitation of fifteen (15) minutes for the delegation presentation.
- (g) No more than four (4) delegations shall be scheduled to address the Committee at any Meeting, unless permitted by the Chair.
- (h) Members of the Committee may ask questions of a delegation but shall not enter into debate with any representatives of such delegation. All questions to delegations shall be addressed through the Chair. No other person may ask any questions of the delegations, unless directed to do so by the Chair.
- (i) Should an individual wish to be provided with further Notice related to a matter addressed by a delegation before the committee, he or she is required to indicate this wish to the CAO/Clerk or recording secretary as part of his or her delegation request originally delivered.

32. County CAO/Clerk Support

- (a) The County CAO/Clerk or his or her delegate will provide administrative and other support, including meeting facilities and equipment, to allow a Standing Committee or Council Committee to fulfil its mandate in a non-voting capacity.
- (b) The County CAO/Clerk may appoint County employees to perform liaison functions between the County and a Council Committee.

33. Compensation

- (a) Any Council Member attending at any Meeting of a Committee as an appointed member, local Board or agency shall not be entitled to additional compensation but shall be entitled to reimbursement of travel expenses.
- (b) Councillors appointed to a Council Committee shall be paid mileage at the same rate established for the use of personal vehicles for County business and any other eligible “out of pocket” expense that may occur.
- (c) Members of the Committee shall serve without remuneration, and no member shall directly or indirectly receive any profit from his/her position.

34. Quorum

- (a) A majority of all Members of the Committee shall constitute a Quorum.

35. Meetings

- (a) A Meeting of any Committee may be called by the Chair thereof whenever a Meeting is considered necessary by at least a majority of the Members of such Committee and it shall be his or her duty to call such meeting in writing.

36. Meeting Schedule

- (a) The Meeting schedule of all other Committees is determined by its Members, in accordance with each Committee’s terms of reference and/or prescribed mandate.

37. Motions/Clauses Lost at Committee Meetings

- (a) Items rejected by any Committee must be reported to Council with a “negative recommendation”, allowing Council the opportunity to discuss the item.
- (b) Motions that result in a tied vote at a Committee must be reported to Council, with no recommendation to allow Council the opportunity to discuss and make a decision.

38. Notice of Meetings of Committees

- (a) The agenda shall be considered as Notice of regular Meetings of Committees, and By-Law 07-29, being a By-Law to establish a policy respecting the manner in which Notice will be provided, as amended, shall be utilized in respect thereof.
- (b) The CAO/Clerk gives notice of a Meeting of Committee by:

- (i) Providing the Committee with an agenda, and when required, a Closed Session Agenda, at least four (4) business days prior to a Committee meeting;
- (ii) Posting a Notice on the County's website.

39. Preparation of Council Committees Agendas

- (a) The CAO/Clerk and his or her staff are charged with providing guidance and recommendations to Council Committees related to municipal business.
- (b) The CAO/Clerk or his or her delegate, together with the Committee Chair, will prepare Committee Agendas.

40. Council Committee Agenda

- (a) The Agenda of every Committee will be structured as follows:
 - (i) Meeting Called to Order;
 - (ii) Approval of the Agenda;
 - (iii) Confirmation of Minutes;
 - (iv) Disclosure of Pecuniary Interest;
 - (v) Delegations;
 - (vi) Briefings;
 - (vii) Other Business;
 - (viii) Correspondence;
 - (ix) Date of Next Meeting; and
 - (x) Adjournment

41. Open/Closed Meetings

- (a) Except as provided in Section 26(a), By-Law 18-38, all meetings of Council Committees shall be open to the public pursuant to the Act, S. 239 (1).
- (b) Persons may be excluded when Council or Committee is in Closed Meeting in accordance with Section 239 of the Act and Amendments thereto. As provided for in the Act, Council or a Committee may resolve to move into a session closed to the public in order to discuss matters related to one or more of the Closed Meeting Provisions detailed in the Act.
- (c) The provisions of Section 239 of the Act and Sections 26 (a) (b) and (c) of this By-Law apply to any and all Committees, despite Section 238 of the Act.

42. Improper Conduct

- (a) The Chair may expel any person for improper conduct at a Meeting, pursuant to the Act, 2001, S. 241 (2).

43. Council Committees Minutes

- (a) The Minutes of Council Committee Meetings shall consist of:
 - (i) A record of the place, date and time of Meeting;
 - (ii) The Name of the Chair, a record of all Members present at the meeting and the names of those Members who were absent;
 - (iii) The reading, if requested, correction and adoption of the Minutes of prior Meetings; and
 - (iv) All other proceedings of the Meeting without note or comment.
- (b) The CAO/Clerk or his or her designate shall ensure that a copy of the Minutes of each Meeting is delivered to each Member of Committee at least forty-eight (48) hours prior to the commencement of the Meeting of Committee.
- (c) The CAO/Clerk shall keep a permanent copy of all Committee Minutes for public inspection.

44. Effect

- (a) This By-Law will come into force and take effect on the date of its passing.

ENACTED THIS 26th DAY OF NOVEMBER, 2019.

SCHEDULES A-F

Schedule A-1 – Standing Committee – Terrace Lodge Redevelopment Committee

TERMS OF REFERENCE



Committee Name:	Terrace Lodge Redevelopment Committee
Committee Type:	Standing Committee
	Pursuant to By-Law 19-41, a Standing Committee is a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.
Reporting to:	Elgin County Council
Enabling Legislation/ By-Law (if applicable)	By-Law 19-41 (Procedural By-Law), By-Law 19-40 (Council Committees By-Law)
Staff Support:	CAO/Clerk or designate, Director of Homes and Seniors Services, Director of Financial Services will be the senior staff resources for the Committee. Other County staff and consultants will attend meetings as technical support when required.
Department Linkage:	Administrative Services, Financial Services, Homes and Seniors Services (project support required by each department)
Term of Appointment:	1 year, Members eligible for reappointment
Financial Impact:	Administrative Support (no additional resources required to support Committee)
Meeting Frequency:	Meetings will be held on an as-needed basis (approx. 12) Meetings will be scheduled on an ad-hoc basis at the call of the Chair or when requested by staff.
Chair/Vice Chair	A chair will be elected from the membership of the Committee on an annual basis.
Skills/Qualifications	Candidates will be chosen to reflect an array of skills and experience in fields such as construction, architecture, accounting, finance, construction management and land use planning.
Membership/Composition	Elgin County Council shall appoint three (3) Members to the Committee. There will be a total of four (4) Members, including the Warden. One (1) Councillor will be appointed Chair of the Committee. Candidates will be recommended by the Warden and appointed by County Council.
Mandate:	The purpose of the Terrace Lodge Redevelopment Committee is to advise the County of Elgin staff on the design, construction, scope and schedule for the Terrace Lodge Redevelopment project, working within the budget approved by Elgin County Council.
Principles:	The activities of the Committee will reflect the following principles related to the Project: <ul style="list-style-type: none"> • The Project will meet the objectives and timelines of the County of Elgin

	<ul style="list-style-type: none"> • The Project will be completed within budget • The financial implications related to the Project must be balanced with the opportunities related to construction of a Long Term Care Home intended to serve residents for the long-term • The process of completing the Project will encourage effective relationships, partnerships with others and community and staff involvement.
Objectives:	<p>The primary objectives of the Committee are as follows:</p> <ul style="list-style-type: none"> • To provide input, feedback and advice on the design and construction of the Project. • To advise on the best use of County resources. • To advise on the financial sustainability of the Project and the soundness of business decisions. <p>Other matters that will contribute to the successful development, construction and operation of the Project.</p>
Link to Council's Strategic Priorities:	This project reflects Elgin County Council's commitment to Seniors Services in Elgin County. [section to be updated in 2020 to align with Council's Strategic Plan]
Reporting Requirements:	Terrace Lodge Redevelopment Committee shall report to County Council at least annually and may provide reports or seek direction from Council at any time other than the annual report.
Sub-Committees/Working Groups:	May be established as needed and as approved by County Council.
Timeline for Completion of the Assigned Tasks:	Approximately 2022
Council Review:	Annually

Schedule A-2 – Standing Committee – Provincial Offences Administration Building Committee

TERMS OF REFERENCE



Committee Name:	Provincial Offences Administration Building Committee
Committee Type:	Standing Committee
	Pursuant to By-Law 19-41, a Standing Committee is a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.
Reporting to:	Elgin County Council
Enabling Legislation/ By-Law (if applicable)	By-Law 19-41 (Procedural By-Law), By-Law 19-40 (Council Committees By-Law)
Staff Support:	CAO/Clerk or designate, Director of Financial Services, Director of Engineering Services will be the senior staff resources for the Committee.
	Other County staff and consultants will attend meetings as technical support when required.
Department Linkage:	Administrative Services, Financial Services, Financial Services (project support required by each department)
Term of Appointment:	1 year, Members eligible for reappointment
Financial Impact:	Administrative Support (no additional resources required to support Committee)
Meeting Frequency:	Meetings will be held on an as-needed basis (approx..12) Meetings will be scheduled on an ad-hoc basis at the call of the Chair or when requested by staff.
Chair/Vice Chair	A chair will be elected from the membership of the Committee on an annual basis.
Skills/Qualifications	Candidates will be chosen to reflect an array of skills and experience in fields such as construction, architecture, accounting, finance, construction management and land use planning.
Membership/Composition	Elgin County Council shall appoint three (3) Members to the Committee. There will be a total of four (4) Members, including the Warden. One (1) Councillor will be appointed Chair of the Committee.
	Candidates will be recommended by the Warden and appointed by County Council.
Mandate:	The purpose of the Provincial Offences Administration Building Committee is to advise the County of Elgin staff on the design, construction, scope and schedule for the Provincial Offences Administration Building project, working within the budget approved by Elgin County Council.

Principles:	<p>The activities of the Committee will reflect the following principles related to the Project:</p> <ul style="list-style-type: none"> • The Project will meet the objectives and timelines of the County of Elgin • The Project will be completed within budget • The financial implications related to the Project must be balanced with the opportunities related to construction of a Court and Administration Facility intended to serve Elgin County residents for the long-term • The process of completing the Project will encourage effective relationships, partnerships with others and community and staff involvement.
Objectives:	<p>The primary objectives of the Committee are as follows:</p> <ul style="list-style-type: none"> • To provide input, feedback and advice on the design and construction of the Project. • To advise on the best use of County resources. • To advise on the financial sustainability of the Project and the soundness of business decisions. <p>Other matters that will contribute to the successful development, construction and operation of the Project.</p>
Link to Council's Strategic Priorities:	<p>This project reflects Elgin County Council's commitment to the provision of Provincial Offences Act administrative services [section to be updated in 2020 to align with Council's Strategic Plan]</p>
Reporting Requirements:	<p>Provincial Offences Administration Building Committee shall report to County Council at least annually and may provide reports or seek direction from Council at any time other than the annual report.</p>
Sub-Committees/Working Groups:	<p>May be established as needed and as approved by County Council.</p>
Timeline for Completion of the Assigned Tasks:	<p>December 1, 2019</p>
Council Review:	<p>n/a</p>

Schedule A-3 – Standing Committee – Policy Review Committee

TERMS OF REFERENCE



Committee Name:	Policy Review Committee Terms of Reference
Committee Type:	Standing Committee
	Pursuant to By-Law 19-41, a Standing Committee is a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.
Reporting to:	Elgin County Council
Enabling Legislation/ By-Law (if applicable)	By-Law 19-41 (Procedural By-Law), By-Law 19-40 (Council Committees By-Law)
Staff Support:	CAO/Clerk or designate will be the senior staff resources for the Committee. Other County staff and consultants will attend meetings as technical support when required.
Department Linkage:	All County Departments
Term of Appointment:	1 year, Members eligible for reappointment
Financial Impact:	Administrative Support (no additional resources required to support Committee)
Meeting Frequency:	Meetings will be held on an as-needed basis (approx..4) Meetings will be scheduled on an ad-hoc basis at the call of the Chair or when requested by staff.
Chair/Vice Chair	A chair will be elected from the membership of the Committee on an annual basis.
Skills/Qualifications	Candidates will be chosen to reflect an array of skills and experience in policy development and general municipal service delivery.
Membership/Composition	Elgin County Council shall appoint three (3) Members to the Committee. There will be a total of four (4) Members, including the Warden. One (1) Councillor will be appointed Chair of the Committee. Candidates will be recommended by the Warden and appointed by County Council.
Mandate:	The Committee is responsible for strengthening Council's role in understanding and leading policy governance through the review of Council policies. County Council has delegated authority to the Policy Review Committee for the review of standard policies for which required changes are considered to be minor. This determination will be made by the Committee Chair.

Objectives:	<p>The primary objectives of the Committee are as follows:</p> <ul style="list-style-type: none"> • To assist County Council with monitoring the policy guidelines of County Council and to facilitate Council's understanding of policy governance. • To review and recommend for approval to County Council new and/or revised governance policies as required or recommended, ensuring that documents: are in accordance with Council priorities; align with current organizational priorities; are effective in achieving their mandate; contain no grammatical or typographical errors; and contain no outdated references. • To review and recommend for approval to County Council new and/or revised operational policies at the request of the Chief Administrative Officer. • To review and recommend for approval to County Council the annual schedule for policy review to ensure an ongoing process of policy review. • To perform such additional tasks as may be delegated to the Committee by County Council from time to time.
Link to Council's Strategic Priorities:	Section to be updated in 2020 to align with Council's Strategic Plan
Reporting Requirements:	Policy Review Committee shall report to County Council at least annually and may provide reports or seek direction from Council at any time other than the annual report.
Sub-Committees/Working Groups:	May be established as needed and as approved by County Council.
Timeline for Completion of the Assigned Tasks:	November 30, 2019
Council Review:	n/a

Schedule A-4 – Standing Committee – Human Resources Committee

TERMS OF REFERENCE



Committee Name:	Human Resources Committee
Committee Type:	Standing Committee
	Pursuant to By-Law 19-41, a Standing Committee is a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.
Reporting to:	Elgin County Council
Enabling Legislation/ By-Law (if applicable)	By-Law 19-41 (Procedural By-Law), By-Law 19-40 (Council Committees By-Law)
Staff Support:	CAO/Clerk (or designate) and Director of Human Resources
Department Linkage:	Administrative Services
Term of Appointment:	1 year, Members eligible for reappointment
Financial Impact:	No additional staff resources required
Meeting Frequency:	Meetings will be held on an as-needed basis. Meetings will be scheduled on an ad-hoc basis at the call of the Chair or when requested by staff.
Chair/Vice Chair	Warden serves as Chair
Skills/Qualifications	Candidates will be chosen to reflect an array of skills and experience in human resource management, recruitment, staff development and general municipal service delivery.
Membership/Composition	Elgin County Council shall appoint two (2) Members to the Committee. There will be a total of three (3) Members, including the Warden. The Warden will serve as the Chair of the Committee. Candidates will be recommended by the Warden and appointed by County Council.
Mandate:	The Human Resources Committee shall assist Council in fulfilling obligations relating to vacancies in senior-level positions (“CAO/Clerk and Directors”).
Objectives:	The Human Resources Committee shall review the recruitment process and be included on the hiring panel for vacancies for senior level positions (“CAO/Clerk and Directors”). The Committee will recommend a final candidate for Council’s consideration. The Human Resources Committee may be delegated other responsibilities by the Board.
Link to Council’s Strategic Priorities:	Staff Recruitment and Retention [section to be updated in 2020 to align with Council’s Strategic Plan]
Reporting Requirements:	Human Resources Committee shall report to County Council at least annually if any Meetings are held by the Committee. The Committee may provide reports or seek direction from Council at

any time other than the annual report.

Sub-Committees/Working Groups:	May be established as needed and as approved by County Council.
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Timeline for Completion of the Assigned Tasks:	n/a
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Council Review:	Annually
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Schedule A-5 – Standing Committee – Council Budget Committee

TERMS OF REFERENCE



Committee Name:	Council Budget Committee
Committee Type:	Standing Committee
	Pursuant to By-Law 19-41, a Standing Committee is a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.
Reporting to:	Elgin County Council
Enabling Legislation/ By-Law (if applicable)	By-Law 19-41 (Procedural By-Law), By-Law 19-40 (Council Committees By-Law)
Staff Support:	CAO/Clerk (or designate) and Director of Finance, other staff as required
Department Linkage:	Administrative and Financial Services
Term of Appointment:	1 year, Members eligible for reappointment
Financial Impact:	No additional staff resources required
Meeting Frequency:	1 full-day meeting will be held in November and 1 full-day meeting will be held in December each year. Additional meetings may be scheduled on an as-needed basis at the discretion of the Chair.
Chair/Vice Chair	Warden
Skills/Qualifications	Financial experience preferred
Membership/Composition	Elgin County Council shall appoint three (3) Members to the Committee. There will be a total of four (4) Members, including the Warden. The Warden will serve as the Chair of the Committee. Candidates will be recommended by the Warden and appointed by County Council.
Mandate:	The Budget Committee is a Standing Committee of Council established to deliberate on the Budget, which includes the future Capital and Current Programs for the County of Elgin.
Objectives:	The Budget Committee shall: <ul style="list-style-type: none"> • Review and assess budget principles, allocations and related financials, providing advice to the Chief Administrative Officer and Director of Finance on the annual budget; • To receive presentations from each department, as required, on financial matters; • To evaluate the budgetary implications of proposals for new and substantially revised programs and services in advance of Council's budget deliberations
Link to Council's Strategic Priorities:	Section to be updated in 2020 to align with Council's Strategic Plan
Reporting Requirements:	The Budget Committee will report to Council on an as-needed basis.
Timeline for Completion of the Assigned Tasks:	Ongoing
Council Review:	Annually

Schedule B -1 - Advisory Committee – Community Safety and Well-Being Coordinating Committee

TERMS OF REFERENCE



Committee Name:	Community Safety and Well-Being Coordinating Committee
Committee Type:	Advisory Committee
	<p>Role: To provide recommendations, advice and information to Council on those specialized matters which relate to the purpose of the Advisory Committee, to facilitate public input to County Council on programs and ideas to assist in enhancing the quality of life of the Community, in keeping with Council's Strategic Plan principles.</p> <p>Advisory committees shall not give direction to staff, nor shall Advisory Committees request, without the approval of Council, the preparation of any administrative reports, research or work assignments.</p>
Reporting to:	Elgin County Council
Enabling Legislation/ By-Law (if applicable)	<p>Municipal Act, Safer Ontario Act (2018)</p> <p>The Government of Ontario has demonstrated its commitment to supporting communities through the development of the Provincial Approach to Community Safety and Well-Being (CSWB) (Provincial Approach), and this work will continue under the Strategy for a Safer Ontario (Strategy). As a result, the Province of Ontario's Bill 175, <i>Safer Ontario Act (2018)</i>, mandates that:</p> <ul style="list-style-type: none"> • The Council of every municipality shall prepare and, by resolution, adopt a community safety and well-being plan; • ... Municipal Council... shall establish an Advisory Committee.
Staff Support:	Chief Administrative Officer/Clerk
Department Linkage:	Administration
Term of Appointment:	Term Coincides with that of Elgin County Council
Financial Impact:	Staff Resources Required
Meeting Frequency:	Approximately 1 meeting/month
Chair/Vice Chair	Coordinating Committee Chair is the CSWP Plan Coordinator.
	<p>Role and Responsibility of Chair includes:</p> <ul style="list-style-type: none"> • Chair committee meetings; • Prepare agendas; • Act as liaison between the Coordinating Committee and the Advisory Committee; and • Facilitate work towards fulfillment of the mandate and development of the CSWB Plan for Elgin-Aylmer-St. Thomas.
Skills/Qualifications	Members shall understand and support the CSWB purposes and processes mandated by Bill 175.

	<p>Executive Function:</p> <ul style="list-style-type: none"> • Understanding and supporting the purposes and processes mandated by Bill 175; • Guiding, facilitating and enabling all steps, measures and actions required to create and recommend an Elgin-Aylmer-St. Thomas Community Safety and Well-Being Plan for Municipal Councils' approval; • Providing to Municipal Councils timely reports on the status, and recommendations on the decisions required to support development of the Elgin-Aylmer-St. Thomas Community Safety and Well-Being Plan • Soliciting advice from the Advisory Committee and channeling that advice into the planning process and products that go before Municipal Councils for approval.
Membership/Composition	<p>Council shall appoint two Members of Elgin County Council (including the Mayor of Town of Aylmer) to the general Committee Membership, including:</p> <ul style="list-style-type: none"> • 2 Members of City of St. Thomas Council • 2 Members of Elgin County Council (including Mayor, Town of Aylmer) • Elgin Ontario Provincial Police (OPP) Detachment Commander (or designate) • Town of Aylmer Police Chief (or designate) • City of St. Thomas Police Chief (or designate) • Police Services Board Representation (Town of Aylmer, Elgin Group, City of St. Thomas) • Municipal representation (City of St. Thomas, Town of Aylmer, County of Elgin Chief Administrative Officers or designates), other municipal staff as required. • Community Safety and Well-Being Coordinator • Recording Secretary
Mandate:	<p>The purpose of the Coordinating Committee is to engage the municipalities in a collaborative initiative to develop a Community Safety and Well-Being Plan for all of Elgin County and the City of St. Thomas as per the Municipal mandate for same in Provincial Bill 175 (<i>Safer Ontario Act</i>). The Plan will represent Elgin County, the Town of Aylmer and the City of St. Thomas as a whole, but will reflect local needs and nuances specific to the respective Municipalities as appropriate.</p>
Compensation:	n/a
Principles:	Members shall understand and support the CSWB purposes and processes mandated by Bill 175.
Objectives:	<p>General responsibilities of Coordinating Membership include:</p> <ul style="list-style-type: none"> • Directing and responding to the work of the Advisory Committee • Participating on the Advisory Committee (ad hoc) • Planning community engagement sessions (ad hoc) • Ensuring the Advisory Committee recommendations are reviewed and evaluated • Building on and/or establishing strong working partnerships with community members and organizations that can facilitate and enable effective community safety and well-being planning • Receiving and responding to the requests for information about the CSWB Plan

	<ul style="list-style-type: none"> • Assessing and determining from the information and data sources what the data will be used for, what is public facing and what is for internal use only • Ensuring the plan is made publicly available • Reporting back to the respective Council(s) and advocating for support for the Plan.
Link to Council's Strategic Priorities:	Section to be updated in 2020 to align with Council's Strategic Plan.
Reporting Requirements:	Report to Advisory Committee and Municipal Councils as required.
Sub-Committees/Working Groups:	n/a
Timeline for Completion of the Assigned Tasks:	December 31, 2020
Council Review:	Annually

Schedule B -2 - Advisory Committee – Community Safety and Well-Being Advisory Committee

TERMS OF REFERENCE



Committee Name:	Community Safety and Well-Being Advisory Committee
Committee Type:	Advisory Committee
	<p>Role: To provide recommendations, advice and information to Council on those specialized matters which relate to the purpose of the Advisory Committee, to facilitate public input to County Council on programs and ideas to assist in enhancing the quality of life of the Community, in keeping with Council's Strategic Plan principles.</p> <p>Advisory committees shall not give direction to staff, nor shall Advisory Committees request, without the approval of Council, the preparation of any administrative reports, research or work assignments.</p>
Reporting to:	<p>Elgin County Council</p> <p>The Advisory Committee has no binding decision making authority or executive function in the context of the Municipal responsibilities outlined in Bill 175.</p> <p>The Advisory Committee will, with openness and transparency, share their subject matter expertise with the Coordinating Committee.</p>
Enabling Legislation/ By-Law (if applicable)	<p>Municipal Act, Safer Ontario Act (2018)</p> <p>The Government of Ontario has demonstrated its commitment to supporting communities through the development of the Provincial Approach to Community Safety and Well-Being (Provincial Approach), and this work will continue under the Strategy for a Safer Ontario (Strategy). As a result, the Province of Ontario's Bill 175, <i>Safer Ontario Act (2018)</i>, mandates that:</p> <ul style="list-style-type: none"> • The Council of every municipality shall prepare and, by resolution, adopt a community safety and well-being plan; • ... Municipal Council... shall establish an Advisory Committee.
Staff Support:	Chief Administrative Officer/Clerk
Department Linkage:	Administration
Term of Appointment:	Term Coincides with that of Elgin County Council
Financial Impact:	Staff Resources Required
Meeting Frequency:	Approximately 1 meeting/month; meetings will be called at the discretion of the Chair. When possible, input and consultation of the Advisory Committee will take place in a virtual manner by engaging subject matters one on one, via electronic communication and feedback and/or via teleconference.

Chair/Vice Chair	<p>Coordinating Committee Chair is the CSWP Plan Coordinator.</p> <p>Role and Responsibility of Chair includes:</p> <ul style="list-style-type: none"> • Chair committee meetings; • Prepare agendas; • Act as liaison between the Advisory Committee and the Coordinating Committee; and • Facilitate work towards fulfillment of the mandate and development of the CSWB Plan for Elgin-Aylmer-St. Thomas.
Skills/Qualifications	<p>Members shall be selected and recruited on the basis of the following characteristics:</p> <ul style="list-style-type: none"> • Represent an organization or sector as outlined in the mandate of Bill 175; • Knowledge and information about the risks and vulnerable populations in Elgin County and City of St. Thomas; • Lived experience with risk factors; • Understanding of protective factors needed to address those risks; • Experience developing effective partnerships in the County of Elgin, Town of Aylmer and City of St. Thomas; • Experience with ensuring equity, inclusion and accessibility in community initiatives; • A proven track record advocating for the interests of vulnerable groups; and • The power and authority needed to make decisions and represent the expertise of their respective agencies or organizations.
Membership/Composition	<p>The Advisory Committee will be comprised of members who are identified to reflect a wide range of relevant knowledge, expertise and experience with cross-sectoral representation. Members will act in an advisory capacity to the Coordinating Committee, specific to the mandate of Bill 175, as it relates to the development of Elgin-Aylmer-St. Thomas' Community Safety and Well-Being Plan.</p> <p>The Advisory Committee must, at minimum, consist of the following members:</p> <ul style="list-style-type: none"> • Local Health Integration Network • Mental and Physical Health • Educational Services • Social Services • Custodial care of children and/or youth • Member of Council or municipal administration • Police • And other prescribed members
Mandate:	<p>The purpose of the Advisory Committee is to advise and inform the Coordinating Committee as they examine the County, Town of Aylmer and City of St. Thomas' principle risk factors, vulnerable groups and protective factors needed to reduce harms and enhance safety and well-being for all residents in the County of Elgin, Town of Aylmer and City of St. Thomas.</p>
Compensation:	n/a
Principles:	<p>Members shall understand and support the CSWB purposes and processes mandated by Bill 175.</p>

Objectives:	<p>Members of the Advisory Committee, with the support of the Coordinating Committee, shall:</p> <ul style="list-style-type: none"> • Facilitate and enable community engagement and consultation sessions; • Act as a resource for the Coordinating Committee; • Provide data and information from their own agencies and organizations pertaining to priority risk factors, vulnerable groups and protective factors to reduce those risks; • Ensure the engagement and creation of opportunities for involvement of people within Elgin County, Town of Aylmer and City of St. Thomas including culturally diverse populations; • Work in collaboration with the Coordinating Committee in developing the focal points of the emerging community safety and well-being plan based on available data, evidence, community information and feedback, as well as core community capacity to address those factors; and • Help the Coordinating Committee develop a plan for implementing the goals, directions and protective factors isolated in the Community Safety and Well-Being Plan for Elgin-Aylmer and St. Thomas.
Link to Council's Strategic Priorities:	Section to be updated in 2020 to align with Council's Strategic Plan.
Reporting Requirements:	Report to Advisory Committee and Municipal Councils as required.
Sub-Committees/Working Groups:	n/a
Timeline for Completion of the Assigned Tasks:	December 31, 2020
Council Review:	Annually

Schedule C-1 Legislated Committees – Rural Initiatives/Planning Advisory Committee

TERMS OF REFERENCE



Committee Name:	Rural Initiatives/Planning Advisory Committee (PAC)
Committee Type:	Legislated Committee
	Statutory Committee established under the Planning Act.
Reporting to:	Elgin County Council
Enabling Legislation/ By-Law (if applicable)	Provincial Policy Statement, Planning Act, RSO 1990, Municipal Act, 2001
Staff Support:	Manager of Planning
Department Linkage:	Planning
Term of Appointment:	Term Coincides with that of Elgin County Council
Financial Impact:	Staff Resources Required
Meeting Frequency:	Approximately 1 meeting/month
Chair/Vice Chair	A chair will be elected from the membership of the Committee on an annual basis.
Skills/Qualifications	Experience with Boards/Commissions and Land Use Planning Preferred.
Membership/Composition	<p>The Rural Initiatives Committee doubles as the “Rural Initiatives/Planning Advisory Committee” and was combined in 2016 in response to Bill 73 and changes to Development Charges Act and the Planning Act which required that all upper-tier and single-tier levels of municipal government establishes a Planning Advisory Committee.</p> <p>Three (3) Members of Council shall be appointed to the Rural Initiatives/Planning Advisory Committee.</p> <p>It is noted that a member of the Elgin Federation of Agriculture shall be invited to participate on the PAC as a citizen appointee in keeping with its status as a non-voting member of the Rural Initiatives Committee.</p>
Mandate:	<ul style="list-style-type: none"> • To promote the viability of agriculture and rural affairs in the County and throughout the Province; • To examine issues such as, but not limited to: the challenges of the global economy on local agricultural practices; the viability of schools in rural communities; and, alternative sources of economic development in rural areas; • To develop goals and objectives to improve and promote rural life; • To demonstrate County Council’s commitment to delivering services to rural communities by recommending a budget to Council that will accomplish identified goals; • To act as a PAC by providing information, perspective and recommendations to County Council on broad planning matters that may have an effect on the County and/or its local municipalities, as required from time to time;

specifically, to review from time to time the provisions of the Official Plan and related policy, and recommend to Council general amendments thereto which would be in the best interests of the County of Elgin (this would include 5-year reviews of the Official Plan); to advise County Council on general planning and development issues of Council and/or local municipal significance; to report to County Council on proposed land use policy changes as introduced by the Province of Ontario; and to review and report on specific aspect(s) of a submitted application.

Compensation:	n/a
Link to Council's Strategic Priorities:	[section to be updated in 2020 to align with Council's Strategic Plan]
Reporting Requirements:	Reports shall be delivered to Elgin County Council on an as-needed basis and at least once per year.
Sub-Committees/Working Groups:	n/a
Timeline for Completion of the Assigned Tasks:	n/a – work completed on an as-needed basis
Council Review:	Annually

Schedule D-1 – Agencies and Boards with Council Appointees



Committee Name:	Board of Health
Lead Organization:	Southwestern Public Health
Membership:	2 Members of Council, recommended by Warden, approved by Council
Term:	One (1) year
Committee Name:	City-County Liaison Committee (formerly Dispute Resolution)
Lead Organization:	Elgin County & City of St. Thomas
Membership:	2 Members of Council, recommended by Warden, approved by Council + Warden
Term:	One (1) year
Committee Name:	Health Recruitment Partnership
Lead Organization:	Elgin County & City of St. Thomas
Membership:	1 Member of Council, recommended by Warden, approved by Council
Term:	One (1) year
Committee Name:	Joint Elgin-Central Elgin Accessibility Advisory Committee
Lead Organization:	Elgin County & Municipality of Central Elgin
Membership:	1 Member of Council, recommended by Warden, approved by Council
Term:	One (1) year
Committee Name:	SWIFT Network Board of Directors
Lead Organization:	Western Ontario Wardens Caucus, SWIFT NETWORK
Membership:	1 Member of Council, recommended by Warden, approved by Council
Term:	One (1) year
Committee Name:	St. Thomas Elgin Public Art Centre
Lead Organization:	Elgin County & City of St. Thomas
Membership:	1 Member of Council, recommended by Warden, approved by Council
Term:	One (1) year
Committee Name:	Water Advisory Committee
Lead Organization:	Elgin County
Membership:	All of County Council
Term:	One (1) year
Committee Name:	Community Leaders Cabinet
Lead Organization:	City of St. Thomas/County
Membership:	Warden
Term:	One (1) year

Committee Name:	Green Lane Community Trust Committee
Lead Organization:	Elgin County
Membership:	1 Member of Council
Term:	One (1) year

Committee Name:	Waste Management Committee
Lead Organization:	Elgin County
Membership:	All of County Council
Term:	One (1) year

Committee Name:	Western Ontario Wardens Caucus
Lead Organization:	WOWC – Regional Municipal Partners
Membership:	Warden
Term:	One (1) year

Schedule E – Advertisement and Application form for Citizen Appointments to Boards and Committees



2020 - 2022 Application for Citizen Appointments to Boards and Committees

GET INVOLVED IN AN ELGIN COUNTY BOARD OR COMMITTEE

Volunteering on a board or committee is a great way to share your ideas, expertise and enthusiasm with your local government. As a member, you will be able to provide advice to County Council and staff, and contribute to the development of policies, programs and initiatives that will help enhance Elgin County. Whatever your area of interest there is a board or committee that would benefit from your input and involvement.

Residents and Business Owners of Elgin County are encouraged to apply for the following Boards or Committees:

COMMITTEE	# Vacancies
Description of Roles, Responsibilities and Skills/Qualifications	

COMMITTEE	# Vacancies
Description of Roles, Responsibilities and Skills/Qualifications	

ALL APPLICATIONS MUST BE SUBMITTED TO:

**Corporation of the County of Elgin
c/o County CAO/Clerk
450 Sunset Drive, St. Thomas ON N5R 5V1
Phone: 519-631-1460 Fax: 519-633-7661
or e-mail to: cao@elgin.ca**

ON OR BEFORE 4:30 P.M. *[insert Date]*



**2020 - 2022
Application for Citizen
Appointments to Boards and
Committees**

COMMITTEE & POSITION

APPLICANT INFORMATION

Name:
Address:
Home Phone:
Email Address:
Are you a resident or business owner in Elgin County? <input type="checkbox"/> Yes <input type="checkbox"/> No
Are you 18 years of age or older? <input type="checkbox"/> Yes <input type="checkbox"/> No

QUESTIONNAIRE

Why are you interested in becoming a member of [insert Committee/Board]
Briefly describe your current and past community or volunteer involvement
Briefly describe skills or experience relevant to [insert Committee/Board]
What strengths will you bring to the [insert Committee/Board]

Additional Information

Please attach any additional information/comments to the application form.

I hereby consent to the release of my address and telephone number(s).

- Yes
- No

I hereby understand that information on this form and any supplementary information provided as part of this application is collected under the authority of the Municipal Act and is used to evaluate the qualifications of Citizen Appointees to Elgin County Committees or Boards and will become part of the public record. Direct inquiries to the CAO/Clerk at the address noted below. By submitting this form, applicants consent to discussion of their personal information at open meetings of Council.

Applicant's signature: _____ Date: _____

Please return this application form to the attention of:

**Corporation of the County of Elgin
c/o County CAO/Clerk
450 Sunset Drive, St. Thomas ON N5R 5V1
Phone: 519-631-1460 Fax: 519-633-7661
e-mail: cao@elgin.ca**

Personal information on this form is collected under the authority of the Municipal Act, S.O. 2001, c.25 and will be used to evaluate the qualifications for citizen appointees to the County of Elgin Boards and Committees

SCHEDULE F – COUNCIL APPOINTMENTS TO COMMITTEES/BOARDS/AGENCIES

Committee Type	Committee	Appointed Members	Date of Appointment
A-1 – Standing Committee	Terrace Lodge Redevelopment Committee	<ul style="list-style-type: none"> • Councillor Mennill • Councillor French • Councillor Purcell • Councillor Marks 	December 13, 2018
A-2 – Standing Committee	Provincial Offences Administration Building Committee	<ul style="list-style-type: none"> • Warden • Councillor Jones • Councillor Mennill • Councillor Purcell 	December 13, 2018
A-3 – Standing Committee	Policy Review Committee	<ul style="list-style-type: none"> • Councillor Giguère • Councillor French • Councillor Purcell 	December 13, 2018
A-4 – Standing Committee	Human Resources Committee	<ul style="list-style-type: none"> • Warden • Councillor Mennill • Councillor Ketchabaw 	December 13, 2018
A-5 – Standing Committee	Council Budget Committee	<ul style="list-style-type: none"> • Warden • Councillor Ketchabaw • Councillor Giguère • Councillor French 	November 26, 2019
B-1 – Advisory Committee	Community Safety and Well-Being Coordinating Committee	<ul style="list-style-type: none"> • Councillor French (as Mayor, Town of Aylmer) • Councillor Martyn 	November 26, 2019
C-1 – Legislated Committees	Rural Initiatives/Planning Advisory Committee	<ul style="list-style-type: none"> • Councillor Ketchabaw • Councillor Martyn • Councillor Giguère 	December 13, 2018
D-1 – Agencies and Boards with Council Appointees	Southwestern Public Health – Board of Health	<ul style="list-style-type: none"> • Councillor Jones • Councillor Marks 	December 13, 2018
D-1 – Agencies and Boards with Council Appointees	City-County Liaison Committee	<ul style="list-style-type: none"> • Warden • Councillor French • Councillor Ketchabaw 	December 13, 2018
D-1 – Agencies and Boards with	Health Recruitment Partnership	<ul style="list-style-type: none"> • Councillor Jones 	December 13, 2018

Committee Type	Committee	Appointed Members	Date of Appointment
Council Appointees			
D-1 – Agencies and Boards with Council Appointees	Joint Elgin-Central Elgin Accessibility Advisory Committee	<ul style="list-style-type: none"> • Councillor Martyn 	December 13, 2018
D-1 – Agencies and Boards with Council Appointees	SWIFT Network Board of Directors	<ul style="list-style-type: none"> • Councillor Marks 	March 12, 2019
D-1 – Agencies and Boards with Council Appointees	St. Thomas Elgin Public Art Centre	<ul style="list-style-type: none"> • Councillor Giguère 	December 13, 2018
D-1 – Agencies and Boards with Council Appointees	Water Advisory Committee	<ul style="list-style-type: none"> • Councillor French 	December 13, 2018
D-1 – Agencies and Boards with Council Appointees	Community Leaders Cabinet	<ul style="list-style-type: none"> • Warden 	No appointment required
D-1 – Agencies and Boards with Council Appointees	Green Land Community Trust Committee	<ul style="list-style-type: none"> • Councillor Jones 	December 13, 2018
D-1 – Agencies and Boards with Council Appointees	Waste Management Committee	<ul style="list-style-type: none"> • Committee of the Whole/Elgin County Council 	December 13, 2018
D-1 – Agencies and Boards with Council Appointees	Western Ontario Wardens Caucus	<ul style="list-style-type: none"> • Warden 	No appointment required

APPENDIX I

APPENDIX I – COUNCIL APPROVED TERMS OF REFERENCE AND RELEVANT BY-LAWS

COUNCIL APPROVED TERMS OF REFERENCE:

- Terrace Lodge Fundraising Committee Terms of Reference Approved by County Council on June 11, 2019.

COMMITTEES ESTABLISHED BY BY-LAW (included as a matter of reference)

- Land Division Committee established by By-Law 19-02 (appointment By-Law)
 - Land Division Committee Procedures are established by By-Law 18-35
“Being a By-Law to Prescribe Procedures for Governing the Calling, Place and Proceedings of the Elgin County Land Division Committee.”
- Emergency Management Program Committee established by By-Law 18-37
- Museum Advisory Committee established by By-Law No. 16-03

COUNTY OF ELGIN

By-Law No. 19-41

“TO REGULATE THE PROCEEDINGS IN THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF ELGIN AND COMMITTEES THEREOF, AND TO REPEAL BY-LAW NO. 11-06 (insert 18-38)”

WHEREAS pursuant to Section 238 of the Municipal Act, 2001, S.O. 2001, Chapter M. 45, as amended, every municipality shall pass a procedure by-law for governing the calling, place and proceedings of Meetings; and

WHEREAS the Council of the Corporation of the County of Elgin did pass By-Laws No. 18-38, 11-06, 02-37, 03-33 and 07-36 and amendments thereto, in order to make and establish rules and regulations for governing the proceedings of Council; and

WHEREAS it is necessary to update the Procedural By-Law in keeping with the requirements of Bill 68 “Modernizing Ontario’s Municipal Legislation Act and to repeal previous by-laws to comply with amendments to the Municipal Act, 2001, S.O. 2001.

NOW THEREFORE the Municipal Council of the Corporation of the County of Elgin enacts as follows:

1. ~~THAT this By Law shall apply to Council’s local boards and committees where applicable.~~
2. THAT this By-Law comes into force and take effect upon passing.
3. THAT By-Law 11-06 and any previous By-Law inconsistent with this By-Law be and are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ~~27TH DAY~~ OF NOVEMBER 2018.

Julie Gonyou,
Chief Administrative Officer

~~Dave Marr,~~ Duncan McPhail
Warden

APPENDIX ‘A’

By-Law No. 19-41

**RULES OF ORDER AND PROCEDURES GOVERNING THE MUNICIPAL COUNCIL OF
THE CORPORATION OF THE COUNTY OF ELGIN ~~AND COMMITTEES THEREOF~~**

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1. Definitions

(a) In this By-Law:

“Act” means the *Municipal Act, 2001 S.O. 2001, Chapter 25*, as amended from time to time.

“Ad Hoc Committee” means a committee, sub-committee or similar entity of which at least 50 per cent of the Members are also Members of Council, appointed by Council to review and report on a specific issue. Once the final report is delivered and a resolution of Council is adopted concerning the specific issue, the Ad Hoc Committee is automatically dissolved.

“Alternate Member” means an authorized individual who, during the absence of the Member for whom that individual is an alternate, shall act in the place and stead of such member and perform such other duties as assigned.

“Business Day” means the days of the week in which Council or Committee shall conduct its business transactions and hold its meetings, excluding Saturday and Sunday or statutory holidays.

“CAO/Clerk” means the Chief Administrative Officer/Clerk of the County or his or her designate. Clerk means the person duly appointed, by By-Law pursuant to Section 228 of the Act, as the Clerk of the County.

“Chair” means the position of the person appointed to preside, or presiding at, a meeting, whether that person is the regular Chair or not.

“Closed Session” means a meeting of Council or Committee that is not open to the public, pursuant to Section 239 of the Act or any successor provision thereto.

“Committee” means any advisory or other committee created by Council, of which at least one Member is also a Member of Council, which is established under any Act with respect to the affairs or purposes of one or more municipalities.

“Committee of the Whole” means the committee of which all Members present sit on Council. The purpose of this committee is to enable Council to give detailed consideration to a matter under conditions of freedom approximating that of a Committee. When sitting as Committee of the Whole, the results of votes taken are not final decisions of Council, but have the status of recommendations which Council is given the opportunity to consider further and which it votes on finally under its regular rules.

“Confidential matter” means those items of business discussed in *Closed Session*.

“Council” means the elected Mayors and/or Deputy Mayors or alternate of the County’s constituent municipalities when they sit in deliberative assembly.

“County” means the Corporation of the County of Elgin.

“Delegation” means to address Council or a Committee at the request of the person wishing to speak.

“Deputy Warden” means the Member of Council appointed, by By-law or resolution, pursuant to Section 242 of the Act, to act in the place of the Warden when the Warden is absent or refuses to act or when the office of the Head of Council is vacant and while so acting such Member has all the powers and duties of the Head of Council.

“Ex-Officio” means a Member who has the right, but not the obligation, to participate in the proceedings of the meeting, and is not counted in determining the number required for a quorum or whether a quorum is present at a meeting. Ex-Officio cannot attend a Committee meeting if by attending a minimum quorum of Council is created.

“Inaugural Meeting” means the first meeting of Council after a regular election as set out in the Act.

“Meeting” means an event wherein business is transacted for any regular or special purpose by Council or local board, or a Committee or sub-Committee of either of them, as the case may be, where, (a) a quorum of Members is present, and (b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council, local Board or Committee.

“Member” means a person duly elected to hold office with the County of Elgin’s constituent municipalities, pursuant to the *Municipal Elections Act, 1996 S.O. Chapter 32*, as amended; or, a person appointed by Council to a Committee.

“Minutes” means a written Record of meetings of Council, and the Minutes are to include the events of the meeting, a list of attendees, a statement of the issues considered by the Members, and related responses and decisions on issues.

“Motion” means a proposal moved by a Member, and if moved in Council or Committee, seconded by another Member, to adopt, amend or otherwise deal with a matter before Council or Committee.

“Municipal Office” means 450 Sunset Drive, St. Thomas, Ontario, N5R 5V1 or any location in the County subsequently designated as its municipal office.

“Notice” means written Notice, except where legislation, By-Law or Corporate Policy provides for another form and manner of Notice.

“Open Meeting” means a Meeting at which a quorum of Members is present and they discuss or otherwise deal with a matter in a way that materially advances the business or decision-making of the relevant council, local board or Committee.

“Point of Order” means a statement made by a Member during a meeting, drawing to the attention of the Chair a breach of the rules of procedure.

“Pecuniary Interest” means an interest that has a direct or indirect financial impact for a Member, be it positive or negative, as defined under the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3.

“Pregnancy and Parental Leave” for the purposes of this By-Law means the period of time the Member of Council will not attend meetings of Council or any Committee to which the Member has been appointed as a result of the Member’s pregnancy, the birth of the Member’s child or the adoption of a child by the Member.

“Quasi-Judicial Board” means a local board or Committee that has been delegated Council’s decision-making powers; for example, the Land Division Committee.

“Question” means a Motion that has been appropriately placed before Council or Committee. Only once duly recognized by the Chair and “on the floor” can a Motion be debated and put to a question of the Members for proper resolution.

“Quorum” means, in the case of Council, a majority of Members representing at least one-half of the lower-tier municipalities, pursuant to Section 237 of the Act. In the case of a Committee of Council, quorum is a majority of the whole number of Members of the Committee, including the Chair.

“Recorded Vote” means a vote taken on a matter of business, whereupon the CAO/Clerk duly notes the name of each Member present and their vote in the Minutes, as provided for in Section 246 of the Act. Section 246(2) of the Act specifically notes that a failure to vote by a Member who is present at the Meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

“Rules of Procedure” means the rules and regulations provided in this By-Law and, where necessary, Robert’s Rules of Order (Newly Revised).

“Secretary” means the person responsible for recording the Minutes of Council or Committee meetings, the preparation of the agenda and the preparation of any resulting correspondence, as designated by the CAO/Clerk.

“Standing Committee” means a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.

“Steering Committee” means any advisory body, roundtable or other body Council established to advise on specific areas of interest, with Members of the public and staff making up more than 50 per cent of the membership and Council Members or other elected officials making up the rest.

“Warden” means the Warden of the Corporation of the County of Elgin, in accordance with the Act, and the term is interchangeable with “Chair”, “Chief Executive Officer (CEO)”, and “Head of Council” for the purposes of conducting Committee meetings.

2. Purpose

- (a) This By-Law (referred to as the Procedural By-Law) establishes the rules of order for Council ~~and Committee Meetings~~.

3. Principles of the Procedural By-Law

- (a) The principles of openness, transparency and accountability to the public guide the County’s decision-making process. In the context of Council ~~and other Committee~~ proceedings, this is accomplished by:
- i. Ensuring the decision-making process is understood by the public and other stakeholders;
 - ii. Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this By-Law and other statutory requirements;
 - iii. Exercising and respecting individual and collective roles and responsibilities provided for in this Procedural By-Law and other statutory requirements;

- iv. The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals have the opportunity to participate.
- (b) The principles of parliamentary law governing Council ~~and Committee Meetings~~ include:
- i. The majority of Members have the right to decide;
 - ii. The minority of Members have the right to be heard;
 - iii. All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - iv. All Members have a right to an efficient Meeting;
 - v. All Members have the right to be treated with respect and courtesy; and
 - vi. All Members have equal rights, privileges and obligations.

4. Application

- (a) The rules and regulations contained in this By-Law set out the rules of order for the dispatch of business in Council ~~and Committee Meetings~~ and shall be observed in all proceedings of Council ~~and Committees appointed by Council~~.

5. Interpreting the Procedural By-Law

- (a) In the event of conflict between this By-Law and a valid and binding statute, the provisions of the statute prevail.
- (b) A specific statement or rule in this By-Law has greater authority than a general one.
- (c) If there is a conflict between two or more rules in this By-Law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the CAO/Clerk, rely on previous rulings or practices, or refer to *Robert's Rules of Order* (Newly Revised).

6. Suspension of Rules

- (a) The rules and regulations contained herein that are discretionary and not mandatory under statute may be temporarily suspended by a majority vote of Council ~~or Committee Members~~ present, with the exception of the following circumstances:
- i. Where required by-law;
 - ii. Contractual agreements binding the County;
 - iii. Amending this Procedural By-Law; and
 - iv. Quorum requirements.

7. Majority Vote

- (a) Unless this Procedural By-Law states otherwise, a matter passes when a Majority of Members present vote in the affirmative.

8. Council Composition

- (a) Section 458 of the Act, provides that as of January 2, 2003, the composition of the Council of a municipality, the method of electing or appointing its Members, the number of votes given to each Member and the titles of its Members shall be the same as they were on December 31, 2002. On December 31, 2002, pursuant to By-Law 97-8 passed on March 18, 1997, the composition of the Corporation of the County of Elgin Council ("Elgin County Council" was:

County Council will have nine (9) Members, being the Mayors from each of the seven (7) municipalities within the County of Elgin and the Deputy Mayors of the Municipality of Central Elgin and the Township of Malahide, thereby constituting the composition of such Council as follows:

- i. Municipality of West Elgin – One (1) Member (the Mayor);
 - ii. Municipality of Dutton Dunwich – One (1) Member (the Mayor);
 - iii. Township of Southwold – One (1) Member (the Mayor);
 - iv. Municipality of Central Elgin – Two (2) Members (the Mayor and the Deputy Mayor);
 - v. Township of Malahide – Two (2) Members (the Mayor and the Deputy Mayor);
 - vi. Town of Aylmer – One (1) Member (the Mayor); and
 - vii. Municipality of Bayham – One (1) Member (the Mayor).
- (b) The Head of Council, the Warden, will be elected by County Council from amongst the Members of Council on an annual basis.
- (c) Each Member of Council will have one (1) vote.
- (d) As provided for in the Act, the Councils of the seven (7) municipalities have the authority to appoint alternates from the Members of Council to represent the municipality on County Council in the absence of Mayor and/or Deputy Mayor in accordance with Section 32 of this Procedural By-Law.

9. Inaugural Meeting and Annual Election of Warden

- (a) A person elected or appointed as a Member of Council shall not take a seat on Elgin County Council until the CAO/Clerk has received the certificate from the constituent municipality certifying the name of each person elected or appointed.
- (b) No business shall be conducted at the first meeting of Council until after the declarations of office have been made by all Members who present themselves for that purpose.
- (c) The first Meeting of a new council of a municipality after a regular election shall be held in the evening of the second Tuesday of the month of December, or at such hour and on such day thereafter as the majority of the Members of the Council are present in the Council Chamber but in any case not later than 31 days after its term commences, as provided for in the Act.

- (d) The annual election of the Warden shall be held in the evening of the second Tuesday of the month of December, or at such hour and on such day thereafter as the majority of the Members of Council are present in the Council Chamber.
- (e) Section 233 of the Act requires Council to appoint the Head of Council (“Warden”) at its first Meeting. No other business shall be conducted until the Head of Council is confirmed.
- (f) For the appointment of the Warden, the following regulations and procedures shall be followed:
 - i. The CAO/Clerk shall take the Chair at seven o’clock in the evening of the second Tuesday of the month of December in each year, or at such hour and on such day thereafter as the majority of the Members of Council are present in the Council Chamber;
 - ii. The CAO/Clerk shall prepare ballots for voting;
 - iii. The CAO/Clerk shall inform the Members that he or she is ready to proceed with the election of one of their Members to be Warden, unless only one Member indicates his or her intention to run for the Office, in which case the election procedure is dispensed with in favour of a resolution appointing the Warden;
 - iv. The CAO/Clerk shall ask those Members of Council seeking the Office of Warden to stand;
 - v. The CAO/Clerk shall announce that any person aspiring to the position of Warden shall be granted an opportunity, not exceeding five (5) minutes, to address Council. Candidates will address Council in alphabetical order;
 - vi. Voting shall be by secret ballot and balloting will continue until a candidate obtains a majority of votes. The CAO/Clerk shall count the votes, in the presence of a representative/witness to be chosen by the CAO/Clerk;
 - vii. In the event there are more than two (2) candidates, the candidate receiving the lowest number of votes shall retire. At no time shall the actual number of votes received by any candidate be announced, only the name or names of successful candidate during such round of voting;
 - viii. If two (2) candidates with the least number of votes are tied, then a tie-breaker ballot between the two lowest (tied) votes shall take place;
 - ix. By Motion, the CAO/Clerk shall be directed to destroy the ballots after the election has been completed;
 - x. For the purposes of electing the Warden, each Member of County Council shall have one vote;
 - xi. In the case of an equality of votes for Warden, the successful candidate shall be determined by the CAO/Clerk placing the names of the candidates on equal sized pieces of paper in a box and one name being drawn by a person chosen by the CAO/Clerk; and
 - xii. The Warden-Elect shall forthwith sign and declare and read aloud the Declaration of Office and, on completion thereof, he or she shall take the Chair.

10. Appointment of Deputy Warden

- (a) A position of “Deputy Warden” shall be held by the most immediate past Warden who is a member of Council. In the event that there are no Past Wardens on Council following a Municipal Election, Council shall vote and appoint a Deputy Warden at the Inaugural Meeting.
- (b) The Warden may request said Deputy Warden or any other member of Council to represent him or her at any Meeting or function where the Warden is unable to attend.
- (c) Councillors attending a function as “Deputy Warden” shall be paid mileage at the same rate established for the use of personal vehicles for County business and any other eligible “out of pocket” expense that may occur.

11. Regular Meetings of Council

(a) Location and Schedule of Meetings of Council and other Committees

- i. After its Inaugural Meeting, Council shall meet in the Council Chambers of the Elgin County Administration Building, 450 Sunset Drive, St. Thomas, ON or other designated location, at a time designated by the Warden, on the second and fourth Tuesday of each month as provided for in the Act as amended and when Notice is given;
- ii. Council shall approve a schedule of regular Meetings of Council for each calendar year, which may be amended. The schedule of Meetings is made available to the public on the County’s website and from the Municipal Office;
- iii. ~~The Meeting schedule of all other Committees is determined by its Members, in accordance with each Committee’s terms of reference and/or prescribed mandate;~~
- iv. As soon after the time appointed for a Meeting of Council as a Quorum is present, the Warden shall assume the Chair and call the Meeting to order;
- v. Council shall always recess/adjourn no later than 12:00 noon and 6:00 P.M., if in a Meeting at these hours, unless otherwise determined by a resolution, but in all cases shall adjourn no later than 10:00 P.M.; and
- vi. The Members of Council shall not leave their places on adjournment, until the Warden or other Presiding Officer leaves the Chair.

(b) Notice of Meetings of Council

- i. The agenda shall be considered as Notice of regular Meetings of Council and By-Law 07-29, being a By-Law to establish a policy respecting the manner in which Notice will be provided, as amended, shall be utilized in respect thereof; and
- ii. Reports or actions before Council that require enactment of a By-Law, with Notice, shall be subject to terms of the By-Law 07-29, as amended.
- iii. The CAO/Clerk gives Notice of a Meeting of Council by:
 - a) Providing Council with a regular agenda on each Thursday preceding a Meeting day of Council.

- b) Where required, providing Council with a Closed Session agenda in accordance with the publishing timeframes set out of regular, addenda and additional addenda set out in Sections 12, 14 and 15.

(c) Special Meetings of Council

- i. If a matter arises which, in the opinion of the CAO/Clerk, in consultation with the Warden, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of residents of the County, and/or if a state of emergency is declared by any Provincial Ministry, the Notice requirements of By-Law 07-29, as amended, may be waived and the CAO/Clerk shall make his or her best effort to provide as much Notice of such Special Meeting of Council as is reasonable under the circumstances;
- ii. A Special Meeting of Council may be called by the Warden at any time. A Special Meeting of Council is limited to business matters included in the Notice of Meeting; and
- iii. When the CAO/Clerk receives a petition for a Special Meeting of Council signed by a majority of the Members of Council, a Special Meeting of Council is called for the purpose and at the time identified in the Petition. The Petition shall include:
 - a) Original signatures of Members;
 - b) A clear statement of the purpose of the Special Meeting;
 - c) A proposed date and time for such Special Meeting.

(d) Notice of Special Meetings of Council

The CAO/Clerk gives Notice of Special Meetings of Council by:

- i. Providing Council with an agenda in person or by telephone, mail, or electronic means at least 24 hours prior to the Meeting; and
- ii. Posting a Notice on the County's website and time permitting, Notice shall be sent to local media that indicates the date and time of the Meeting of Council; or
- iii. Where item (ii.) cannot be achieved, posting a Notice at the main entrance to the Municipal Office that indicates the date and time of the Special Meeting of Council and the purpose of the Special Meeting.

(e) Emergency Meetings of Council

- i. Notwithstanding any other provision in this By-Law, the Warden may, at any time, call or provide Notice of an Emergency Meeting of Council. An Emergency Meeting of Council is limited to business matters included in the Notice of Meeting; and
- ii. In the case of an emergency, Council may hold its Meetings at any convenient location within or outside the territorial limits of Elgin County.

(f) Notice of Emergency Meetings of Council

- i. The CAO/Clerk gives Notice of Emergency Meetings of Council to Members by:

- (a) Providing Council with an agenda in person or by telephone, mail, or electronic mail at least 24 hours prior to the Meeting.
- (b) Posting a Notice at the main entrance to the Municipal Office that indicates the date and time of the Emergency Meeting of Council and the general nature of the matters to be discussed.

(g) Workshop and Orientation Meetings

- i. The Warden and/or CAO/Clerk may convene a Workshop or Orientation Meeting for Members of Council to discuss issues in an informal venue. With the exception of Procedural Matters, no Motions are passed and no matter is discussed which advances the business of the Municipality during the course of such Workshop or Orientation Meeting; and
- ii. A record describing, in general terms, the proceedings and the subject matter discussed is made at all Workshop or Orientation Meetings and placed on a future Council agenda to be received only for the purposes of information.

(h) Notice of Workshop and Orientation Meetings

The CAO/Clerk gives Notice of Workshop and Orientation Meetings of Council by:

- i. Providing, at least 24 hours in advance, Notice to Council in person or by telephone, mail or electronic means that indicates the date and time of the Workshop or Orientation Meeting and the general nature of the matters to be discussed; and,
- ii. Posting a Notice on the County's website and time permitting, Notice shall be sent to local media that indicates the date and time of the Workshop or Orientation Meeting and general nature of the matters to be discussed; or
- iii. Where item (i.) cannot be achieved, posting a Notice at the main entrance to the Municipal Office that indicates the date and time of the Workshop or Orientation Meeting and general nature of the matters to be discussed.

(i) Cancellation or Postponement of Meetings

- i. A regular, special, or emergency Meeting of Council or a Workshop or Orientation Meeting of Council may be cancelled or postponed where Quorum cannot be achieved, by Council resolution, in the event of an emergency, or where the Meeting is no longer required, as deemed by the Warden and/or CAO/Clerk;
- ii. The CAO/Clerk gives Notice on the County's website and time permitting, through the local media, of a cancellation or postponement of a regular, special, or emergency Meeting of Council or a Workshop or Orientation Meeting. Where time is limited, a Notice is posted at the main entrance to the Municipal Office; and
- iii. Meetings of any ~~Committees~~ of Council may be cancelled or postponed by the CAO/Clerk, Chair or other assigned person where Quorum cannot be achieved, by ~~Committee~~ resolution, or in the event of an emergency.

(j) Invalidation of Notice of Meeting

- i. If a Meeting Notice is substantially given, but varies from the form and manner provided in this Procedural By-Law, the ability to hold the Meeting and actions taken at the Meeting are not invalidated.

(k) Quorum

- i. Members of Council will attempt to advise the office of the CAO/Clerk at least two days in advance if unable to attend a Meeting of Council. If Quorum cannot be met, the Meeting may be cancelled by the CAO/Clerk;
- ii. Unless there shall be a Quorum present within thirty (30) minutes of the time appointed for the Meeting of Council, Council shall then stand absolutely adjourned until the date of the next regular Meeting and the CAO/Clerk shall record the names of the Members present at the expiration of such thirty (30) minutes;
- iii. Where there is an insufficient number of Members of Council present to achieve Quorum at a Meeting of Council due to a provision of the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3., the remaining Members of Council constitute Quorum, provided that such number in no case be less than two (2);
- iv. ~~Members of other Committees will attempt to advise, at least two days in advance, the office of the CAO/Clerk, Recording Secretary, Chair or other assigned person if unable to attend a Committee Meeting. If Quorum cannot be met, the Meeting may be cancelled and the Committee advised by the CAO/Clerk, Recording Secretary, Chair or other assigned person; and~~
- v. ~~Unless there shall be a Quorum present within thirty (30) minutes after the time appointed for the Meeting of a Committee, the Meeting shall be adjourned until the date of its next regular Meeting. Remaining Committee Members may have an informal discussion on matters, but Motions or other affairs of the Committee shall not be addressed. The CAO/Clerk, Recording Secretary or other assigned person will not be required to remain for the informal discussion.~~

(l) Late Arrival

- i. If a Member arrives late at a Meeting, any prior discussion is not reviewed without the consent of the Members present.

(m) Electronic Participation

- i. Electronic Participation at Meetings shall be reserved for emergencies or accessibility requirements. A Council Member who is unable to attend a Council Meeting in person may participate in Council Meeting by electronic or other communication facilities if:
 - (a) The facilities enable the other Council Members to hear and be heard by the Council Member.
 - (b) Except for any part of the Council Meeting that is closed to the public, the facilities enable the public to hear, or watch and hear, the Council Member.

- (c) A Council Member who intends to participate in a Regular Council Meeting by electronic or other communication facilities shall give the CAO/Clerk Notice of this intention at least 72 hours prior to the Council Meeting or as soon as the Member becomes aware of the emergency. The CAO/Clerk shall, as soon as reasonably possible thereafter, provide the Council Member with instructions on how to connect to and participate in the Council Meeting by electronic or other communication facilities; and
- ii. If a Council Member participates in a regular Council Meeting by electronic or other communication facilities:
 - (a) The Council Member shall advise Council when they join the Council Meeting and when they leave the Council Meeting;
 - (b) The Council Member shall not be counted towards Quorum but can participate electronically;
 - (c) The Council Member may participate electronically but their vote shall not be counted or recorded;
 - (d) The Chair shall repeat the results of each vote, including the names of Council Members voting in favour and opposition, immediately following each vote.
 - (e) The Council Member may participate in meetings that are open to the public. Participation in Closed Meetings is restricted to Members who are participating in person.

12. Preparation of the Agendas of Council

- (a) The CAO/Clerk and his or her staff are charged with providing guidance and recommendations to Council related to municipal business and to implement the decisions of Council.
- (b) The CAO/Clerk shall chair a regularly scheduled internal meeting of senior staff and invited attendees to review draft agenda items in order to support the business of Council.
- (c) The CAO/Clerk shall either personally or by his or her approved staff establish an administrative process to support the approval, preparation, Notice, publication and distribution/public access to agendas and agenda items.

13. Agenda

In respect of a Regular, Special or Emergency Meeting of Council, the CAO/Clerk shall have prepared an agenda of the Orders of the Day, containing:

(a) Regular Meeting

- 1st Meeting Called to Order
- 2nd Adoption of Minutes
- 3rd Disclosure of Pecuniary Interest and the General Nature Thereof
- 4th Presenting Petitions, Presentations and Delegations
- 5th Motion to Move into Committee of the Whole Council
- 6th Reports of Councillors, Outside Boards and Staff

- 7th Council Correspondence:
 - i. Items for Consideration
 - ii. Items for information (Consent Agenda)
- 8th Other Business:
 - i. Statements/Inquiries by Members
 - ii. Notice of Motion
 - iii. Matters of Urgency
- 9th Closed Meeting Items
- 10th Recess
- 11th Motion to Rise and Report
- 12th Motion to Adopt Recommendations from the Committee of the Whole
- 13th Consideration of By-Laws
- 14th Adjournment
- 15th Public Notice

(b) Inaugural Meeting/Annual Warden's Election

- 1st Meeting Called to Order
- 2nd Receipt of Declaration of Acclamation to Office or Declaration of Election from Councillors (the first year only after a municipal election)
- 3rd Declaration of Office by Councillors (the first year only after a municipal election)
- 4th Election of Warden
 - Candidates for Warden to Stand
 - Prospective Candidates to Speak (alphabetical order)
 - Proceed with Election (Ballot or Resolution)
- 5th Administering and Signing of Declaration of Office
- 6th Gowning
- 7th Presentation by Past Warden
 - Chain of Office
 - Lord Elgin Watch
 - Gavel of Office
- 8th Warden's Address
- 9th Resolution to Destroy the Ballots (if required)
- 10th Adoption of Minutes
- 11th Warden to Recommend Committee and Outside Board Appointments
- 12th Consideration of By-Laws
- 13th Other Business:
 - i. Statements/Inquiries by Members
 - ii. Notice of Motion
 - iii. Matters of Urgency
- 14th Recess

14. Changes in Order of Agenda of Committee of the Whole

- (a) The business of Council is dealt with in the order stated on the published agenda, unless the Warden consents to changing the order.

15. Matters of Urgency/Addendum to Agenda

- (a) When, after the Agenda has been prepared and distributed as Notice of a Meeting of Council, a Member wishes to inform Council of an additional matter that, in his or her opinion, should be considered immediately and during the course of such Meeting, then, after notification of the CAO/Clerk, he or she shall present such matter to Council at such Meeting through the Chair and, with the consent of the majority of Members present, the matter shall only then be added to the Agenda and considered as an additional Matter of Urgency without any prior or further Notice being given or required.

16. Other Business

(a) Statements/Inquiries by Members

- i. When a Councillor wishes to inform Council of a matter that does not require action and consideration by Council or otherwise wishes clarification of a matter, such information may be announced under "Statements/Inquiries by Members". It is understood that these announcements are made solely for Council's information and that under no circumstances shall Council take action within this category.

(b) Notice of Motion

- i. Notices of Motion shall be received by the CAO/Clerk at any time Council is meeting and in his or her office in advance of the production and distribution of the agenda material and shall be printed in the agenda;
- ii. A Notice of Motion shall be dealt with by Council at the Meeting at which it appears printed in the agenda. A Notice of Motion that is not printed in the agenda shall be dealt with in the order of business of Motions at any subsequent Meeting of Council;
- iii. The business of such Motions shall, in all cases, be taken up in the way in which it appears upon the Orders Of The Day, unless otherwise determined by a vote of the majority of the Members present taken without debate thereon;
- iv. All Motions shall be moved and seconded before being debated or put to vote; and all Motions shall be read and then conveyed to the Warden, who may again read the same;
- v. After a Motion has been received by the Warden or other Chair, it shall be deemed to be in possession of Council or Committee, but may be withdrawn at any time by consent of a majority of the Members present;
- vi. A Motion to refer the main Motion to staff or an outside board shall preclude all amendment of the main question until decided;
- vii. A Motion to adjourn shall always be in order unless a vote is being taken;
- viii. A Motion to table is always in order and will supersede the main Motion;
- ix. All amendments shall be placed in the reverse order in which they are moved; and every amendment to the Motion shall be decided upon or withdrawn before the main question is put to vote;
- x. There shall not be more than two (2) amendments to the main question or any Motion;

- xi. Not more than one (1) amendment shall be allowed to any amendment;
- xii. After any question is finally put to vote by the Warden or other Chair, no Member shall speak to the question nor shall any other Motion be made until after the result is declared;
- xiii. Whenever the Warden or other Chair is of the opinion that a Motion offered to Council is contrary to law or the rules and privileges of Council, he or she shall apprise the Members thereof immediately;
- xiv. Members shall always take their places prior to any decision being called; and
- xv. When the Warden or other Chair is called on to decide a point of order or practice, he shall state the rule or authority applicable to the case.

17. Reports from County Staff

- (a) If deemed appropriate by the CAO/Clerk, any County Staff may report to the Warden and Members of Council at any session of Council.

18. Petitions, Delegations, Correspondence and Minutes

(a) Petitions

- i. Every petition, protest, or other written application intended to be presented to Council must be legibly written or printed on paper, and signed by at least one person, complete with their mailing address and telephone number. The Warden, in consultation with the CAO/Clerk, shall determine whether the delegation(s) request is suitable and appropriate for consideration by County Council. In determining the suitability of each delegation for authority to address Council, the Warden shall ensure that the request is within the purview and jurisdiction of Council;
- ii. Every Member presenting any petition, protest, or other written application to Council, shall examine the same and shall be answerable that they contain only relevant or proper matter and that the same is respectful and temperate in its language; he or she shall also endorse thereon the name of the applicant and the substance of such application, sign his or her name thereto, which endorsement only shall be read by the CAO/Clerk, unless a Member shall require the reading of the paper, in which case the whole shall be read; and
- iii. All petitions or other written communications received prior to any Meeting of Council and on any subject that falls within the jurisdiction of any outside board shall, upon presentation, be referred to the outside board by the CAO/Clerk for consideration. Any matters arising subsequently shall be referred by the Warden without Motion and no Member shall speak upon nor debate on the presentation of any such petitions or other communications to Council.

(b) Delegations

- i. An individual may make a delegation at any Meeting of Council ~~or Committee~~ related to an item of business on the agenda. Any person or groups of persons wishing to address Council ~~or Committee~~ is required to make the necessary arrangements through the CAO/Clerk, at least eight (8) days prior to the date of the Council ~~or~~

~~Committee~~ Meeting. Written briefs shall be provided so that sufficient time will permit distribution to the Members of Council, prior to the said Meeting;

- ii. The CAO/Clerk's determination as to when a deputation will be scheduled is final;
- iii. Once a delegation has addressed Council ~~or Committee~~, no further request on the same issue will be entertained until written information is produced to Council ~~or such Committee~~ and it agrees that another delegation is warranted;
- iv. No person or delegation shall be permitted to address Council ~~or Committee~~ on a subject not on the Agenda, unless permission is granted on the consent of the Chair and on two-thirds majority of members in support of such presentation;
- v. A delegation shall be limited to a maximum of fifteen (15) minutes. Council ~~or Committee~~ may, by Motion, and with the support of the majority of its members lengthen the time for hearing of delegations;
- vi. A delegation consisting of more than five (5) persons shall be limited to two speakers and to a total time limitation of fifteen (15) minutes for the delegation presentation. Council ~~or Committee~~ may by Motion lengthen the time for hearing of delegations;
- vii. No more than four (4) delegations shall be scheduled to address Council at any Regular, Special or Emergency Meeting, unless otherwise permitted by the Warden;
- viii. The CAO/Clerk shall provide all individuals or groups seeking to address Council ~~or Committee~~ with a copy of the appropriate section of this Procedural By-Law dealing with delegations;
- ix. No person shall be allowed to address Council during any Meeting of Council without the permission of the Warden or other Chair;
- x. Members of Council may ask questions of a delegation but shall not enter into debate with any representative of any such delegation. With the permission of the Chair, the CAO/Clerk may ask questions of any delegations. All questions to delegations shall be addressed through the Chair. No other person may ask any questions of delegations, unless directed to do so by the Warden or other Chair; and
- xi. Should an individual wish to be provided with further Notice related to a matter addressed by a delegation before Council ~~or Committee~~, he or she is required to indicate this wish to the CAO/Clerk as part of his or her delegation request originally delivered.

(c) Correspondence

- i. When correspondence has been requested to be included on a Council agenda or on the request of a Member of Council ~~or Committee~~ to the CAO/Clerk or any Chair of any ~~Committee~~, such correspondence is placed on the agenda for a regular Meeting. Correspondence must be received no less than eight (8) days prior to a regular Council Meeting. Where required due to urgency or timing, correspondence may be considered directly by Council as an item of New Business, as an Addendum to the Agenda, or as a matter for Closed Session;
- ii. Staff may prepare recommendations related to any matter raised in Correspondence for consideration by Council ~~or Committee~~;

- iii. Council will direct, to the CAO/Clerk, correspondence clearly intended to be considered as part of an agenda of Council;
- iv. The CAO/Clerk is required to verify whether it is the intent of an individual to include his or her correspondence on a public agenda. For reasons of privacy, irrelevant personal information will be severed from correspondence. General correspondence between Councillors or staff and constituents or stakeholders will not be included unless the CAO/Clerk is satisfied that it was clearly the individual's intent to include his or her correspondence on a public agenda;
- v. Correspondence must be legible and not contain any defamatory statements. Anonymous correspondence will not be acknowledged, circulated or placed on an agenda;
- vi. Receipt of correspondence by Council does not constitute endorsement of either the correspondence by the County or of any recommendations it may contain or actions it may advocate; and
- vii. When not requested to be included in a Council agenda, correspondence may be circulated by the CAO/Clerk to Members of Council and applicable staff for their information.

(d) Minutes

- i. The Minutes of Council ~~or Committee Meeting~~ shall consist of:
 - (a) A record of the place, date and time of Meeting;
 - (b) The name of the Chair, a record of all Members present, and the names of those Members who are absent;
 - (c) The reading, if requested, correction and adoption of the Minutes of prior Meetings;
 - (d) All other proceedings of the Meeting without note or comment;
- ii. The CAO/Clerk shall ensure that a copy of the Minutes of each Meeting is delivered to each Member of Council ~~or Committee~~ at least forty-eight (48) hours prior to the commencement of the Meeting of Council ~~or Committee~~; and
- iii. The CAO/Clerk shall keep a permanent copy of all Council ~~or Committee~~ Minutes for public inspection.

19. Committee of the Whole

- (a) When Council wishes to consider a subject(s) with all the freedom granted an ordinary committee, it may refer the matter to Committee of the Whole. Members may speak more than once to the same question and the limitations on length of speaking, if any, are relaxed.
- (b) The rules of Council shall be observed in the Committee of the Whole, so far as may be applicable.

- (b) The Chair, subject to an appeal to Council, shall decide any questions of order arising in Committee of the Whole, and if any sudden disorder should arise in the Committee, then the Warden or other Chair will resume the seat of Chair, without any question being put.

20. Pecuniary Interest

- (a) As required by the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3, at the commencement of a Meeting, or prior to considering a Motion under New Business or at the first Meeting attended thereafter, a Member who was absent from any previous Meeting at which such matter was considered, such Member shall disclose any direct or indirect pecuniary interest and state the general nature of such interest and it shall be recorded by the CAO/Clerk in the Minutes.
- (b) A Member shall file with the CAO/Clerk a written statement of any interest declared by the Member in accordance with the *Municipal Conflict of Interest Act*, RSO 1990 Act and its general nature, and the CAO/Clerk will make the disclosure publicly available and will maintain a registry of written statements of disclosure.
- (c) In the case of items to be discussed in a Closed Session Meeting, the Member declaring a pecuniary or other conflict of interest shall leave the Meeting and shall take no action to participate in, or influence, the vote of the other Members when said item is to be resolved by Council.

21. Rules of Debate

- (a) As soon after the hour of Meeting as a Quorum is present, the Warden shall take the Chair and Members present there at shall be called to order.
- (b) The Chair shall maintain a list of Members who have requested to speak or ask questions. The Chair designates Members to speak or ask questions in the order in which they appear on the list.
- (c) When the Warden or other Chair is putting forth the question, no Member shall walk across or out of the room, shall not interrupt the speaker, except to a question of order, nor pass between the speaker and the Chair.
- (d) Any Member called to order shall at once cease speaking, unless permitted to explain, and the ruling of the Warden or other Chair shall be final, unless otherwise decided by Council on an appeal from such ruling.
- (e) No Member shall speak disrespectfully of any person or use un-parliamentary or offensive language in or against Council or ~~Committee~~ or against any Member, staff or other person in the Council Chamber.
- (f) No Member shall partake of food in the Council Chamber while the Council is Meeting.
No Member shall speak outside the question in debate.
- (g) Any Member may require the question or Motion under discussion be read at any time during the debate but only so as not to interrupt a Member while speaking.
- (h) During any Council or ~~Committee~~ Meeting, except during any period sitting as Committee of the Whole, no Member, unless Council consents to it, shall speak more than once on the

same question or during any period sitting as Committee of the Whole, until all other Members have had the opportunity to speak to the question.

- (i) After a Motion is passed or a report adopted, no Motion to alter or amend the same shall be considered during the same Meeting of Council ~~or Committee~~, unless the Motion to alter or amend is moved and seconded by two Members of Council ~~or Committee~~ from among those Members in attendance and who voted with the majority that carried said Motion or report.
- (j) Questions under the proper Orders of the Day may be put to the Warden or other Chair or through him or her to any Member of Council, relating to any Motion or other matter connected with the business of Council ~~or Committee~~ or the affairs of the County, but no argument or opinion is to be offered, nor any facts stated, except as may be necessary to explain the same; and in answering any such questions, a Member is not to debate the matter to which the same refers.
- (k) Members of Council ~~or Committee~~, except the Warden, shall be referred to as County Councillors.
- (l) At any time when a vote, taken by a show of hands, is unclear as to the outcome, the Warden or other Chair may request the Members to stand to indicate their YEA or NAY in respect of such vote. In the case of electronic participation, the attending Member will be asked directly to indicate his or her YEA or NAY.
- (m) Upon a tie vote on any question, by a show of hands, a recorded vote shall then be taken.
- (n) Upon a tie recorded vote the question shall be considered a defeated Motion.
- (o) If the Warden or other Chair, as the case may be, desires to leave the seat of the Chair before adjournment of the Meeting and fails to call some Member to the position of the Chair, Council ~~or Committee~~ may appoint a Member to preside over the Meeting until the business of the Meeting is finished.
- (p) No person other than Members ~~or any Members of a Committee~~ or employees of the County shall be allowed to speak from the gallery during the Meetings of Council ~~or Committee~~ without the permission of the Chair.

22. Reconsideration

- (a) After a Motion has been voted on by County Council, no Motion for reconsideration thereof shall be introduced and such Motion may only be passed by a two-third vote of the entire Council in support of such reconsideration.
- (b) Reconsideration of a Motion must take place at the same meeting or, in a multi-day session, the next day.

23. Readings of By-Laws and Proceedings

- (a) Every By-Law shall be printed in written or in electronic form and introduced by the CAO/Clerk and shall be considered for enactment by Council.
- (b) All By-Laws collectively shall be given first, second and third readings in a single Motion, unless a Member wishes to discuss the contents of a By-Law or a matter requires that the By-Law receive first and second reading only and third reading at a future Meeting, at which time the subject By-Law shall be removed from the Motion list and dealt with separately.

The headnote only of the By-Law shall be read and a By-Law shall not be enacted until it has received three readings.

- (c) After By-Laws have passed, the CAO/Clerk shall be responsible for their corrections should amendment be required.
- (d) The Proceedings of every Regular, Special or Emergency Meeting shall be confirmed by a Confirmation By-Law so that every decision of Council and every resolution passed at that Meeting shall have the same force and effect as if each one of them had been the subject matter of a separate By-Law duly enacted.
- (e) All By-Laws adopted by Council shall be printed in the annual Proceedings of Council.
- (f) The CAO/Clerk shall maintain a permanent copy of all By-Laws for public inspection.

24. Motions from Other Municipalities and Organizations Requesting Endorsement

- (a) Motions from other municipalities in Elgin County are placed on the agenda for County Council. Where required due to urgency or timing, the Motions from other municipalities and organizations that request endorsement or action by Council may be considered directly by Council as an item of New Business.
- (b) Staff may prepare recommendations related to the matter for Council's consideration.
- (c) Council's receipt of Motions from other municipalities in Elgin County does not constitute endorsement by the County of any recommendations or actions they may contain.
- (d) Motions from municipalities outside of Elgin County and requests for endorsement or action from other organizations will be dealt with as a matter of correspondence.

25. Presentations and Recognitions

- (a) Presentations include those of staff or parties invited by staff or those of other government agencies and presentations to Council on matters of interest to the County as well as awards, certificates, grants and other recognitions presented to/by the County or its staff or related parties. Such presentations are received or presented by the Chair.
- (b) Presentations may be up to ten (10) minutes. The consent of Council is required to extend the presentation beyond ten (10) minutes.

26. Open Meetings and Closed Session Meetings

(a) Open Meetings and Improper Conduct

- i. Except as provided in this section, all Meetings of Council ~~and Committee~~ shall be open to the public pursuant to the Act, S. 239 (1); and
- ii. The Chair may expel any person for improper conduct at a Meeting, pursuant to the Act, 2001, S. 241 (2).

(b) Closed Session Meetings

- i. Persons may be excluded when Council or ~~Committee~~ is in Closed Meeting in accordance with Section 239 of the Act and amendments thereto. As provided for in the Act, Council or ~~a Committee~~ may resolve to move into a session closed to the public in order to discuss matters related to one or more of the following:
 - (a) the security of the property of the County or local board;
 - (b) personal matters about an identifiable individual, including County or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the County or local board;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the County or local board;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency or any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or the organization;
 - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
- ii. A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:
 - (a) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
 - (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by Council or the investigator appointed by Council;

- iii. A meeting of Council ~~or of a committee of either of them~~ may be closed to the public if the following conditions are both satisfied:
 - (a) the meeting is held for the purpose of educating or training the members; and
 - (b) at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council, ~~local board or committee~~;
 - iv. Before holding a Meeting or part of a Meeting closed to the public, Council ~~or a Committee~~ shall approve a Motion, stating the following:
 - (a) The fact that the Meeting will be closed to the public as provided for in the *Act*; and,
 - (b) The general nature of the matter to be considered at the Meeting closed to the public;
 - v. Pursuant to Section 239 of the *Act*, when a Motion to proceed in a Closed Meeting is carried, the Warden or the Chair may, with the approval of Council, exclude such persons as deemed appropriate from the meeting room;
 - vi. When in a Closed Meeting, no one shall leave and re-enter the Meeting room without the approval of the Warden or Chair;
 - vii. All Closed Meeting Minutes for Council ~~and Committee~~ Meetings shall be circulated electronically prior to the commencement of the next Meeting; and
 - viii. Closed Meeting Minutes for Council ~~and Committee~~ Meetings are maintained by the CAO/Clerk and are only accessible by the CAO/Clerk.
- (c) Voting During Meetings Closed to the Public
- i. No vote will be taken at a Meeting described in Section 26 (b) of this Procedural By-Law, and which is closed to the public, unless:
 - (a) The subject matter relates to an issue as described in Section 26 (b) of this By-Law; and
 - (b) The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons related by or under contract with the Municipality;
 - ii. On Motion in Committee of the Whole in a Closed Meeting, to rise and report the question shall be decided without debate involving any of the following:
 - (a) Motion to rise without reporting
 - (b) Motion to rise and report
 - (c) Motion to provide staff direction;
 - iii. With respect to debate and/or vote in a Meeting closed to the public:

- (a) The number of times a Member may speak to any question shall not be limited during a Closed Session, provided that no Member shall speak more than once until every Member who desires to do so shall have spoken.
 - (b) A Member present at a Closed Session shall, prior to consideration of any matter, declare any pecuniary interest, direct or indirect and the general nature thereof and said Member shall leave the Closed Session, or part thereof, during which the matter is under consideration. The declaration of Pecuniary Interest shall be recorded in the Minutes.
- (d) Notice of Meetings Closed to the Public
- i. Where a matter may be considered by Council ~~or a Committee~~ for discussion in Closed Session, whenever possible, written Notice provided for in this By-Law shall disclose:
 - (a) The fact that the Meeting will be closed to the public as provided for in the Act;
 - (b) The general nature of the matter to be considered at the closed Meeting.
- (e) Confidentiality of Closed Session Discussions and Public Disclosure
- i. A summary of any discussion held in Closed Session and any required vote if permitted, will occur following the Closed Session discussion of Council ~~or Committee~~;
 - ii. The summary of Closed Session discussion and vote will provide sufficient detail, without detrimentally affecting the confidentiality of the matter(s) discussed in Closed Session and the position of the Municipality;
 - iii. No Member shall disclose or discuss, through written, electronic or verbal communication, to any individual or corporate third party, any information that has been or will be discussed at a Closed Session Meeting of Council ~~or Committee~~ until such time that such Council ~~or Committee~~ has determined or has been advised by staff that the matter, or any part of the matter, can be made public subject to review by the Chair or designate under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 or if directed to do so by a court;
 - iv. A Motion to adjourn a Closed Meeting shall always be in order and be decided without debate, except when a Member is in possession of the floor; and
 - v. Upon rising from a Closed Meeting, the Chair shall announce the result of the vote as it is to be recorded in the Minutes.
- ~~(f) Application of Open and Closed Meeting Provisions to all Committees~~
- ~~i. The provisions of Section 239 of the Act and Sections 26 (a), (b), and (c) of this By-Law apply to any and all Committees, despite Section 238 of the Act.~~
- (g) Closed Meeting Investigation
- i. Council shall appoint a Closed Meeting Investigator to carry out Closed Meeting Investigations;

- ii. If, after completing an investigation, the investigator is of the opinion that the Meeting or part of the Meeting that was the subject-matter of the investigation appears to have been closed to the public contrary to the Act or to this By-Law, the investigator shall report his or her opinion and the reasons for it to Council and may make such recommendations as he or she thinks fit;
- iii. The County of Elgin shall ensure that reports contemplated in this section are made available to the public as required by the Act;
- iv. If the investigator is of the opinion that the Meeting was closed to the public contrary to Act, Council shall pass a resolution stating how it intends to address such opinion and the report in which it was delivered; and
- v. A person may request that an investigation be undertaken to determine whether Council ~~or other Committee~~ complied with the requirements of the Act and this By-Law in respect of a Meeting or part of a Meeting closed to the public. A person may initiate such a request by completing and submitting a copy of the *Municipal Investigation of Closed Meetings* form.

27. Duties of the Warden and Chair

- (a) The Chair of a Meeting of Council, whether a Regular, Special, Workshop or Orientation Meeting is the Warden. In the absence of the Warden, the Deputy Warden is Chair as provided for in this By-Law.
- ~~(b) The Chair and any Vice Chairs of any Committees are appointed from among their respective Members and shall serve as Chair of any Committee Meetings at all times in accordance with this By Law.~~
- (c) It shall be the duty of the Warden or other duly appointed Chair:
 - i. to act as Chief Executive Officer of the municipality;
 - ii. to preside over Council Meetings so that its business can be carried out efficiently and effectively;
 - iii. to provide leadership to Council;
 - iv. to represent the County at official functions;
 - v. to carry out the duties of the Chair under any other Act or any other Statute of the Province;
 - vi. to provide information and recommendations to the Members of Council with respect to Council's role to ensure the accountability and transparency of the operations of the municipality including the activities of the senior management of the municipality;
 - vii. to provide information or recommendations to Council to ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;
 - viii. to open the Meeting of Council by taking the Chair and calling the Members to order;
 - ix. to announce the business before Council in the order which it is to be acted upon;

- x. to receive, in the proper manner, all Motions presented by the Members of Council and to submit these Motions as questions for proper debate;
 - xi. to put to a vote all questions which are duly moved and seconded or which necessarily arise in the course of proceedings and to announce the results;
 - xii. to decline to put to a vote Motions which infringe upon the Rules of Procedure as provided for in this By-Law;
 - xiii. to restrain the Members, within the Rules of Procedures, when engaged in debate;
 - xiv. to enforce on all occasions the observance of order and decorum among the Members and those before Council;
 - xv. to call by name any Member persisting in breach of the Rules of Procedure, thereby ordering the Member to vacate the meeting place;
 - xvi. to receive all messages and other communications and announce them;
 - xvii. to authenticate by his or her signature, when necessary, all By-Laws and Minutes of Council;
 - xviii. to inform the Members of Council, when necessary or when referred to for the purpose, on any point of order;
 - xix. to represent and support Council, implicitly obeying its decision in all matters;
 - xx. to ensure that the decisions of Council are in conformity with the laws and By-Laws governing the activities of Council.
 - xxi. When appointed to be, may be an ex-officio Member of all committees of Council;
 - xxii. To perform all duties as required of a Member of Council;
 - xxiii. To adjourn the Meeting without question in the case of grave disorder arising during the Meeting or suspend the sitting of Council until a time to be named by the Warden; and
 - xxiv. To adjourn the Meeting when the business of Council is concluded.
- (d) As Chief Executive Officer of the County, the Warden shall:
- i. uphold and promote the purposes of the municipality;
 - ii. promote public involvement in the municipality's activities;
 - iii. act as the representative of the municipality both within and outside the territorial limits of the municipality, and promote the municipality locally, nationally and internationally; and
 - iv. participate in and foster activities that enhance the economic, social and environmental well-being for the municipality and its residents.

28. Warden Entering Debate

- (a) If the Warden desires to take part in the debate of Council, he or she may remain in the Chair to do so. Alternatively, and when he or she deems appropriate, he or she may leave the Chair and, at that time, call on the Deputy Warden to fill their place until they resume the Chair.

29. Council Member Roles and Responsibilities

- (a) Council Members are responsible for, where applicable:
- i. Attending scheduled Meetings;
 - ii. Carefully considering and making decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting;
 - iii. Voting on Motions put to a vote;
 - iv. Respecting the rules of order in this Procedural By-Law;
 - v. Listening attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order;
 - vi. Remaining silent in their seats while Council ~~or a Committee~~ votes and until the Chair announces the results of the vote;
 - vii. Refraining from using any offensive, disrespectful or un-parliamentary language about any Member, municipal employee, Meeting attendees and Council ~~or a Committee~~ as a whole;
 - viii. Respecting and following the decisions of Council ~~or a Committee~~;
 - ix. Respecting the confidentiality of matters discussed in Closed Session Meetings and not disclosing the subject or substance of these discussions unless authorized to do so;
 - x. Complying with the Chair's rulings and Council's decisions; and
 - xi. Complying with the Council Code of Conduct.
- (b) The role of Council Members also includes, where applicable:
- i. to represent the public and to consider the well-being and interests of the County;
 - ii. to develop and evaluate the policies and programs of the County;
 - iii. to determine which services and the extent to which such services are provided to the residents of the County;
 - iv. to ensure that administrative policies, practices and procedures and financial policies, practices and procedures are in place to implement the decisions of Council;

- v. to ensure the accountability and transparency of the operations of the County, including the activities of the senior management of the County;
- vi. to maintain the financial integrity of the County; and
- vii. to carry out the duties of a Member as provided for under any Act or By-Law.

30. Absence of Warden and/or Deputy Warden

- (a) In case the Warden does not attend within fifteen (15) minutes after the time appointed for a Meeting of Council ~~or Committee~~, the Deputy Warden shall call the Meeting to order and preside as Chair, subject to any restrictions regarding Conflict of Interest.
- (b) In case the Warden and Deputy Warden are unable to attend the Meeting, the Members will, by resolution duly moved and seconded, appoint a Chair. While so presiding, the Chair shall have all the powers of the Chair.
- (c) Should the Warden or Deputy Warden, as the case may be, arrive after the Meeting has been called to order, the Chair shall relinquish the position of the Chair to the Warden, or Deputy Warden as the case may be, immediately after the current item of business on the Council Orders of the Day is considered or otherwise disposed.

31. Alternate Council Member

(a) General Procedures

- i. This following procedure relates to alternates to County Council who are appointed by local municipalities under section 268 of the Act when they are required to attend a Council Meeting;
- ii. The Council of a constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of a person who is a Member of the Council of the constituent municipality and the County when the Member is unable to attend a Meeting of County Council for any reason;
- iii. County Council has no role in the appointment of Alternate Members but it can establish procedures for accommodating Alternate Members at County Council;
- iv. Constituent municipalities are able to appoint an Alternate Member of County Council in accordance with the following provisions:
 - (a) There can only be one Alternate Member appointed per municipality;
 - (b) The appointment is for the term of Council; and
 - (c) Municipalities cannot appoint another Alternate Member to act in place of the appointed Alternate Member;
- v. Alternate Members shall make their declaration of office prior to taking their seat as an Alternate Member of Council. This is not required for subsequent Meetings they might attend;
- vi. The Alternate Member shall have all the powers and duties of a Member, including the power to make motions and vote and the duty to abide by this By-Law and Code of Conduct, as applicable; and

- vii. Alternate Members must only be used when the Member is unable to attend an entire Meeting with the exception of an Inaugural Meeting or Meeting of any County Board or Agency.

(b) Notification Process

- i. A local municipality shall notify the CAO/Clerk in the event that its council appoints an Alternate Member of County Council;
- ii. The CAO/Clerk shall keep a record of all appointed Alternate Members which shall be available to the public;
- iii. The local Clerk or incumbent Council Member shall notify the CAO/Clerk, in writing, as soon as reasonably possible when an Alternate Member shall be attending a Meeting of Council;
- iv. Each local municipality will be responsible for notifying its Alternate Member that they are to attend any County Council Meeting;
- v. In situations where no prior notice has been given, the Alternate Member shall at the time they attend a County Council Meeting, provide the CAO/Clerk with written confirmation that they are acting as an Alternate Member for that Council Meeting;
- vi. Alternate Members shall receive a regular agenda on each Thursday preceding a Meeting day of Council. If no notice was provided, they shall receive a hard copy or electronic agenda at the time they attend the Council Meeting; and
- vii. Closed Meeting agendas, reports and minutes will be provided to the Alternate Member on paper and shall be returned at the end of the meeting.

(c) Meeting Administration

- i. The Alternate Member's powers and duties as a Member extend only to the time they are present at the Council Meeting;
- ii. Council Minutes shall note the absence of the incumbent Member and the attendance of an Alternate Member; and
- iii. Where both an Alternate Member and Member attend a Council Meeting, the Member shall assume their seat. The Alternate Member may attend as a spectator.

(d) Appointment of Alternate Member for a Period of Less Than One (1) Month

- i. If a person who is a Member of the council of a constituent municipality and a Member of County Council is unable to act as a Member of those councils for a period of less than one (1) month, the Council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of those councils;
- ii. An Alternate Member appointed at the discretion of a constituent municipality as contemplated by section 31 (d)(i) above shall not receive compensation from the County for any Meetings of Council they are required to attend in the absence of the Member but shall be paid mileage at the same rate established for the use of personal

vehicles for County business and any other eligible “out of pocket” expense that may occur;

- iii. An Alternate Member shall not be eligible to be reimbursed for attendance at conventions, seminars or training;
- iv. An Alternate Member while acting in his or her capacity, shall be governed by all applicable policies of the County such as but not limited to this By-Law and Council Code of Conduct; and
- v. An Alternate Member shall have access to applicable support resources such as but not limited to the County’s Integrity Commissioner.

(e) Appointment of Alternate Member for a Period Exceeding One (1) Month

- i. If a person who is a Member of the council of a constituent municipality and a Member of County Council is unable to act as a Member of those councils for a successive period exceeding one (1) month, the council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of those councils;
- ii. Upon notice of vacancy of a Member exceeding one (1) month, the Member’s compensation and expense reimbursement eligibility will cease and will be provided to the Alternate Member so appointed in his or her place by the constituent municipality in the same manner;
- iii. An Alternate Member so appointed shall be eligible to be reimbursed for attendance at conventions, seminars or training;
- iv. An Alternate Member, while acting in this capacity, shall be governed by all applicable policies of the County such as but not limited to this By-Law and Council Code of Conduct; and
- v. An Alternate Member so appointed shall have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and applicable support resources such as but not limited to the County’s Integrity Commissioner.

32. Member Vacancy

(a) Vacancy of Seat of Member of Council

- i. The Council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of Member Vacancy. The office of a Member of Council becomes vacant if the Member:
 - (a) becomes disqualified from holding the office of a Member of Council;
 - (b) fails to make the declaration of office before the deadline;
 - (c) is absent from the meetings of council for three (3) successive months without being authorized to do so by a resolution of Council;

- (d) resigns from his or her office;
 - (e) is appointed or elected to fill any vacancy in any other office on the same council;
 - (f) has his or her office declared vacant in any judicial proceeding;
 - (g) forfeits his or her office under the Act or any other Act; or
 - (h) dies, whether before or after accepting office and making the prescribed declarations.
- ii. Seats declared vacant by a constituent municipality will be dealt with as outlined in the Act;
 - iii. Upon notice of vacancy, the Member's compensation and expense reimbursement eligibility will cease and will be provided to the Alternate Member so appointed by the constituent municipality in the same manner;
 - iv. An Alternate Member, so appointed shall be eligible to be reimbursed for attendance at conventions, seminars or training;
 - v. An Alternate Member, while acting in this capacity, shall be governed by all applicable policies of the County such as but not limited to the Council Code of Conduct; and
 - vi. An Alternate Member so appointed shall have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and applicable support resources such as but not limited to the County's Integrity Commissioner.
- (b) Vacancy of Seat of Warden
- i. If the position of Warden is vacant, Council shall fill the vacancy by appointment in the same manner as Warden was originally appointed, as provided for in this By-Law.
- (c) Pregnancy and Parental Leave
- i. The provisions of this sub-section applies to a Member of Council who is absent from Meetings of Council for at least three (3) consecutive months as a result of the Member's pregnancy, the birth of the Member's child, or the adoption of a child by the Member;
 - ii. The office of a Member of Council shall not become vacant if a Member is absent for twenty (20) consecutive weeks or less when such absence is a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member;
 - iii. Prior to the Member missing meetings of Council for three (3) consecutive months, a Member of Council shall provide a request for pregnancy and/or parental leave in writing to the CAO/Clerk;
 - iv. If a Member wishes to seek a leave in excess of twenty (20) consecutive weeks, the Member shall request an extended leave, in writing to the CAO/Clerk, as soon as the need for an extended leave is known. If an extended leave is requested, the CAO/Clerk shall prepare a report for Council's consideration of the extended leave;

- v. Member on pregnancy or paternity leave is exempt from attending meetings of Council and any other Committee to which the Member has been appointed;
- vi. Members shall still receive all Council Agenda packages;
- vii. Any Member on pregnancy or paternity leave shall participate in events, conferences, committee meetings, constituent meetings or respond to communications at the level they determine, utilizing an out of office email feature to identify they are on leave, the level of service offered and an alternate contact if required;
- viii. Members of Council on pregnancy or paternity leave shall continue to receive all remuneration afforded to regular Members of Council; and
- ix. Members of Council on pregnancy or paternity leave shall continue to have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and staff support.

33. Administrative Authority of CAO/Clerk

- (a) The Clerk is authorized to amend By-Laws, Minutes and other Council and Committee documentation for technical, typographical or other administrative errors or omissions for the purpose of ensuring an accurate and complete record of proceedings.
- (b) Significant changes to By-Laws, Minutes and other Council and Committee documentation including a change in meaning, shall be presented to Council or the involved Committee for approval and adoption.

34. Organization of Committees

- (a) The Warden shall recommend and Council shall appoint representatives from within their membership to various committees/boards/agencies at the first Meeting in December of each year.
- ~~(b) A Meeting of any Committee may be called by the Chair thereof whenever a Meeting is considered necessary by at least a majority of the Members of such committee and it shall be his or her duty to call such Meeting in writing.~~
- ~~(c) All Members of Council shall be appointed to at least one position on any Committee, Board or Agency.~~
- ~~(d) All Members of Council are equally eligible to serve on any Committee, local board or agency.~~
- ~~(e) Any Member attending at any Meeting of a Committee, local board or agency shall not be entitled to additional compensation but shall be entitled to reimbursement of travel expenses.~~

35. Ad Hoc, Committee or Steering Committees

- (a) Council may at any time, on Motion of a Member duly considered and agreed to by a majority vote strike a Committee, Ad Hoc Committee and/or Steering Committee, as the case may be, which shall consider and report on any matter or to perform any special service within the spheres of jurisdiction of Elgin County, pursuant to the Act. ~~Unless~~

- specifically provided for in this By Law, such Committee, Ad Hoc Committee and/or Steering Committee shall dissolve as soon as the services for which that Committee was appointed are performed. Council may appoint an Ad Hoc Committee and/or Steering Committee if an issue must be addressed and it does not fall within the scope of management staff.
- ~~(b) For every Committee, Ad Hoc Committee and/or Steering Committee established by Council, Council shall adopt terms of reference and these terms of reference shall be reviewed with each term of Council and prior to any new Committee appointments.~~
- ~~(c) The terms of reference adopted by Council must include the:~~
- ~~i. Identification of Members as appointed including term of office for lay appointments if the term does not coincide with the term of council;~~
 - ~~ii. The mandate of such Committee, Ad Hoc Committee and/or Steering Committee;~~
 - ~~iii. Specific duties, including delegated duties (if any); and~~
 - ~~iv. Requirement for a term report to provide a status update on the activities and accomplishments of the Committee, Ad Hoc Committee and/or Steering Committee.~~
- ~~(d) The powers and duties of established Committees, Ad Hoc Committees and/or Steering Committees shall be pursuant to this By Law, giving direction but shall not include the decision-making authority of Council, pursuant to the Act, except in the case of a Quasi-Judicial Board, or as otherwise explicitly provided for in this By Law.~~
- ~~(e) Unless Council specifically sets out in this By Law, or unless legislation provides otherwise, the term of office for Member appointments to Committees, Ad Hoc Committees and/or Steering Committees shall coincide with the term of Council.~~
- ~~(f) Unless the terms of reference or legislation provides otherwise, the term of office for lay appointments to Committees, Ad Hoc Committees and/or Steering Committees shall coincide with the term of Council or until their successors are appointed.~~
- ~~(g) A majority of the Members of a Committee is necessary to constitute a Quorum.~~
- ~~(h) All decisions of Committees, Ad Hoc Committees and Steering Committees shall be in the form of recommendations to Council, except as otherwise explicitly provided by Council resolution and/or By Law striking the Committee and shall be forwarded by the Secretary to the CAO/Clerk for inclusion in the Agenda of the next Meeting of Council.~~
- ~~(i) An employee of the County shall be the Secretary of the Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee and shall act as a resource person in a non-voting capacity.~~

36. Committee Vacancies/Appointments

- ~~(a) Committee, local board or agency vacancies, which occur during the year, shall be filled by Council and in respect thereof, persons serving on local boards or Committees shall be eligible for re-appointment, but shall not be eligible for re-appointment to the same position for a period of more than eight (8) consecutive years. After an absence of not less than one (1) year, such person shall be eligible for re-appointment.~~

37. Other Committees/Local Board/Agencies

The following sets forth the permanent Boards and the numbers and identity of appointees.

<u>Committee</u>	<u>Appointees</u>
Dispute Resolution	2 Members + Warden
Elgin County Museum	1 Member
Southwestern Public Health	2 Members
Health Recruitment Partnership	1 Member
Human Resources Committee (as needed)	2 Members
Joint Elgin/Central Elgin Accessibility Advisory Committee	1 Member
Building Committee(s)	3 Members + Warden (per project)
Rural Initiatives Committee	3 Members
St. Thomas Elgin Public Art Centre	1 Member
Waste Management/Liaison	All Members of Council
Water Advisory Committee	1 Member

Land Division Committee— Council shall appoint a seven (7) Member Land Division Committee, one Member from each constituent municipality, who shall individually hold office during the term of the Council that appointed them. Persons serving on Land Division Committee shall be eligible for re-appointment, but shall not be eligible for re-appointment to the same position for more than eight (8) consecutive years. After an absence of not less than one (1) year, such person shall be eligible for reappointment.

38. General Rules for All Committees

- (a) ~~Any Member of Council or Committee may be placed on a Committee notwithstanding the absence of such Member at the time of their being named on such Committee.~~
- (b) ~~The Warden shall be a Member ex-officio of all Committees of Council as required and may vote on all questions before the Committee and the ex-officio Member shall not be counted in the formation of a Quorum.~~
- (c) ~~Members of Council or Committee may attend the Meetings of any of its Committees, but shall not be allowed to vote, nor should they be allowed to take part in any discussion or debate, except with the permission of the majority of the Members of the Committee.~~
- (d) ~~Council may appoint a Member thereof to act on any Committee or Meeting in lieu and during the absence of any Member thereof, who is absent from the municipality, or unable from illness to attend the Meetings of such Committee, and the Member so appointed shall be deemed a Member of the Committee and entitled to act thereon, only during such absence or illness.~~
- (e) ~~Should any Member of a Committee fail, neglect or refuse to attend the properly summoned Meetings of their Committees, the Chair shall report such failure, neglect or refusal to Council, which may remove the said Member or Members from the Committee and appoint another Member in his or her place or places; or should any Committee neglect or refuse to~~

~~give due attention to all business or matters before them, Council may by resolution discharge such Committee and appoint another in its stead.~~

~~(f) A majority of all Members of the Committee shall constitute Quorum.~~

39. Duties of Committees

~~(a) Without limiting the generality of the foregoing, the duties of any Committee of Council will more specifically include:~~

~~i. the general duties of the Committees of Council shall be to report to Council from time to time, whenever desired by Council and as often as the interest of the County may require, on all matters concerned with the duties imposed on them respectfully, and to recommend such action by Council in relation thereto as may be deemed necessary.~~

~~ii. to cause to be prepared and introduced into Council all By-Laws as may be necessary to give effect to such of their reports or recommendations as are adopted by Council.~~

~~iii. to consider and report on any and all matters referred to them by Council and every such report shall be signed by the Chair submitting the same.~~

~~iv. to comply strictly with the transaction of all business to the rules prescribed in this By-Law.~~

40. Restriction on Power of Members

(a) No Member of Council shall have power to direct or interfere with the performance of any work of the County Corporation.

41. Repeal or Amendment of this By-Law

(a) This By-Law is not to be amended or repealed except by a majority vote when all Members of Council are present.

(b) No amendment or repeal of this By-Law is to be considered at any Meeting of Council unless Notice of the proposed amendment or repeal has been given at a previous regular Meeting of Council.

42. Convention Attendance

(a) County Councillors shall be permitted to attend any convention or conference in accordance with the established convention policy, provided the said convention or conference is relevant to the business of the County, subject to a maximum allowance.

43. Public Record

(a) All communications that the CAO/Clerk receives about a matter on the agenda of a public or open Meeting will form part of the public record. Personal information and opinions in communications are part of the public record unless the author of the communication requests the removal of his or her personal information when submitting it or when otherwise confirmed by the CAO/Clerk.

44. General Provisions

- (a) The rules and regulations contained herein shall be observed in all proceedings of Council ~~or Committee~~ and shall be the rules and regulations for the order and dispatch of business in Council ~~and in the Committees~~.
- (b) Notwithstanding that set forth in subsection (a) above, the rules and regulations contained herein may be suspended by vote of two-thirds of the whole Council and otherwise in any case for which provision is not made herein.
- (c) That all newly-elected Mayors and Deputy Mayors to become Members of Council to be invited to attend upon Council proceedings at a November Session immediately preceding the commencement of their terms of office.

45. Conflict with the Municipal Act

- (a) In cases where the Rules of Procedure contained in this By-Law conflict with the Act, the Act shall prevail.

46. Severability

- (a) Each provision of this By-Law is distinct and severable. If any provision of this By-Law, in whole or in part, is or becomes illegal, invalid, void, voidable or unenforceable in any jurisdiction by order of any court of competent jurisdiction, the illegality, invalidity or unenforceability of that section, in whole or in part, will not affect:
 - i. the legality, validity or enforceability of the remaining provisions of this By-Law, in whole or in part; or
 - ii. the legality, validity or enforceability of that section, in whole or in part, in any other jurisdiction.

~~ENACTED THIS 27th DAY OF NOVEMBER, 2018.~~

COUNTY OF ELGIN

By-Law No. 19-41

“TO REGULATE THE PROCEEDINGS IN THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF ELGIN AND TO REPEAL BY-LAW NO. 18-38”

WHEREAS pursuant to Section 238 of the Municipal Act, 2001, S.O. 2001, Chapter M. 45, as amended, every municipality shall pass a procedure by-law for governing the calling, place and proceedings of Meetings; and

WHEREAS the Council of the Corporation of the County of Elgin did pass By-Laws No. 18-38, 11-06, 02-37, 03-33 and 07-36 and amendments thereto, in order to make and establish rules and regulations for governing the proceedings of Council; and

WHEREAS it is necessary to update the Procedural By-Law in keeping with the requirements of Bill 68 “Modernizing Ontario’s Municipal Legislation Act and to repeal previous by-laws to comply with amendments to the Municipal Act, 2001, S.O. 2001.

NOW THEREFORE the Municipal Council of the Corporation of the County of Elgin enacts as follows:

1. THAT this By-Law comes into force and take effect upon passing.
2. THAT By-Law 18-38 and any previous By-Law inconsistent with this By-Law be and are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 26TH DAY OF NOVEMBER 2019.

Julie Gonyou,
Chief Administrative Officer

Duncan McPhail,
Warden

APPENDIX 'A'

By-Law No. 19-41

**RULES OF ORDER AND PROCEDURES GOVERNING THE MUNICIPAL COUNCIL OF
THE CORPORATION OF THE COUNTY OF ELGIN**

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1. Definitions

(a) In this By-Law:

“**Act**” means the Municipal Act, 2001 S.O. 2001, Chapter 25, as amended from time to time.

“**Ad Hoc Committee**” means a committee, sub-committee or similar entity of which at least 50 per cent of the Members are also Members of Council, appointed by Council to review and report on a specific issue. Once the final report is delivered and a resolution of Council is adopted concerning the specific issue, the Ad Hoc Committee is automatically dissolved.

“**Alternate Member**” means an authorized individual who, during the absence of the Member for whom that individual is an alternate, shall act in the place and stead of such member and perform such other duties as assigned.

“**Business Day**” means the days of the week in which Council or Committee shall conduct its business transactions and hold its meetings, excluding Saturday and Sunday or statutory holidays.

“**CAO/Clerk**” means the Chief Administrative Officer/Clerk of the County or his or her designate. Clerk means the person duly appointed, by By-Law pursuant to Section 228 of the Act, as the Clerk of the County.

“**Chair**” means the position of the person appointed to preside, or presiding at, a meeting, whether that person is the regular Chair or not.

“**Closed Session**” means a meeting of Council or Committee that is not open to the public, pursuant to Section 239 of the Act or any successor provision thereto.

“**Committee**” means any advisory or other committee created by Council, of which at least one Member is also a Member of Council, which is established under any Act with respect to the affairs or purposes of one or more municipalities.

“**Committee of the Whole**” means the committee of which all Members present sit on Council. The purpose of this committee is to enable Council to give detailed consideration to a matter under conditions of freedom approximating that of a Committee. When sitting as Committee of the Whole, the results of votes taken are not final decisions of Council, but have the status of recommendations which Council is given the opportunity to consider further and which it votes on finally under its regular rules.

“**Confidential matter**” means those items of business discussed in *Closed Session*.

“**Council**” means the elected Mayors and/or Deputy Mayors or alternate of the County’s constituent municipalities when they sit in deliberative assembly.

“**County**” means the Corporation of the County of Elgin.

“**Delegation**” means to address Council or a Committee at the request of the person wishing to speak.

“**Deputy Warden**” means the Member of Council appointed, by By-law or resolution, pursuant to Section 242 of the Act, to act in the place of the Warden when the Warden is absent or refuses to act or when the office of the Head of Council is vacant and while so acting such Member has all the powers and duties of the Head of Council.

“**Ex-Officio**” means a Member who has the right, but not the obligation, to participate in the proceedings of the meeting, and is not counted in determining the number required for a quorum or whether a quorum is present at a meeting. Ex-Officio cannot attend a Committee meeting if by attending a minimum quorum of Council is created.

“**Inaugural Meeting**” means the first meeting of Council after a regular election as set out in the Act.

“**Meeting**” means an event wherein business is transacted for any regular or special purpose by Council or local board, or a Committee or sub-Committee of either of them, as the case may be, where, (a) a quorum of Members is present, and (b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council, local Board or Committee.

“**Member**” means a person duly elected to hold office with the County of Elgin’s constituent municipalities, pursuant to the Municipal Elections Act, 1996 S.O. Chapter 32, as amended; or, a person appointed by Council to a Committee.

“Minutes” means a written Record of meetings of Council, and the Minutes are to include the events of the meeting, a list of attendees, a statement of the issues considered by the Members, and related responses and decisions on issues.

“Motion” means a proposal moved by a Member, and if moved in Council or Committee, seconded by another Member, to adopt, amend or otherwise deal with a matter before Council or Committee.

“Municipal Office” means 450 Sunset Drive, St. Thomas, Ontario, N5R 5V1 or any location in the County subsequently designated as its municipal office.

“Notice” means written Notice, except where legislation, By-Law or Corporate Policy provides for another form and manner of Notice.

“Open Meeting” means a Meeting at which a quorum of Members is present and they discuss or otherwise deal with a matter in a way that materially advances the business or decision-making of the relevant council, local board or Committee.

“Point of Order” means a statement made by a Member during a meeting, drawing to the attention of the Chair a breach of the rules of procedure.

“Pecuniary Interest” means an interest that has a direct or indirect financial impact for a Member, be it positive or negative, as defined under the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3.

“Pregnancy and Parental Leave” for the purposes of this By-Law means the period of time the Member of Council will not attend meetings of Council or any Committee to which the Member has been appointed as a result of the Member’s pregnancy, the birth of the Member’s child or the adoption of a child by the Member.

“Quasi-Judicial Board” means a local board or Committee that has been delegated Council’s decision-making powers; for example, the Land Division Committee.

“Question” means a Motion that has been appropriately placed before Council or Committee. Only once duly recognized by the Chair and “on the floor” can a Motion be debated and put to a question of the Members for proper resolution.

“Quorum” means, in the case of Council, a majority of Members representing at least one-half of the lower-tier municipalities, pursuant to Section 237 of the Act. In the case of a Committee of Council, quorum is a majority of the whole number of Members of the Committee, including the Chair.

“Recorded Vote” means a vote taken on a matter of business, whereupon the CAO/Clerk duly notes the name of each Member present and their vote in the Minutes, as provided for in Section 246 of the Act. Section 246(2) of the Act specifically notes that a failure to vote by a Member who is present at the Meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

“Rules of Procedure” means the rules and regulations provided in this By-Law and, where necessary, Robert’s Rules of Order (Newly Revised).

“Secretary” means the person responsible for recording the Minutes of Council or Committee meetings, the preparation of the agenda and the preparation of any resulting correspondence, as designated by the CAO/Clerk.

“Standing Committee” means a Committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council.

“Steering Committee” means any advisory body, roundtable or other body Council established to advise on specific areas of interest, with Members of the public and staff making up more than 50 per cent of the membership and Council Members or other elected officials making up the rest.

“Warden” means the Warden of the Corporation of the County of Elgin, in accordance with the Act, and the term is interchangeable with “Chair”, “Chief Executive Officer (CEO)”, and “Head of Council” for the purposes of conducting Committee meetings.

2. Purpose

- (a) This By-Law (referred to as the Procedural By-Law) establishes the rules of order for Council Meetings.

3. Principles of the Procedural By-Law

- (a) The principles of openness, transparency and accountability to the public guide the County's decision-making process. In the context of Council proceedings, this is accomplished by:
- i. Ensuring the decision-making process is understood by the public and other stakeholders;
 - ii. Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this By-Law and other statutory requirements;
 - iii. Exercising and respecting individual and collective roles and responsibilities provided for in this Procedural By-Law and other statutory requirements; and
 - iv. The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals have the opportunity to participate.
- (b) The principles of parliamentary law governing Council include:
- i. The majority of Members have the right to decide;
 - ii. The minority of Members have the right to be heard;
 - iii. All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - iv. All Members have a right to an efficient Meeting;
 - v. All Members have the right to be treated with respect and courtesy; and
 - vi. All Members have equal rights, privileges and obligations.

4. Application

- (a) The rules and regulations contained in this By-Law set out the rules of order for the dispatch of business in Council and shall be observed in all proceedings of Council.

5. Interpreting the Procedural By-Law

- (a) In the event of conflict between this By-Law and a valid and binding statute, the provisions of the statute prevail.
- (b) A specific statement or rule in this By-Law has greater authority than a general one.
- (c) If there is a conflict between two or more rules in this By-Law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the CAO/Clerk, rely on previous rulings or practices, or refer to *Robert's Rules of Order* (Newly Revised).

6. Suspension of Rules

- (a) The rules and regulations contained herein that are discretionary and not mandatory under statute may be temporarily suspended by a majority vote of Council present, with the exception of the following circumstances:
- i. Where required by-law;
 - ii. Contractual agreements binding the County;
 - iii. Amending this Procedural By-Law; and,
 - iv. Quorum requirements.

7. Majority Vote

- (a) Unless this Procedural By-Law states otherwise, a matter passes when a Majority of Members present vote in the affirmative.

8. Council Composition

- (a) Section 458 of the Act, provides that as of January 2, 2003, the composition of the Council of a municipality, the method of electing or appointing its Members, the number of votes given to each Member and the titles of its Members shall be the same as they were on December 31, 2002. On December 31, 2002, pursuant to By-Law 97-8 passed on March 18, 1997, the composition of the Corporation of the County of Elgin Council ("Elgin County Council" was:

County Council will have nine (9) Members, being the Mayors from each of the seven (7) municipalities within the County of Elgin and the Deputy Mayors of the Municipality of Central Elgin and the Township of Malahide, thereby constituting the composition of such Council as follows:

- i. Municipality of West Elgin – One (1) Member (the Mayor);
 - ii. Municipality of Dutton Dunwich – One (1) Member (the Mayor);
 - iii. Township of Southwold – One (1) Member (the Mayor);
 - iv. Municipality of Central Elgin – Two (2) Members (the Mayor and the Deputy Mayor);
 - v. Township of Malahide – Two (2) Members (the Mayor and the Deputy Mayor);
 - vi. Town of Aylmer – One (1) Member (the Mayor); and
 - vii. Municipality of Bayham – One (1) Member (the Mayor).
- (b) The Head of Council, the Warden, will be elected by County Council from amongst the Members of Council on an annual basis.
- (c) Each Member of Council will have one (1) vote.
- (d) As provided for in the Act, the Councils of the seven (7) municipalities have the authority to appoint alternates from the Members of Council to represent the municipality on County Council in the absence of Mayor and/or Deputy Mayor in accordance with Section 32 of this Procedural By-Law.

9. Inaugural Meeting and Annual Election of Warden

- (a) A person elected or appointed as a Member of Council shall not take a seat on Elgin County Council until the CAO/Clerk has received the certificate from the constituent municipality certifying the name of each person elected or appointed.
- (b) No business shall be conducted at the first meeting of Council until after the declarations of office have been made by all Members who present themselves for that purpose.
- (c) The first Meeting of a new council of a municipality after a regular election shall be held in the evening of the second Tuesday of the month of December, or at such hour and on such day thereafter as the majority of the Members of the Council are present in the Council Chamber but in any case not later than 31 days after its term commences, as provided for in the Act.
- (d) The annual election of the Warden shall be held in the evening of the second Tuesday of the month of December, or at such hour and on such day thereafter as the majority of the Members of Council are present in the Council Chamber.
- (e) Section 233 of the Act requires Council to appoint the Head of Council ("Warden") at its first Meeting. No other business shall be conducted until the Head of Council is confirmed.
- (f) For the appointment of the Warden, the following regulations and procedures shall be followed:
- i. The CAO/Clerk shall take the Chair at seven o'clock in the evening of the second Tuesday of the month of December in each year, or at such hour and on such day thereafter as the majority of the Members of Council are present in the Council Chamber;
 - ii. The CAO/Clerk shall prepare ballots for voting;
 - iii. The CAO/Clerk shall inform the Members that he or she is ready to proceed with the election of one of their Members to be Warden, unless only one Member indicates his

or her intention to run for the Office, in which case the election procedure is dispensed with in favour of a resolution appointing the Warden;

- iv. The CAO/Clerk shall ask those Members of Council seeking the Office of Warden to stand;
- v. The CAO/Clerk shall announce that any person aspiring to the position of Warden shall be granted an opportunity, not exceeding five (5) minutes, to address Council. Candidates will address Council in alphabetical order;
- vi. Voting shall be by secret ballot and balloting will continue until a candidate obtains a majority of votes. The CAO/Clerk shall count the votes, in the presence of a representative/witness to be chosen by the CAO/Clerk;
- vii. In the event there are more than two (2) candidates, the candidate receiving the lowest number of votes shall retire. At no time shall the actual number of votes received by any candidate be announced, only the name or names of the successful candidate during such round of voting;
- viii. If two (2) candidates with the least number of votes are tied, then a tie-breaker ballot between the two lowest (tied) votes shall take place;
- ix. By Motion, the CAO/Clerk shall be directed to destroy the ballots after the election has been completed;
- x. For the purposes of electing the Warden, each Member of County Council shall have one vote;
- xi. In the case of an equality of votes for Warden, the successful candidate shall be determined by the CAO/Clerk placing the names of the candidates on equal sized pieces of paper in a box and one name being drawn by a person chosen by the CAO/Clerk; and
- xii. The Warden-Elect shall forthwith sign and declare and read aloud the Declaration of Office and, on completion thereof, he or she shall take the Chair.

10. Appointment of Deputy Warden

- (a) A position of "Deputy Warden" shall be held by the most immediate past Warden who is a member of Council. In the event that there are no Past Wardens on Council following a Municipal Election, Council shall vote and appoint a Deputy Warden at the Inaugural Meeting.
- (b) The Warden may request said Deputy Warden or any other member of Council to represent him or her at any Meeting or function where the Warden is unable to attend.
- (c) Councillors attending a function as "Deputy Warden" shall be paid mileage at the same rate established for the use of personal vehicles for County business and any other eligible "out of pocket" expense that may occur.

11. Regular Meetings of Council

(a) Location and Schedule of Meetings of Council

- i. After its Inaugural Meeting, Council shall meet in the Council Chambers of the Elgin County Administration Building, 450 Sunset Drive, St. Thomas, ON or other designated location, at a time designated by the Warden, on the second and fourth Tuesday of each month as provided for in the Act as amended and when Notice is given;
- ii. Council shall approve a schedule of regular Meetings of Council for each calendar year, which may be amended. The schedule of Meetings is made available to the public on the County's website and from the Municipal Office;
- iii. As soon after the time appointed for a Meeting of Council as a Quorum is present, the Warden shall assume the Chair and call the Meeting to order;
- iv. Council shall always recess/adjourn no later than 12:00 noon and 6:00 P.M., if in a Meeting at these hours, unless otherwise determined by a resolution, but in all cases shall adjourn no later than 10:00 P.M.; and
- v. The Members of Council shall not leave their places on adjournment, until the Warden or other Presiding Officer leaves the Chair.

(b) Notice of Meetings of Council

- i. The agenda shall be considered as Notice of regular Meetings of Council and By-Law 07-29, being a By-Law to establish a policy respecting the manner in which Notice will be provided, as amended, shall be utilized in respect thereof;
- ii. Reports or actions before Council that require enactment of a By-Law, with Notice, shall be subject to terms of the By-Law 07-29, as amended; and
- iii. The CAO/Clerk gives Notice of a Meeting of Council by:
 - a) Providing Council with a regular agenda on each Thursday preceding a Meeting day of Council.
 - b) Where required, providing Council with a Closed Session agenda in accordance with the publishing timeframes set out of regular, addenda and additional addenda set out in Sections 12, 14 and 15.

(c) Special Meetings of Council

- i. If a matter arises which, in the opinion of the CAO/Clerk, in consultation with the Warden, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of residents of the County, and/or if a state of emergency is declared by any Provincial Ministry, the Notice requirements of By-Law 07-29, as amended, may be waived and the CAO/Clerk shall make his or her best effort to provide as much Notice of such Special Meeting of Council as is reasonable under the circumstances;
- ii. A Special Meeting of Council may be called by the Warden at any time. A Special Meeting of Council is limited to business matters included in the Notice of Meeting; and
- iii. When the CAO/Clerk receives a petition for a Special Meeting of Council signed by a majority of the Members of Council, a Special Meeting of Council is called for the purpose and at the time identified in the Petition. The Petition shall include:
 - a) Original signatures of Members;
 - b) A clear statement of the purpose of the Special Meeting;
 - c) A proposed date and time for such Special Meeting.

(d) Notice of Special Meetings of Council

The CAO/Clerk gives Notice of Special Meetings of Council by:

- i. Providing Council with an agenda in person or by telephone, mail, or electronic means at least 24 hours prior to the Meeting; and,
- ii. Posting a Notice on the County's website and time permitting, Notice shall be sent to local media that indicates the date and time of the Meeting of Council; or
- iii. Where item (ii.) cannot be achieved, posting a Notice at the main entrance to the Municipal Office that indicates the date and time of the Special Meeting of Council and the purpose of the Special Meeting.

(e) Emergency Meetings of Council

- i. Notwithstanding any other provision in this By-Law, the Warden may, at any time, call or provide Notice of an Emergency Meeting of Council. An Emergency Meeting of Council is limited to business matters included in the Notice of Meeting; and
- ii. In the case of an emergency, Council may hold its Meetings at any convenient location within or outside the territorial limits of Elgin County.

(f) Notice of Emergency Meetings of Council

- i. The CAO/Clerk gives Notice of Emergency Meetings of Council to Members by:
 - (a) Providing Council with an agenda in person or by telephone, mail, or electronic mail at least 24 hours prior to the Meeting.

- (b) Posting a Notice at the main entrance to the Municipal Office that indicates the date and time of the Emergency Meeting of Council and the general nature of the matters to be discussed.

(g) Workshop and Orientation Meetings

- i. The Warden and/or CAO/Clerk may convene a Workshop or Orientation Meeting for Members of Council to discuss issues in an informal venue. With the exception of Procedural Matters, no Motions are passed and no matter is discussed which advances the business of the Municipality during the course of such Workshop or Orientation Meeting; and
- ii. A record describing, in general terms, the proceedings and the subject matter discussed is made at all Workshop or Orientation Meetings and placed on a future Council agenda to be received only for the purposes of information.

(h) Notice of Workshop and Orientation Meetings

The CAO/Clerk gives Notice of Workshop and Orientation Meetings of Council by:

- i. Providing, at least 24 hours in advance, Notice to Council in person or by telephone, mail or electronic means that indicates the date and time of the Workshop or Orientation Meeting and the general nature of the matters to be discussed; and,
- ii. Posting a Notice on the County's website and time permitting, Notice shall be sent to local media that indicates the date and time of the Workshop or Orientation Meeting and general nature of the matters to be discussed; or
- iii. Where item (i.) cannot be achieved, posting a Notice at the main entrance to the Municipal Office that indicates the date and time of the Workshop or Orientation Meeting and general nature of the matters to be discussed.

(i) Cancellation or Postponement of Meetings

- i. A regular, special, or emergency Meeting of Council or a Workshop or Orientation Meeting of Council may be cancelled or postponed where Quorum cannot be achieved, by Council resolution, in the event of an emergency, or where the Meeting is no longer required, as deemed by the Warden and/or CAO/Clerk; and
- ii. The CAO/Clerk gives Notice on the County's website and time permitting, through the local media, of a cancellation or postponement of a regular, special, or emergency Meeting of Council or a Workshop or Orientation Meeting. Where time is limited, a Notice is posted at the main entrance to the Municipal Office.

(j) Invalidation of Notice of Meeting

- i. If a Meeting Notice is substantially given, but varies from the form and manner provided in this Procedural By-Law, the ability to hold the Meeting and actions taken at the Meeting are not invalidated.

(k) Quorum

- i. Members of Council will attempt to advise the office of the CAO/Clerk at least two days in advance if unable to attend a Meeting of Council. If Quorum cannot be met, the Meeting may be cancelled by the CAO/Clerk;
- ii. Unless there shall be a Quorum present within thirty (30) minutes of the time appointed for the Meeting of Council, Council shall then stand absolutely adjourned until the date of the next regular Meeting and the CAO/Clerk shall record the names of the Members present at the expiration of such thirty (30) minutes; and
- iii. Where there is an insufficient number of Members of Council present to achieve Quorum at a Meeting of Council due to a provision of the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3., the remaining Members of Council constitute Quorum, provided that such number in no case be less than two (2).

(l) Late Arrival

- i. If a Member arrives late at a Meeting, any prior discussion is not reviewed without the consent of the Members present.

(m) Electronic Participation

- i. Electronic Participation at Meetings shall be reserved for emergencies or accessibility requirements. A Council Member who is unable to attend a Council Meeting in person may participate in Council Meeting by electronic or other communication facilities if:
 - (a) The facilities enable the other Council Members to hear and be heard by the Council Member.
 - (b) Except for any part of the Council Meeting that is closed to the public, the facilities enable the public to hear, or watch and hear, the Council Member.
 - (c) A Council Member who intends to participate in a Regular Council Meeting by electronic or other communication facilities shall give the CAO/Clerk Notice of this intention at least 72 hours prior to the Council Meeting or as soon as the Member becomes aware of the emergency. The CAO/Clerk shall, as soon as reasonably possible thereafter, provide the Council Member with instructions on how to connect to and participate in the Council Meeting by electronic or other communication facilities;
- ii. If a Council Member participates in a regular Council Meeting by electronic or other communication facilities:
 - (a) The Council Member shall advise Council when they join the Council Meeting and when they leave the Council Meeting;
 - (b) The Council Member shall not be counted towards Quorum but can participate electronically;
 - (c) The Council Member may participate electronically but their vote shall not be counted or recorded;
 - (d) The Chair shall repeat the results of each vote, including the names of Council Members voting in favour and opposition, immediately following each vote.
 - (e) The Council Member may participate in meetings that are open to the public. Participation in Closed Meetings is restricted to Members who are participating in person.

12. Preparation of the Agendas of Council

- (a) The CAO/Clerk and his or her staff are charged with providing guidance and recommendations to Council related to municipal business and to implement the decisions of Council.
- (b) The CAO/Clerk shall chair a regularly scheduled internal meeting of senior staff and invited attendees to review draft agenda items in order to support the business of Council.
- (c) The CAO/Clerk shall either personally or by his or her approved staff establish an administrative process to support the approval, preparation, Notice, publication and distribution/public access to agendas and agenda items.

13. Agenda

In respect of a Regular, Special or Emergency Meeting of Council, the CAO/Clerk shall have prepared an agenda of the Orders of the Day, containing:

(a) Regular Meeting

- 1st Meeting Called to Order
- 2nd Adoption of Minutes
- 3rd Disclosure of Pecuniary Interest and the General Nature Thereof
- 4th Presenting Petitions, Presentations and Delegations
- 5th Motion to Move into Committee of the Whole Council
- 6th Reports of Councillors, Outside Boards and Staff

- 7th Council Correspondence:
 - i. Items for Consideration
 - ii. Items for information (Consent Agenda)
- 8th Other Business:
 - i. Statements/Inquiries by Members
 - ii. Notice of Motion
 - iii. Matters of Urgency
- 9th Closed Meeting Items
- 10th Recess
- 11th Motion to Rise and Report
- 12th Motion to Adopt Recommendations from the Committee of the Whole
- 13th Consideration of By-Laws
- 14th Adjournment
- 15th Public Notice

(b) Inaugural Meeting/Annual Warden's Election

- 1st Meeting Called to Order
- 2nd Receipt of Declaration of Acclamation to Office or Declaration of Election from Councillors (the first year only after a municipal election)
- 3rd Declaration of Office by Councillors (the first year only after a municipal election)
- 4th Election of Warden
 - Candidates for Warden to Stand
 - Prospective Candidates to Speak (alphabetical order)
 - Proceed with Election (Ballot or Resolution)
- 5th Administering and Signing of Declaration of Office
- 6th Gowning
- 7th Presentation by Past Warden
 - Chain of Office
 - Lord Elgin Watch
 - Gavel of Office
- 8th Warden's Address
- 9th Resolution to Destroy the Ballots (if required)
- 10th Adoption of Minutes
- 11th Warden to Recommend Committee and Outside Board Appointments
- 12th Consideration of By-Laws
- 13th Other Business:
 - i. Statements/Inquiries by Members
 - ii. Notice of Motion
 - iii. Matters of Urgency
- 14th Recess

14. Changes in Order of Agenda of Committee of the Whole

- (a) The business of Council is dealt with in the order stated on the published agenda, unless the Warden consents to changing the order.

15. Matters of Urgency/Addendum to Agenda

- (a) When, after the Agenda has been prepared and distributed as Notice of a Meeting of Council, a Member wishes to inform Council of an additional matter that, in his or her opinion, should be considered immediately and during the course of such Meeting, then, after notification of the CAO/Clerk, he or she shall present such matter to Council at such Meeting through the Chair and, with the consent of the majority of Members present, the matter shall only then be added to the Agenda and considered as an additional Matter of Urgency without any prior or further Notice being given or required.

16. Other Business

(a) Statements/Inquiries by Members

- i. When a Councillor wishes to inform Council of a matter that does not require action and consideration by Council or otherwise wishes clarification of a matter, such information may be announced under "Statements/Inquiries by Members". It is understood that these announcements are made solely for Council's information and that under no circumstances shall Council take action within this category.

(b) Notice of Motion

- i. Notices of Motion shall be received by the CAO/Clerk at any time Council is meeting and in his or her office in advance of the production and distribution of the agenda material and shall be printed in the agenda;
- ii. A Notice of Motion shall be dealt with by Council at the Meeting at which it appears printed in the agenda. A Notice of Motion that is not printed in the agenda shall be dealt with in the order of business of Motions at any subsequent Meeting of Council;
- iii. The business of such Motions shall, in all cases, be taken up in the way in which it appears upon the Orders Of The Day, unless otherwise determined by a vote of the majority of the Members present taken without debate thereon;
- iv. All Motions shall be moved and seconded before being debated or put to vote; and all Motions shall be read and then conveyed to the Warden, who may again read the same;
- v. After a Motion has been received by the Warden or other Chair, it shall be deemed to be in possession of Council, but may be withdrawn at any time by consent of a majority of the Members present;
- vi. A Motion to refer the main Motion to staff or an outside board shall preclude all amendment of the main question until decided;
- vii. A Motion to adjourn shall always be in order unless a vote is being taken;
- viii. A Motion to table is always in order and will supersede the main Motion;
- ix. All amendments shall be placed in the reverse order in which they are moved; and every amendment to the Motion shall be decided upon or withdrawn before the main question is put to vote;
- x. There shall not be more than two (2) amendments to the main question or any Motion;
- xi. Not more than one (1) amendment shall be allowed to any amendment;
- xii. After any question is finally put to vote by the Warden or other Chair, no Member shall speak to the question nor shall any other Motion be made until after the result is declared;
- xiii. Whenever the Warden or other Chair is of the opinion that a Motion offered to Council is contrary to law or the rules and privileges of Council, he or she shall apprise the Members thereof immediately;
- xiv. Members shall always take their places prior to any decision being called; and
- xv. When the Warden or other Chair is called on to decide a point of order or practice, he shall state the rule or authority applicable to the case.

17. Reports from County Staff

- (a) If deemed appropriate by the CAO/Clerk, any County Staff may report to the Warden and Members of Council at any session of Council.

18. Petitions, Delegations, Correspondence and Minutes**(a) Petitions**

- i. Every petition, protest, or other written application intended to be presented to Council must be legibly written or printed on paper, and signed by at least one person, complete with their mailing address and telephone number. The Warden, in consultation with the CAO/Clerk, shall determine whether the delegation(s) request is suitable and appropriate for consideration by County Council. In determining the suitability of each delegation for authority to address Council, the Warden shall ensure that the request is within the purview and jurisdiction of Council;
- ii. Every Member presenting any petition, protest, or other written application to Council, shall examine the same and shall be answerable that they contain only relevant or proper matter and that the same is respectful and temperate in its language; he or she shall also endorse thereon the name of the applicant and the substance of such application, sign his or her name thereto, which endorsement only shall be read by the

CAO/Clerk, unless a Member shall require the reading of the paper, in which case the whole shall be read; and

- iii. All petitions or other written communications received prior to any Meeting of Council and on any subject that falls within the jurisdiction of any outside board shall, upon presentation, be referred to the outside board by the CAO/Clerk for consideration. Any matters arising subsequently shall be referred by the Warden without Motion and no Member shall speak upon nor debate on the presentation of any such petitions or other communications to Council.

(b) Delegations

- i. An individual may make a delegation at any Meeting of Council related to an item of business on the agenda. Any person or groups of persons wishing to address Council is required to make the necessary arrangements through the CAO/Clerk, at least eight (8) days prior to the date of the Council Meeting. Written briefs shall be provided so that sufficient time will permit distribution to the Members of Council, prior to the said Meeting;
- ii. The CAO/Clerk's determination as to when a deputation will be scheduled is final;
- iii. Once a delegation has addressed Council, no further request on the same issue will be entertained until written information is produced to Council and it agrees that another delegation is warranted;
- iv. No person or delegation shall be permitted to address Council on a subject not on the Agenda, unless permission is granted on the consent of the Chair and on two-thirds majority of members in support of such presentation;
- v. A delegation shall be limited to a maximum of fifteen (15) minutes. Council may, by Motion, and with the support of the majority of its members lengthen the time for hearing of delegations;
- vi. A delegation consisting of more than five (5) persons shall be limited to two speakers and to a total time limitation of fifteen (15) minutes for the delegation presentation. Council may by Motion lengthen the time for hearing of delegations;
- vii. No more than four (4) delegations shall be scheduled to address Council at any Regular, Special or Emergency Meeting, unless otherwise permitted by the Warden;
- viii. The CAO/Clerk shall provide all individuals or groups seeking to address Council with a copy of the appropriate section of this Procedural By-Law dealing with delegations;
- ix. No person shall be allowed to address Council during any Meeting of Council without the permission of the Warden or other Chair;
- x. Members of Council may ask questions of a delegation but shall not enter into debate with any representative of any such delegation. With the permission of the Chair, the CAO/Clerk may ask questions of any delegations. All questions to delegations shall be addressed through the Chair. No other person may ask any questions of delegations, unless directed to do so by the Warden or other Chair; and
- xi. Should an individual wish to be provided with further Notice related to a matter addressed by a delegation before Council, he or she is required to indicate this wish to the CAO/Clerk as part of his or her delegation request originally delivered.

(c) Correspondence

- i. When correspondence has been requested to be included on a Council agenda or on the request of a Member of Council to the CAO/Clerk, such correspondence is placed on the agenda for a regular Meeting. Correspondence must be received no less than eight (8) days prior to a regular Council Meeting. Where required due to urgency or timing, correspondence may be considered directly by Council as an item of New Business, as an Addendum to the Agenda, or as a matter for Closed Session;
- ii. Staff may prepare recommendations related to any matter raised in Correspondence for consideration by Council;
- iii. Council will direct, to the CAO/Clerk, correspondence clearly intended to be considered as part of an agenda of Council;

- iv. The CAO/Clerk is required to verify whether it is the intent of an individual to include his or her correspondence on a public agenda. For reasons of privacy, irrelevant personal information will be severed from correspondence. General correspondence between Councillors or staff and constituents or stakeholders will not be included unless the CAO/Clerk is satisfied that it was clearly the individual's intent to include his or her correspondence on a public agenda;
- v. Correspondence must be legible and not contain any defamatory statements. Anonymous correspondence will not be acknowledged, circulated or placed on an agenda;
- vi. Receipt of correspondence by Council does not constitute endorsement of either the correspondence by the County or of any recommendations it may contain or actions it may advocate; and
- vii. When not requested to be included in a Council agenda, correspondence may be circulated by the CAO/Clerk to Members of Council and applicable staff for their information.

(d) **Minutes**

- i. The Minutes of Council shall consist of:
 - (a) A record of the place, date and time of Meeting;
 - (b) The name of the Chair, a record of all Members present, and the names of those Members who are absent;
 - (c) The reading, if requested, correction and adoption of the Minutes of prior Meetings;
 - (d) All other proceedings of the Meeting without note or comment.
- ii. The CAO/Clerk shall ensure that a copy of the Minutes of each Meeting is delivered to each Member of Council at least forty-eight (48) hours prior to the commencement of the Meeting of Council; and
- iii. The CAO/Clerk shall keep a permanent copy of all Council Minutes for public inspection.

19. Committee of the Whole

- (a) When Council wishes to consider a subject(s) with all the freedom granted an ordinary committee, it may refer the matter to Committee of the Whole. Members may speak more than once to the same question and the limitations on length of speaking, if any, are relaxed.
- (b) The rules of Council shall be observed in the Committee of the Whole, so far as may be applicable.
- (c) The Chair, subject to an appeal to Council, shall decide any questions of order arising in Committee of the Whole, and if any sudden disorder should arise in the Committee, then the Warden or other Chair will resume the seat of Chair, without any question being put.

20. Pecuniary Interest

- (a) As required by the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3, at the commencement of a Meeting, or prior to considering a Motion under New Business or at the first Meeting attended thereafter, a Member who was absent from any previous Meeting at which such matter was considered, such Member shall disclose any direct or indirect pecuniary interest and state the general nature of such interest and it shall be recorded by the CAO/Clerk in the Minutes.
- (b) A Member shall file with the CAO/Clerk a written statement of any interest declared by the Member in accordance with the *Municipal Conflict of Interest Act*, RSO 1990 Act and its general nature, and the CAO/Clerk will make the disclosure publicly available and will maintain a registry of written statements of disclosure.
- (c) In the case of items to be discussed in a Closed Session Meeting, the Member declaring a pecuniary or other conflict of interest shall leave the Meeting and shall take no action to participate in, or influence, the vote of the other Members when said item is to be resolved by Council.

21. Rules of Debate

- (a) As soon after the hour of Meeting as a Quorum is present, the Warden shall take the Chair and Members present there at shall be called to order.
- (b) The Chair shall maintain a list of Members who have requested to speak or ask questions. The Chair designates Members to speak or ask questions in the order in which they appear on the list.
- (c) When the Warden or other Chair is putting forth the question, no Member shall walk across or out of the room, shall not interrupt the speaker, except to a question of order, nor pass between the speaker and the Chair.
- (d) Any Member called to order shall at once cease speaking, unless permitted to explain, and the ruling of the Warden or other Chair shall be final, unless otherwise decided by Council on an appeal from such ruling.
- (e) No Member shall speak disrespectfully of any person or use un-parliamentary or offensive language in or against Council or against any Member, staff or other person in the Council Chamber.
- (f) No Member shall partake of food in the Council Chamber while the Council is Meeting.
No Member shall speak outside the question in debate.
- (g) Any Member may require the question or Motion under discussion be read at any time during the debate but only so as not to interrupt a Member while speaking.
- (h) During any Council Meeting, except during any period sitting as Committee of the Whole, no Member, unless Council consents to it, shall speak more than once on the same question or during any period sitting as Committee of the Whole, until all other Members have had the opportunity to speak to the question.
- (i) After a Motion is passed or a report adopted, no Motion to alter or amend the same shall be considered during the same Meeting of Council, unless the Motion to alter or amend is moved and seconded by two Members of Council from among those Members in attendance and who voted with the majority that carried said Motion or report.
- (j) Questions under the proper Orders of the Day may be put to the Warden or other Chair or through him or her to any Member of Council, relating to any Motion or other matter connected with the business of Council or the affairs of the County, but no argument or opinion is to be offered, nor any facts stated, except as may be necessary to explain the same; and in answering any such questions, a Member is not to debate the matter to which the same refers.
- (k) Members of Council or Committee, except the Warden, shall be referred to as County Councillors.
- (l) At any time when a vote, taken by a show of hands, is unclear as to the outcome, the Warden or other Chair may request the Members to stand to indicate their YEA or NAY in respect of such vote. In the case of electronic participation, the attending Member will be asked directly to indicate his or her YEA or NAY.
- (m) Upon a tie vote on any question, by a show of hands, a recorded vote shall then be taken.
- (n) Upon a tie recorded vote the question shall be considered a defeated Motion.
- (o) If the Warden or other Chair, as the case may be, desires to leave the seat of the Chair before adjournment of the Meeting and fails to call some Member to the position of the Chair, Council may appoint a Member to preside over the Meeting until the business of the Meeting is finished.
- (p) No person other than Members or employees of the County shall be allowed to speak from the gallery during the Meetings of Council without the permission of the Chair.

22. Reconsideration

- (a) After a Motion has been voted on by County Council, no Motion for reconsideration thereof shall be introduced and such Motion may only be passed by a two-third vote of the entire Council in support of such reconsideration.
- (b) Reconsideration of a Motion must take place at the same meeting or, in a multi-day session, the next day.

23. Readings of By-Laws and Proceedings

- (a) Every By-Law shall be printed in written or in electronic form and introduced by the CAO/Clerk and shall be considered for enactment by Council.
- (b) All By-Laws collectively shall be given first, second and third readings in a single Motion, unless a Member wishes to discuss the contents of a By-Law or a matter requires that the By-Law receive first and second reading only and third reading at a future Meeting, at which time the subject By-Law shall be removed from the Motion list and dealt with separately. The headnote only of the By-Law shall be read and a By-Law shall not be enacted until it has received three readings.
- (c) After By-Laws have passed, the CAO/Clerk shall be responsible for their corrections should amendment be required.
- (d) The Proceedings of every Regular, Special or Emergency Meeting shall be confirmed by a Confirmation By-Law so that every decision of Council and every resolution passed at that Meeting shall have the same force and effect as if each one of them had been the subject matter of a separate By-Law duly enacted.
- (e) All By-Laws adopted by Council shall be printed in the annual Proceedings of Council.
- (f) The CAO/Clerk shall maintain a permanent copy of all By-Laws for public inspection.

24. Motions from Other Municipalities and Organizations Requesting Endorsement

- (a) Motions from other municipalities in Elgin County are placed on the agenda for County Council. Where required due to urgency or timing, the Motions from other municipalities and organizations that request endorsement or action by Council may be considered directly by Council as an item of New Business.
- (b) Staff may prepare recommendations related to the matter for Council's consideration.
- (c) Council's receipt of Motions from other municipalities in Elgin County does not constitute endorsement by the County of any recommendations or actions they may contain.
- (d) Motions from municipalities outside of Elgin County and requests for endorsement or action from other organizations will be dealt with as a matter of correspondence.

25. Presentations and Recognitions

- (a) Presentations include those of staff or parties invited by staff or those of other government agencies and presentations to Council on matters of interest to the County as well as awards, certificates, grants and other recognitions presented to/by the County or its staff or related parties. Such presentations are received or presented by the Chair.
- (b) Presentations may be up to ten (10) minutes. The consent of Council is required to extend the presentation beyond ten (10) minutes.

26. Open Meetings and Closed Session Meetings

(a) Open Meetings and Improper Conduct

- i. Except as provided in this section, all Meetings of Council shall be open to the public pursuant to the Act, S. 239 (1); and
- ii. The Chair may expel any person for improper conduct at a Meeting, pursuant to the Act, 2001, S. 241 (2).

(b) Closed Session Meetings

- i. Persons may be excluded when Council is in Closed Meeting in accordance with Section 239 of the Act and amendments thereto. As provided for in the Act, Council shall resolve to move into a session closed to the public in order to discuss matters related to one or more of the following:
 - (a) the security of the property of the County or local board;
 - (b) personal matters about an identifiable individual, including County or local board employees;

- (c) a proposed or pending acquisition or disposition of land by the County or local board;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the County or local board;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency or any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or the organization;
 - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
- ii. A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:
- (a) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
 - (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by Council or the investigator appointed by Council;
- iii. A meeting of Council may be closed to the public if the following conditions are both satisfied:
- (a) the meeting is held for the purpose of educating or training the members; and
 - (b) at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council;
- iv. Before holding a Meeting or part of a Meeting closed to the public, Council shall approve a Motion, stating the following:
- (a) The fact that the Meeting will be closed to the public as provided for in the *Act*; and,
 - (b) The general nature of the matter to be considered at the Meeting closed to the public;
- v. Pursuant to Section 239 of the *Act*, when a Motion to proceed in a Closed Meeting is carried, the Warden or the Chair may, with the approval of Council, exclude such persons as deemed appropriate from the meeting room;
- vi. When in a Closed Meeting, no one shall leave and re-enter the Meeting room without the approval of the Warden or Chair;
- vii. All Closed Meeting Minutes for Council Meetings shall be circulated electronically prior to the commencement of the next Meeting; and
- viii. Closed Meeting Minutes for Council Meetings are maintained by the CAO/Clerk and are only accessible by the CAO/Clerk.

(c) Voting During Meetings Closed to the Public

- i. No vote will be taken at a Meeting described in Section 26 (b) of this Procedural By-Law, and which is closed to the public, unless:
 - (a) The subject matter relates to an issue as described in Section 26 (b) of this By-Law; and
 - (b) The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons related by or under contract with the Municipality;
- ii. On Motion in Committee of the Whole in a Closed Meeting, to rise and report the question shall be decided without debate involving any of the following:
 - (a) Motion to rise without reporting
 - (b) Motion to rise and report
 - (c) Motion to provide staff direction;
- iii. With respect to debate and/or vote in a Meeting closed to the public:
 - (a) The number of times a Member may speak to any question shall not be limited during a Closed Session, provided that no Member shall speak more than once until every Member who desires to do so shall have spoken.
 - (b) A Member present at a Closed Session shall, prior to consideration of any matter, declare any pecuniary interest, direct or indirect and the general nature thereof and said Member shall leave the Closed Session, or part thereof, during which the matter is under consideration. The declaration of Pecuniary Interest shall be recorded in the Minutes.

(d) Notice of Meetings Closed to the Public

- i. Where a matter may be considered by Council for discussion in Closed Session, whenever possible, written Notice provided for in this By-Law shall disclose:
 - (a) The fact that the Meeting will be closed to the public as provided for in the Act;
 - (b) The general nature of the matter to be considered at the closed Meeting.

(e) Confidentiality of Closed Session Discussions and Public Disclosure

- i. A summary of any discussion held in Closed Session and any required vote if permitted, will occur following the Closed Session discussion of Council;
- ii. The summary of Closed Session discussion and vote will provide sufficient detail, without detrimentally affecting the confidentiality of the matter(s) discussed in Closed Session and the position of the Municipality;
- iii. No Member shall disclose or discuss, through written, electronic or verbal communication, to any individual or corporate third party, any information that has been or will be discussed at a Closed Session Meeting of Council until such time that such Council has determined or has been advised by staff that the matter, or any part of the matter, can be made public subject to review by the Chair or designate under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 or if directed to do so by a court;
- iv. A Motion to adjourn a Closed Meeting shall always be in order and be decided without debate, except when a Member is in possession of the floor; and
- v. Upon rising from a Closed Meeting, the Chair shall announce the result of the vote as it is to be recorded in the Minutes.

(f) Closed Meeting Investigation

- i. Council shall appoint a Closed Meeting Investigator to carry out Closed Meeting Investigations;
- ii. If, after completing an investigation, the investigator is of the opinion that the Meeting or part of the Meeting that was the subject-matter of the investigation appears to have

been closed to the public contrary to the Act or to this By-Law, the investigator shall report his or her opinion and the reasons for it to Council and may make such recommendations as he or she thinks fit;

- iii. The County of Elgin shall ensure that reports contemplated in this section are made available to the public as required by the Act;
- iv. If the investigator is of the opinion that the Meeting was closed to the public contrary to Act, Council shall pass a resolution stating how it intends to address such opinion and the report in which it was delivered; and
- v. A person may request that an investigation be undertaken to determine whether Council complied with the requirements of the Act and this By-Law in respect of a Meeting or part of a Meeting closed to the public. A person may initiate such a request by completing and submitting a copy of the *Municipal Investigation of Closed Meetings* form.

27. Duties of the Warden and Chair

- (a) The Chair of a Meeting of Council, whether a Regular, Special, Workshop or Orientation Meeting is the Warden. In the absence of the Warden, the Deputy Warden is Chair as provided for in this By-Law.
- (b) It shall be the duty of the Warden or other duly appointed Chair:
 - i. to act as Chief Executive Officer of the municipality;
 - ii. to preside over Council Meetings so that its business can be carried out efficiently and effectively;
 - iii. to provide leadership to Council;
 - iv. to represent the County at official functions;
 - v. to carry out the duties of the Chair under any other Act or any other Statute of the Province;
 - vi. to provide information and recommendations to the Members of Council with respect to Council's role to ensure the accountability and transparency of the operations of the municipality including the activities of the senior management of the municipality;
 - vii. to provide information or recommendations to Council to ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;
 - viii. to open the Meeting of Council by taking the Chair and calling the Members to order;
 - ix. to announce the business before Council in the order which it is to be acted upon;
 - x. to receive, in the proper manner, all Motions presented by the Members of Council and to submit these Motions as questions for proper debate;
 - xi. to put to a vote all questions which are duly moved and seconded or which necessarily arise in the course of proceedings and to announce the results;
 - xii. to decline to put to a vote Motions which infringe upon the Rules of Procedure as provided for in this By-Law;
 - xiii. to restrain the Members, within the Rules of Procedures, when engaged in debate;
 - xiv. to enforce on all occasions the observance of order and decorum among the Members and those before Council;
 - xv. to call by name any Member persisting in breach of the Rules of Procedure, thereby ordering the Member to vacate the meeting place;
 - xvi. to receive all messages and other communications and announce them;
 - xvii. to authenticate by his or her signature, when necessary, all By-Laws and Minutes of Council;
 - xviii. to inform the Members of Council, when necessary or when referred to for the purpose, on any point of order;

- xix. to represent and support Council, implicitly obeying its decision in all matters;
 - xx. to ensure that the decisions of Council are in conformity with the laws and By-Laws governing the activities of Council.
 - xxi. When appointed to be, may be an ex-officio Member of all Committees of Council;
 - xxii. To perform all duties as required of a Member of Council;
 - xxiii. To adjourn the Meeting without question in the case of grave disorder arising during the Meeting or suspend the sitting of Council until a time to be named by the Warden; and
 - xxiv. To adjourn the Meeting when the business of Council is concluded.
- (c) As Chief Executive Officer of the County, the Warden shall:
- i. uphold and promote the purposes of the municipality;
 - ii. promote public involvement in the municipality's activities;
 - iii. act as the representative of the municipality both within and outside the territorial limits of the municipality, and promote the municipality locally, nationally and internationally; and
 - iv. participate in and foster activities that enhance the economic, social and environmental well-being for the municipality and its residents.

28. Warden Entering Debate

- (a) If the Warden desires to take part in the debate of Council, he or she may remain in the Chair to do so. Alternatively, and when he or she deems appropriate, he or she may leave the Chair and, at that time, call on the Deputy Warden to fill their place until they resume the Chair.

29. Council Member Roles and Responsibilities

- (a) Council Members are responsible for, where applicable:
- i. Attending scheduled Meetings;
 - ii. Carefully considering and making decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting;
 - iii. Voting on Motions put to a vote;
 - iv. Respecting the rules of order in this Procedural By-Law;
 - v. Listening attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order;
 - vi. Remaining silent in their seats while Council votes and until the Chair announces the results of the vote;
 - vii. Refraining from using any offensive, disrespectful or un-parliamentary language about any Member, municipal employee, Meeting attendees and Council as a whole;
 - viii. Respecting and following the decisions of Council;
 - ix. Respecting the confidentiality of matters discussed in Closed Session Meetings and not disclosing the subject or substance of these discussions unless authorized to do so;
 - x. Complying with the Chair's rulings and Council's decisions; and
 - xi. Complying with the Council Code of Conduct.
- (b) The role of Council Members also includes, where applicable:
- i. to represent the public and to consider the well-being and interests of the County;
 - ii. to develop and evaluate the policies and programs of the County;

- iii. to determine which services and the extent to which such services are provided to the residents of the County;
- iv. to ensure that administrative policies, practices and procedures and financial policies, practices and procedures are in place to implement the decisions of Council;
- v. to ensure the accountability and transparency of the operations of the County, including the activities of the senior management of the County;
- vi. to maintain the financial integrity of the County; and
- vii. to carry out the duties of a Member as provided for under any Act or By-Law.

30. Absence of Warden and/or Deputy Warden

- (a) In case the Warden does not attend within fifteen (15) minutes after the time appointed for a Meeting of Council, the Deputy Warden shall call the Meeting to order and preside as Chair, subject to any restrictions regarding Conflict of Interest.
- (b) In case the Warden and Deputy Warden are unable to attend the Meeting, the Members will, by resolution duly moved and seconded, appoint a Chair. While so presiding, the Chair shall have all the powers of the Chair.
- (c) Should the Warden or Deputy Warden, as the case may be, arrive after the Meeting has been called to order, the Chair shall relinquish the position of the Chair to the Warden, or Deputy Warden as the case may be, immediately after the current item of business on the Council Orders of the Day is considered or otherwise disposed.

31. Alternate Council Member

(a) General Procedures

- i. This following procedure relates to alternates to County Council who are appointed by local municipalities under section 268 of the Act when they are required to attend a Council Meeting;
- ii. The Council of a constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of a person who is a Member of the Council of the constituent municipality and the County when the Member is unable to attend a Meeting of County Council for any reason;
- iii. County Council has no role in the appointment of Alternate Members but it can establish procedures for accommodating Alternate Members at County Council;
- iv. Constituent municipalities are able to appoint an Alternate Member of County Council in accordance with the following provisions:
 - (a) There can only be one Alternate Member appointed per municipality;
 - (b) The appointment is for the term of Council; and
 - (c) Municipalities cannot appoint another Alternate Member to act in place of the appointed Alternate Member;
- v. Alternate Members shall make their declaration of office prior to taking their seat as an Alternate Member of Council. This is not required for subsequent Meetings they might attend;
- vi. The Alternate Member shall have all the powers and duties of a Member, including the power to make motions and vote and the duty to abide by this By-Law and Code of Conduct, as applicable; and
- vii. Alternate Members must only be used when the Member is unable to attend an entire Meeting with the exception of an Inaugural Meeting or Meeting of any County Board or Agency.

(b) Notification Process

- i. A local municipality shall notify the CAO/Clerk in the event that its council appoints an Alternate Member of County Council;
- ii. The CAO/Clerk shall keep a record of all appointed Alternate Members which shall be available to the public;

- iii. The local Clerk or incumbent Council Member shall notify the CAO/Clerk, in writing, as soon as reasonably possible when an Alternate Member shall be attending a Meeting of Council;
- iv. Each local municipality will be responsible for notifying its Alternate Member that they are to attend any County Council Meeting;
- v. In situations where no prior notice has been given, the Alternate Member shall at the time they attend a County Council Meeting, provide the CAO/Clerk with written confirmation that they are acting as an Alternate Member for that Council Meeting;
- vi. Alternate Members shall receive a regular agenda on each Thursday preceding a Meeting day of Council. If no notice was provided, they shall receive a hard copy or electronic agenda at the time they attend the Council Meeting; and
- vii. Closed Meeting agendas, reports and minutes will be provided to the Alternate Member on paper and shall be returned at the end of the meeting.

(c) Meeting Administration

- i. The Alternate Member's powers and duties as a Member extend only to the time they are present at the Council Meeting;
- ii. Council Minutes shall note the absence of the incumbent Member and the attendance of an Alternate Member; and
- iii. Where both an Alternate Member and Member attend a Council Meeting, the Member shall assume their seat. The Alternate Member may attend as a spectator.

(d) Appointment of Alternate Member for a Period of Less Than One (1) Month

- i. If a person who is a Member of the council of a constituent municipality and a Member of County Council is unable to act as a Member of those councils for a period of less than one (1) month, the Council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of those councils;
- ii. An Alternate Member appointed at the discretion of a constituent municipality as contemplated by section 31 (d)(i) above shall not receive compensation from the County for any Meetings of Council they are required to attend in the absence of the Member but shall be paid mileage at the same rate established for the use of personal vehicles for County business and any other eligible "out of pocket" expense that may occur;
- iii. An Alternate Member shall not be eligible to be reimbursed for attendance at conventions, seminars or training;
- iv. An Alternate Member while acting in his or her capacity, shall be governed by all applicable policies of the County such as but not limited to this By-Law and Council Code of Conduct; and
- v. An Alternate Member shall have access to applicable support resources such as but not limited to the County's Integrity Commissioner.

(e) Appointment of Alternate Member for a Period Exceeding One (1) Month

- i. If a person who is a Member of the council of a constituent municipality and a Member of County Council is unable to act as a Member of those councils for a successive period exceeding one (1) month, the council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of those councils;
- ii. Upon notice of vacancy of a Member exceeding one (1) month, the Member's compensation and expense reimbursement eligibility will cease and will be provided to the Alternate Member so appointed in his or her place by the constituent municipality in the same manner;
- iii. An Alternate Member so appointed shall be eligible to be reimbursed for attendance at conventions, seminars or training;

- iv. An Alternate Member, while acting in this capacity, shall be governed by all applicable policies of the County such as but not limited to this By-Law and Council Code of Conduct; and
- v. An Alternate Member so appointed shall have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and applicable support resources such as but not limited to the County's Integrity Commissioner.

32. Member Vacancy

(a) Vacancy of Seat of Member of Council

- i. The Council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of Member Vacancy. The office of a Member of Council becomes vacant if the Member:
 - (a) becomes disqualified from holding the office of a Member of Council;
 - (b) fails to make the declaration of office before the deadline;
 - (c) is absent from the meetings of council for three (3) successive months without being authorized to do so by a resolution of Council;
 - (d) resigns from his or her office;
 - (e) is appointed or elected to fill any vacancy in any other office on the same council;
 - (f) has his or her office declared vacant in any judicial proceeding;
 - (g) forfeits his or her office under the Act or any other Act; or
 - (h) dies, whether before or after accepting office and making the prescribed declarations.
- ii. Seats declared vacant by a constituent municipality will be dealt with as outlined in the Act;
- iii. Upon notice of vacancy, the Member's compensation and expense reimbursement eligibility will cease and will be provided to the Alternate Member so appointed by the constituent municipality in the same manner;
- iv. An Alternate Member, so appointed shall be eligible to be reimbursed for attendance at conventions, seminars or training;
- v. An Alternate Member, while acting in this capacity, shall be governed by all applicable policies of the County such as but not limited to the Council Code of Conduct; and
- vi. An Alternate Member so appointed shall have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and applicable support resources such as but not limited to the County's Integrity Commissioner.

(b) Vacancy of Seat of Warden

- i. If the position of Warden is vacant, Council shall fill the vacancy by appointment in the same manner as Warden was originally appointed, as provided for in this By-Law.

(c) Pregnancy and Parental Leave

- i. The provisions of this sub-section applies to a Member of Council who is absent from Meetings of Council for at least three (3) consecutive months as a result of the Member's pregnancy, the birth of the Member's child, or the adoption of a child by the Member;
- ii. The office of a Member of Council shall not become vacant if a Member is absent for twenty (20) consecutive weeks or less when such absence is a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member;
- iii. Prior to the Member missing meetings of Council for three (3) consecutive months, a Member of Council shall provide a request for pregnancy and/or parental leave in writing to the CAO/Clerk;

- iv. If a Member wishes to seek a leave in excess of twenty (20) consecutive weeks, the Member shall request an extended leave, in writing to the CAO/Clerk, as soon as the need for an extended leave is known. If an extended leave is requested, the CAO/Clerk shall prepare a report for Council's consideration of the extended leave;
- v. Member on pregnancy or paternity leave is exempt from attending meetings of Council to which the Member has been appointed;
- vi. Members shall still receive all Council Agenda packages;
- vii. Any Member on pregnancy or paternity leave shall participate in events, conferences, committee meetings, constituent meetings or respond to communications at the level they determine, utilizing an out of office email feature to identify they are on leave, the level of service offered and an alternate contact if required;
- viii. Members of Council on pregnancy or paternity leave shall continue to receive all remuneration afforded to regular Members of Council; and
- ix. Members of Council on pregnancy or paternity leave shall continue to have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and staff support.

33. Administrative Authority of CAO/Clerk

- (a) The Clerk is authorized to amend By-Laws, Minutes and other Council and Committee documentation for technical, typographical or other administrative errors or omissions for the purpose of ensuring an accurate and complete record of proceedings.
- (b) Significant changes to By-Laws, Minutes and other Council and Committee documentation including a change in meaning, shall be presented to Council or the involved Committee for approval and adoption.

34. Organization of Committees

- (a) The Warden shall recommend and Council shall appoint representatives from within their membership to various Committees, Local Boards and Agencies at the first Meeting in December of each year.

35. Ad Hoc, Committee or Steering Committees

- (a) Council may at any time, on Motion of a Member duly considered and agreed to by a majority vote strike a Committee, Ad Hoc Committee and/or Steering Committee, as the case may be, which shall consider and report on any matter or to perform any special service within the spheres of jurisdiction of Elgin County, pursuant to the Act.

36. Restriction on Power of Members

- (a) No Member of Council shall have power to direct or interfere with the performance of any work of the County Corporation.

37. Repeal or Amendment of this By-Law

- (a) This By-Law is not to be amended or repealed except by a majority vote when all Members of Council are present.
- (b) No amendment or repeal of this By-Law is to be considered at any Meeting of Council unless Notice of the proposed amendment or repeal has been given at a previous regular Meeting of Council.

38. Convention Attendance

- (a) County Councillors shall be permitted to attend any convention or conference in accordance with the established convention policy, provided the said convention or conference is relevant to the business of the County, subject to a maximum allowance.

39. Public Record

- (a) All communications that the CAO/Clerk receives about a matter on the agenda of a public or open Meeting will form part of the public record. Personal information and opinions in

communications are part of the public record unless the author of the communication requests the removal of his or her personal information when submitting it or when otherwise confirmed by the CAO/Clerk.

40. General Provisions

- (a) The rules and regulations contained herein shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business in Council.
- (b) Notwithstanding that set forth in subsection (a) above, the rules and regulations contained herein may be suspended by vote of two-thirds of the whole Council and otherwise in any case for which provision is not made herein.
- (c) That all newly-elected Mayors and Deputy Mayors to become Members of Council to be invited to attend upon Council proceedings at a November Session immediately preceding the commencement of their terms of office.

41. Conflict with the Municipal Act

- (a) In cases where the Rules of Procedure contained in this By-Law conflict with the Act, the Act shall prevail.

42. Severability

- (a) Each provision of this By-Law is distinct and severable. If any provision of this By-Law, in whole or in part, is or becomes illegal, invalid, void, voidable or unenforceable in any jurisdiction by order of any court of competent jurisdiction, the illegality, invalidity or unenforceability of that section, in whole or in part, will not affect:
 - i. the legality, validity or enforceability of the remaining provisions of this By-Law, in whole or in part; or
 - ii. the legality, validity or enforceability of that section, in whole or in part, in any other jurisdiction.

ENACTED THIS 26th DAY OF NOVEMBER, 2019.

FROM: Julie Gonyou, Chief Administrative Officer

DATE: November 17, 2019

SUBJECT: Community Safety and Well-Being Plan Issuance of RFP

RECOMMENDATION:

THAT the report titled “Community Safety and Well-Being Plan Issuance of RFP” from the Chief Administrative Officer dated November 17, 2019 be received and filed.

PURPOSE:

The purpose of this report is to provide County Council with a copy of the Request for Proposal (RFP) 2019-40, drafted by the CAO, issued on November 18, 2019 seeking proposals from qualified Proponents to develop a Community Safety and Well-Being (CSWB) Plan in accordance with the *Police Services Act*. The RFP closes on December 9, 2019. Feedback on the RFP was gathered from the Town of Aylmer CAO and City of St. Thomas City Manager and necessary amendments were made prior to issuing the RFP.

BACKGROUND:

The City of St. Thomas, Town of Aylmer, County of Elgin, along with Police Services (City of St. Thomas Police, Town of Aylmer Police and Elgin Ontario Provincial Police) are leading a proactive and collaborative approach towards the development of a Community Safety and Well-Being (CSWB) Plan for our community, including the following municipalities:

- City of St. Thomas
- County of Elgin
- Town of Aylmer
- Municipality of Bayham
- Municipality of Central Elgin
- Municipality of Dutton-Dunwich
- Township of Southwold
- Township of Malahide
- Municipality of West Elgin

On January 1, 2019, new legislative amendments to the *Police Services Act*, 1990 came into effect which mandate municipalities to prepare and adopt CSWB Plans by January 1, 2021. Municipalities are required to work with community partners and carry out consultations during the planning process. CSWB Plans are to take a holistic approach to reduce harm and victimization for all members of the community and to decrease the upward trends in demand for, and costs of, incident responses.

CONCLUSION:

Engaging a consultant in the process of CSWB Planning for our community will ensure the anticipated project schedule which includes having a final draft CSWB Plan by the end of October 2020 is achievable.

The results of the RFP will be shared with Elgin County Council on December 12, 2019.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer



Community Safety and Well-Being Plan

REQUEST FOR PROPOSAL No. 2019-40

**Closing Date and Time:
December 10, 2019 at 3:00 p.m. (local time)**

Issue Date: November 18, 2019

Corporation of the County of Elgin
Financial Services
450 Sunset Drive
2nd Floor, Financial Services
St. Thomas, ON N5R 5V1

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Community Safety and Well-Being Coordinating Committee Terms of Reference Attached
Community Safety and Well-Being Advisory Committee Terms of Reference Attached

DEFINITIONS AND INTERPRETATIONS

The following definitions apply to the interpretation of the Request for Proposal Documents;

1. “Addenda or Addendum” means such further additions, deletions, modifications or other changes to any Request for Proposal Documents.
2. “Authorized Person” means;
 - i. For a Proponent who is an individual or sole proprietor that person.
 - ii. For a Proponent which is a partnership, any authorized partner of the Proponent.
 - iii. For a Proponent which is a corporation:
 - a) any officer or director of the corporation; and
 - b) any person whose name and signature has been entered on the document submitted with the Request for Proposal, as having been authorized to participate in the completion, correction, revision, execution, or withdrawal of the submission, whether that person is or is not an officer or director.
 - iv. For a Proponent that is a joint venture, the submission shall be signed by a person for and on behalf of each joint venture or, if they warrant that they have the authority vested in them to do so, one person so authorized may sign on behalf of all joint ventures.
3. “Collaboration” Individuals, agencies or organizations, working together for a common purpose; acknowledging shared responsibility for reaching consensus in the interest of mutual outcomes; contributing complementary capabilities; willing to learn from each other; and benefiting from diverse perspectives, methods and approaches to common problems.
4. “Community” refers to the citizens residing in City of St. Thomas, County of Elgin, Town of Aylmer, Municipality of Bayham, Municipality of Central Elgin, Municipality of Dutton Dunwich, Township of Malahide, Township of Southwold, and Municipality of West Elgin.
5. “Community Engagement” means the process of inviting, encouraging and supporting individuals, human services agencies, community-based organizations and government offices and services to collaborate in achieving community safety and well-being.
6. “Community Safety and Well-Being” means the ideal state of a sustainable community where everyone is safe, has a sense of belonging, opportunities to participate, and where individuals and families are able to meet their needs for education, health care, food, housing, income and social and cultural expression.
7. “Community Safety and Well-Being Planning” means multi-sector, collaborative efforts to identify local priority risks and implement evidence-based collaborative strategies to address these risks and increase protective factors that will make the community safer and healthier for all.

8. “County” refers to the Corporation of the County of Elgin and, for purposes of this Request for Proposal and in the event of singular reference to “County”, such reference, when context necessitates, implicitly include City of St. Thomas, Town of Aylmer, Municipality of Bayham, Municipality of Central Elgin, Municipality of Dutton Dunwich, Township of Southwold, Township of Malahide, and Municipality of West Elgin (collectively the “associated municipalities”).
9. “Designated Official” refers to the Purchasing Coordinator for the County of Elgin.
10. “Prevention” means proactively implementing evidence-based situational measures, policies, or programs to reduce locally-identified priority risks to community safety and well-being.
11. “Proposal” means the Response in the form prescribed by this Request for Proposal Document and completed and submitted by a Proponent in response to and in compliance with the Request for Proposal.
12. “Proponent” means the legal entity submitting a proposal.
13. “Request for Proposal (RFP)” means the document issued by the County in response to which Proponents are invited to submit a proposal that will result in the satisfaction of the County’s objectives in a cost-effective manner.
14. “Risk Factors” refers to negative characteristics or conditions in individuals, families, communities or society that may increase social disorder, crime or fear of crime, or the likelihood of harms or victimization to persons or property.
15. “Successful Proponent” means the Proponent whose proposal has been approved by the County.

SECTION 1.0 - INFORMATION TO PROPONENTS**1.1 Purpose****Purpose**

The City of St. Thomas, Town of Aylmer, County of Elgin, along with Police Services (City of St. Thomas Police, Town of Aylmer Police and Elgin Ontario Provincial Police) are leading a proactive and collaborative approach towards the development of a Community Safety and Well-Being (CSWB) Plan for our Community including the following municipalities:

- City of St. Thomas
- County of Elgin
- Town of Aylmer
- Municipality of Bayham
- Municipality of Central Elgin
- Municipality of Dutton-Dunwich
- Township of Southwold
- Township of Malahide
- Municipality of West Elgin

The purpose of this Request for Proposal is to solicit proposals from qualified Proponents to develop a Community Safety and Well Being (CSWB) Plan in accordance with the *Police Services Act* for the aforementioned municipalities.

The successful Proponent will possess the requisite technical skills to deal with the matters to be addressed in Section 2.3 “Scope of Services” and will be required to work directly with municipal staff, the public and other agencies in a professional manner. The firm, in addition to technical qualifications, must exhibit skills such as timeliness, diplomacy, tact, strong communication ability and an understanding of the City of St. Thomas, County of Elgin and Elgin County’s seven (7) partner municipalities.

1.2 Introduction and Background**Introduction**

On January 1, 2019, new legislative amendments to the *Police Services Act*, 1990 came into effect which mandate municipalities to prepare and adopt Community Safety and Well-Being (CSWB) Plans by January 1, 2021. Municipalities are required to work with community partners and carry out consultations during the planning process. CSWB plans are to take a holistic approach to reduce harm and victimization for all members of the community and to decrease the upward trends in demand for, and costs of, incident responses.

The benefits of creating a CSWB Plan are wide-ranging, and impact individuals, the broader community, and participating partner agencies and organizations:

- Enhanced communication and collaboration among sectors, agencies and organizations;
- Stronger families and improved opportunities for healthy child development;
- Healthier, more productive individuals that positively contribute to the community;
- Increased understanding of and focus on priority risks, vulnerable groups and neighbourhoods;
- Transformation of service delivery, including realignment of resources and responsibilities to better respond to priority risks and needs;
- Increased engagement of community groups, residents and the private sector in local initiatives and networks;
- Enhanced feelings of safety and being cared for, creating an environment that will encourage newcomers to the community;
- Increased awareness, coordination of and access to services for community members and vulnerable groups;
- More effective, seamless service delivery for individuals with complex needs;
- New opportunities to share multi-sectoral data and evidence to better understand the community through identifying trends, gaps, priorities and successes; and
- Reduced investment in and reliance on incident response.

CSWB planning is a collaborative process to ensure the people in need of help receive the right response, at the right time, and by the right service provider, including:

- Identify risk factors in the community such as systemic discrimination and other social factors; that contribute to crime, victimization, addiction, drug overdose, suicide, etc.;
- Identify which risk factors the community will treat as a priority;
- Identify strategies to reduce risk factors, including providing new services, changing services, improving integration and coordinating existing services in a different way; and
- Set out measurable outcomes.

Additional details on the legislation requirements for the planning process can be found here:

<https://www.mcscs.jus.gov.on.ca/english/Publications/MCSCSSOPanningFramework.html>.

Background

Elgin County is a two-tier government comprised of seven (7) incorporated lower-tier municipalities (partner municipalities). The City of St. Thomas is a separated City (single-tier government) located within the geographic boundaries of Elgin County. The total population of Elgin County and the City of St. Thomas is 88,978 (2016 Census).

Creating a safe, complete and healthy community represents a common goal for local municipalities and Community Safety and Well-Being Plans. The CSWB Plan will help to ensure that risks to community safety in areas such as mental health, addiction, homelessness and housing concerns are addressed without the use of emergency resources. By bringing a number of sectors together, we as a community,

will increase our understanding of local risk factors, ensuring those in need of help are receiving the appropriate response from the providers best suited to support them.

The CSWB Plan must fulfill the mandatory requirements of the *Police Services Act* for Community Safety and Well-Being Plans and ensure they are sufficiently flexible to allow each municipality to comply in a manner that best reflects its community, resources and existing working relationships with other stakeholders. The CSWB Plan must build on the levels of intervention for community safety and well-being that already exist in our Community. The CSWB Plan is intended to strengthen how we collaborate with our partners, police services and agencies on important issues that impact safety and well-being in our region.

1.3 **Proposal Format and Delivery**

Proponents are required to submit one (1) original hardcopy and one (1) electronic copy of their proposal in a sealed envelope as described in section 3.0.

All copies must be delivered to:

Corporation of the County of Elgin
c/o Financial Services, 2nd Floor
450 Sunset Drive
St. Thomas, ON, N5R 5V1

Proposals must be received no later than 3:00 p.m. on December 10, 2019. Proposals received at 3:00 p.m. as shown on the time stamp in the Financial Services Department are “on time” and will be accepted. Proposals received at 3:01 p.m. or later, as shown on the time stamp in the Financial Services Department will be considered late, will be rejected and returned unopened to the respective Proponent. The time stamp in Financial Services Department is the official time for the deadline for submission. No other clock or source of time will be recognized when considering the submission date and time of proposals to Financial Services.

All proposals shall be submitted in a sealed envelope as described in section 3.0 with the submission label as provided firmly affixed to the outside of the envelope or package. All envelopes or packages must have Proponent's name and address where indicated and envelopes must be sealed.

Proposals will be officially opened after the closing time. Only the names of those Proponents submitting a proposal will be read out at the public proposal opening. No prices are to be read out, however, only once the award is made and approved by Council, the report recommending such award shall be a matter of public record, unless otherwise determined by Council.

A Proponent may request that their proposal be withdrawn. Withdrawal shall only be allowed if the Proponent makes the request in writing and the request is delivered to the Designated Official before the RFP closing time. Proposals confirmed as withdrawn shall be returned unopened to the Proponent. The withdrawal of a proposal does not disqualify a Proponent from submitting another proposal prior to the closing time.

The County shall not be liable for any cost of preparation or presentation of proposals, and all proposals and accompanying documents submitted by the Proponent become the property of the County and will not be returned. There will be no payment to Proponents for work related to, and materials supplied in the preparation, presentation and evaluation of any proposal, nor for the Contract negotiations whether they are successful or unsuccessful.

The County, its elected officials, employees and agents shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained or suffered by any Proponent, prior or subsequent to, or by reason of the acceptance, or non-acceptance by the County of any proposal, or by reason of any delay in the acceptance of any proposal.

1.4 **Designated Official**

For the purpose of this contract Mike Hoogstra, Purchasing Coordinator for the County is the “Designated Official” and shall perform the following functions: releasing, recording, and receiving proposals, recording and checking of submissions; answering queries from perspective proponents, considering extensions of time, reviewing proposals received, ruling on those not completing meeting requirements and coordinating the evaluation of the responses.

1.5 **Questions / Inquiries**

All inquiries regarding this *RFP* shall be directed through the Bidding System online by clicking on the “Submit a Question” button for this bid opportunity. All questions shall be submitted in writing with ample time before the deadline for submissions. Questions submitted through the bidding system are directed to the Designated Official.

The deadline for submitting questions is December 3, 2019 at 12:00 p.m. (noon)

No clarification requests will be accepted by telephone. Responses to clarification requests will be provided to all interested parties. Inquiries must not be directed to other County employees or elected officials. Directing inquiries to other than the Designated Official may result in your submission being rejected.

1.6 **Addenda**

The Designated Official will issue changes to the RFP Documents, which may include amendments to the submission deadline or changes in the Scope of Work or Qualifications of Proponents, by addendum only. No other statement, whether oral or written, made by the County will amend the RFP Documents. The County will make every effort to issue all addenda no later than three (3) days prior to the closing date.

The Proponent shall not rely on any information or instructions from the County or a County Representative except the RFP Documents and any addenda issued pursuant to this Section.

The Proponent is solely responsible to ensure that it has received all addenda issued by the County. Proponents may in writing seek confirmation of the number of addendum/addenda issued under this RFP from the Designated Official.

All Proponents are advised that any Addenda issued will only be posted on the bidding system website: <https://elgincounty.bidsandtenders.ca>

It is the sole responsibility of each Proponent to check the website for any and all Addenda that have been issued for this RFP.

The Proponent shall acknowledge receipt of all addenda on the Form of Proposal – Declaration Form. Failure to complete the acknowledgement may result in rejection of the proposal.

1.7 **RFP Schedule of Events**

The RFP process will be governed according to the following schedule. Although every attempt will be made to meet all dates, the County reserves the right to modify or alter any or all dates at its sole discretion by notifying all Proponents in writing at the address indicated in the completed RFP submitted to the County.

Issue RFP:	November 18, 2019
Last Date for Questions:	December 3, 2019
RFP Close:	December 10, 2019

**Dates noted above are an approximation only and are subject to change.*

1.8 **Notice of No Response**

If you are unable, or do not wish to provide a proposal, please complete a notice of no response form in the bidding system. It is important to receive a reply from all Proponents.

SECTION 2.0 - TERMS OF REFERENCE**2.1 Overview**

Creating safe, complete and healthy communities represents a common goal for the City of St. Thomas, County of Elgin and Elgin's partner municipalities. CSWB Plans will help to ensure that risks to community safety in areas such as mental health, addiction, homelessness and housing concerns are addressed without the use of emergency resources.

Goals

The goals of the Community Safety and Well-Being Plan are to:

- Engage citizens, businesses, agencies and organizations in making Elgin-Aylmer-St. Thomas safer and healthier for all;
- Increase our understanding of local risk factors;
- Reduce demand for emergency response and acute care;
- Ensure individuals are receiving the right response at the right time by the right service provider; and
- Increase the reputation of our Community as a safe and healthy community in which to live, work and play.

Partners

The following municipalities will take a proactive and collaborative approach towards the development of a joint CSWB Plan:

- City of St. Thomas
- County of Elgin
- Town of Aylmer
- Municipality of Bayham
- Municipality of Central Elgin
- Municipality of Dutton-Dunwich
- Township of Southwold
- Township of Malahide
- Municipality of West Elgin

Municipal government, police services and the community will work together to proactively address crime, victimization and community safety by bringing together a number of sectors to increase our understanding of local risk, ensuring those in need of help are receiving the appropriate response from the providers best suited to support them.

Plan Flexibility

The CSWB Plan must build on the levels of intervention for community safety and well-being that already exist in our Community. The CSWB Plan is intended to strengthen how we collaborate with our partners, police services and agencies on important issues that impact safety and well-being in our region. The Community Safety and Well-Being Plan must be flexible enough to allow each municipality to comply with the legislated requirements of the *Police Services Act* while ensuring flexibility exists to best reflect localized interests within its community, resources and existing working relationships with other stakeholders.

Community and Partner Engagement

Community partners are essential to the CSWB process to provide insight and expertise into the identification of issues and solutions. It is fortunate that as many as 22 local group planning tables exist in our community and are actively working to address some of these issues. The Community Safety Plan and Well-Being Plan must highlight and build upon the work of these groups. The voices of those with lived experience is also an important aspect of the engagement process ensuring that it is carried out in a manner that is transparent, respectful and purposeful.

It is also required that consultation include outreach to members of the public including youth and members of racialized groups.

Data Analytics

The process of Community and Partner Engagement will be supported by data analytics that will aid the issue identification process and facilitate information sharing on key issues.

Advisory Committee and Coordinating Committee

In preparation of the CSWB Plan, Terms of Reference have been drafted for a multi-sectoral CSWB Plan Advisory Committee and Coordinating Committee and includes representation from the following sectors:

- Health and Mental Health Services
- Education Services
- Community and Social Services
- Community and Social Services to Children or Youth
- Custodial Services to Children or Youth
- Municipal Council Member or Municipal Employee
- Police Service Board or Detachment Commander

The Advisory Committee and Coordinating Committee have broad mandates to apply an interdisciplinary lens to known, emergency and anticipated community and system-level issues and will play an integral role in prioritizing and addressing issues and informing longer-term system planning priorities.

2.2 Consultants Services and Responsibilities

The Proponent shall be required to demonstrate their qualifications and experience. The Proponent shall demonstrate that they have the necessary foresight and ingenuity to approach this task with innovative ideas and is prepared to view the project from its broadest perspective to ensure that the end product is of the best long-term value to the Community.

The successful Proponent shall be one who can demonstrate the above criteria as well as showing the capability of successfully accomplishing projects on time and on budget.

At minimum, the consultant requires the following skill set:

- Experienced with program implementation processes, logic models, process mapping and evaluation;
- Experienced with both municipal service delivery as well as experience working with vulnerable sectors;
- Able to demonstrate clear methodology;
- Experienced with strategy development;
- Strong communication/facilitation and writing skills;
- An ability to adjust facilitation techniques to ensure the success of the process;
- Willing to address process issues with sensitivity towards all participants; and
- Be results oriented.

2.3 Scope of Services

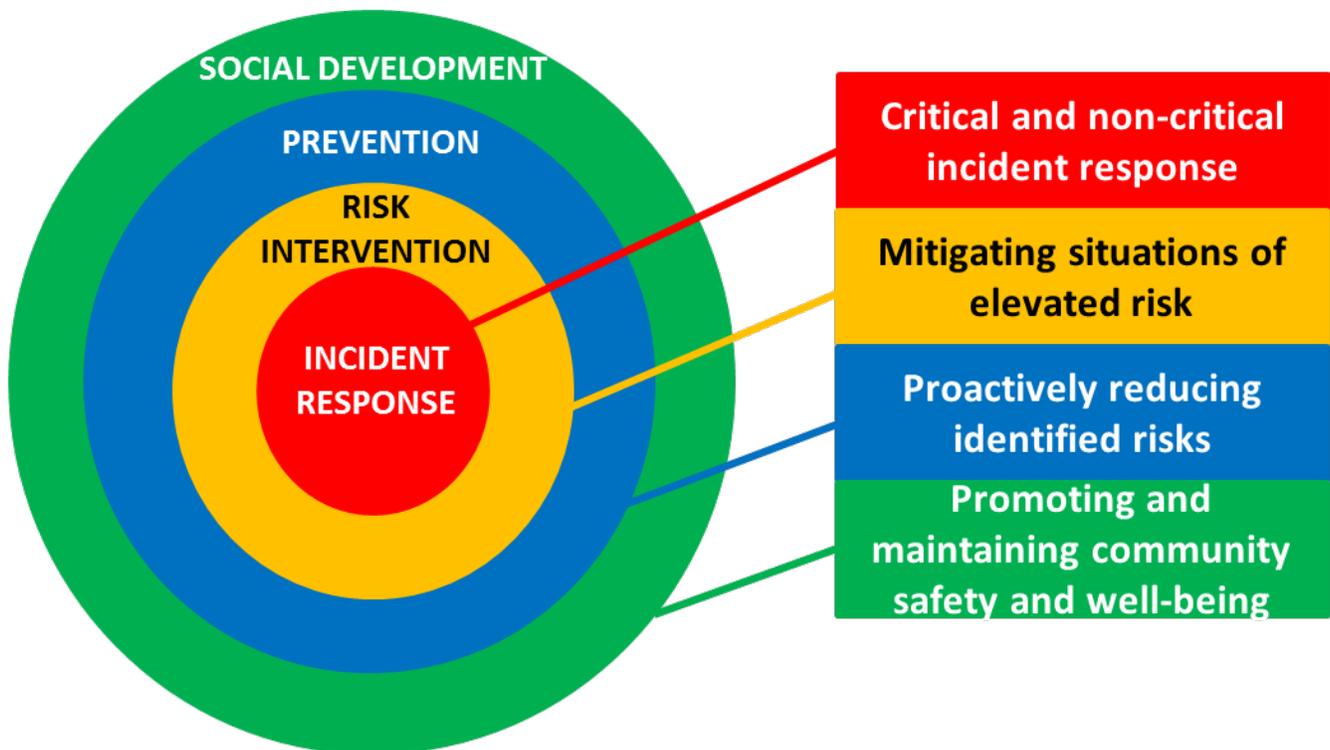
The Proponent will be required to:

- Support to all municipal Councils and staff to lead the CSWB Plan development process;
- Research and analyze community risks based on local data and anticipate issues and service gaps through enhanced data and knowledge sharing;
- Engage the community and other agencies in the CSWB planning process and gather feedback while ensuring a multi-sectoral buy-in while meeting legislative requirements;
 - This will include hosting up to three (3) Public Information Centres to gather feedback (East Elgin area, City/Central Elgin area and West Elgin area)
- Convene and facilitate meetings with leaders from organizations with system planning accountability and support the Coordinating Committee and Advisory Committee in their leadership roles and in identifying priorities, determining outcomes, selecting strategies, implementing the plan and evaluating performance;
 - Estimated number of meetings include bi-monthly meetings with the Advisory Committee – approximately five (5) meetings; and monthly meetings with the Coordinating Committee and/or Project Lead – approximately nine (9) meetings.
 - Up to three (3) facilitated sessions with a combination of representatives from the existing planning tables.

- Identify opportunities to align resources and efforts to collectively achieve impact on identified CSWB priorities;
- Use the CSWB Planning Framework (below) and establish a program logic model and develop evaluation tools;
- Develop a CSWB Plan which complies with the legislated requirements of the *Police Services Act* for partner municipalities that is customizable to suit local interests;
 - Present the draft CSWB Plan at one joint Elgin County / City Council meeting in September 2020.
 - Ensure the CSWB Plan delivers on the following objectives:
 - Identify priority risk factors (e.g. systemic discrimination, social factors that contribute to crime, victimization, addition drug overdose and suicide);
 - Identifying strategies to reduce the potential risk factors (e.g. developing new services, changing or coordinating existing services); and
 - Set measurable outcomes.
- Identify a critical path and methodology to ensure successful implementation of the CSWB Plan; and
- Provide regular written updates to the Coordinating Committee and Advisory Committee;
 - 10-12 brief updates throughout the 12-month contract detailing CSWB Plan progress.

CSWB Planning Framework

The Proponent must ensure the CSWB Plan focuses on the following CSWB Planning Framework:



(<https://www.mcscs.jus.gov.on.ca/english/Publications/MCSCSSOPanningFramework.html>)

The Proponent must ensure that everyone involved in the planning process understands the following four (4) areas to ensure local plans are as efficient and effective as possible in making communities safer and healthier:

1. Social Development;
2. Prevention;
3. Risk Intervention; and
4. Incident Response.

The Province has identified several critical success factors for a CSWB Plan and the Proponent must endeavor to incorporate the following into the CSWB Plan:

- Strength-based leveraging existing resources, program and services in the community;
- Risk-focused planning rather than incident-driven action;
- Awareness and understanding to ensure all community members understand the benefit of, and the role in, this planning process;
- High-level commitment is required from individuals of influence to champion this cause;
- Effective partnerships to create meaningful integrated relationships across multiple sectors;
- Evidence and evaluation to use research and data to inform the planning process; and
- Cultural responsiveness to effectively interact with, and respond to, the needs of diverse groups of people within the community.

2.4 Preliminary Project Schedule

The anticipated project schedule will be as follows:

Priority	Anticipated Dates & Activities
Research, planning and on-boarding	December – January 2020
Work with Coordinating Committee, Advisory Committee and local planning tables/groups to establish priorities	January – March 2020
Community Engagement (online and print survey & public engagement/information sessions)	April & May 2020
Develop draft CSWB Plan in collaboration with Coordinating Committee and Advisory Committee	June & July 2020
Draft CSWB Plan review by Coordinating Committee and Advisory Committee	August 2020
Presentation of Draft Plan	September 2020
Final Plan development	October 2020
Municipalities to seek Council approval for CSWB Plans	November 2, 2020* allows time for each Municipality to customize plan and ensure all municipal Councils have time to review and approve prior to deadline.
CSWB Plan distribution and posting	December 2020
CONTRACT TERM	Approximately 12 months

2.5 **Reporting Schedule**

The reporting schedule will be as follows:

- Monthly summary reports shall be provided by Proponent to Advisory Committee and Coordinating Committee.
- Draft CSWB Plan shall be presented to the Advisory Committee and Coordinating Committee in August 2020.
- Final CSWB Plan development no later than November 2, 2020.

2.6 **Deliverables**

The deliverables for this project are summarized below:

- Development of community engagement materials, surveys and presentation materials required as determined by the Coordinating Committee and Advisory Committee in partnership with the Proponent; and
- Development of draft and final Community Safety and Well-Being Plan.

2.7 **Information Provided by the County**

The County will supply the following items (attached):

- Approved Terms of Reference for the Advisory Committee and Coordinating Committee

SECTION 3.0 - PROPOSAL REQUIREMENTS

3.1 Proposal Submissions

All proposal submissions must be submitted in a **sealed envelope** with the submission label as provided by the County affixed firmly to the outside of the envelope with all details completed as required on the label. The term envelope shall have the same meaning as “package”.

Failure to include the submission requirements may result in your proposal being disqualified.

3.2 Proposal Submission Requirements

The proposal envelope shall contain **one (1) hard copy** of the proposal with original signature(s) and **one (1) electronic copy**.

The submission shall be no longer than fifteen (15) single sided pages (Arial 12 font or equivalent), excluding the Curricula Vitae. The proposal submissions must include at a minimum the following information and shall be submitted in the same sequence in order to be considered responsive.

a) **Section A: Overview**

A narrative demonstrating the firm’s understanding of the full scope of services, reasons why the Proponent is interested in taking on this project and its familiarity with the Community (City of St. Thomas, County of Elgin, Town of Aylmer, Municipality of Bayham, Municipality of Central Elgin, Municipality of Dutton Dunwich, Township of Malahide, Township of Southwold and Municipality of West Elgin).

b) **Section B: Implementation Plan / Work Program**

The Proponent shall provide a detailed work plan summarizing the approach and methodology for the specific tasks proposed. The work plan shall include resources necessary to meet the project objectives/scope of work/deliverables and shall indicate the tools and techniques that will be used to ensure the project remains on budget and schedule. The Proponent shall identify issues and risks associated with the project, including deviations to the project plan and how risks will be managed through the course of the project.

c) **Section C: Project Team – Own Personnel**

Identify the Project Team proposed for the assignment. For each member of the Project Team, confirm if the individual is a full-time, permanent employee of the Proponent and the estimated number of hours allocated to accomplish each task by staff person.

Provide a complete company profile including the resumes and relevant experience (while employed by the proponent) of the proposed project manager. Provide confirmation that the individuals that will serve as the key personnel for the duration of the project assignment are available to work on this project. Provide prime consultant contact info for the Project Manager’s last two completed projects.

d) **Section D: Project Team – Specialist Consultants**

Identify the other members of the Project Team proposed for the assignment. For each member of the Project Team, identify specific role/specialty, the individual responsible, and their specific experience as it pertains to this assignment.

Describe the organization of the Project Team. Demonstrate the experience and capability of the members of the Project Team. Provide resumes for all members of the project team clearly indicating that the personnel have experience in the provision of the Scope of Services; identification of the personnel's education qualifications, professional affiliations, years of experience in the field, and the number of years with the firm. It is important that your Project Team show a proven track record in designing and detailing similar facilities and show foresight in resolving problems before construction starts.

Provide confirmation that the individuals that will serve as the key personnel for the duration of the project assignment are available to immediately commence on this project.

e) **Section E: Project Schedule**

Provide a comprehensive project timeline / schedule in the form of a Gantt chart (or equal) which identifies the proposed scheduling of all major project tasks as identified in the Terms of Reference including scheduling of all milestones and any scheduling dependency relationships between activities, tasks and/or phases of the project. Indicate any possible areas that have flexibility to provide time and cost savings.

f) **Section F: Client References**

Provide at least three (3) references the County may contact. References should be from sources of similar project experience relevant to the requirements of this project and include projects where various timelines and schedules were managed simultaneously and the timeline and budget were met to deliver a successful project. Where the budget and timeline were not met, include details regarding the challenges faced and the workarounds utilized in order to complete the project.

g) **Section G: Pricing / Fees**

Provide a breakdown of fees to be charged including meeting costs and all hourly and/or daily rates by individual. In addition, the response must include an upset limit which will be the maximum to be charged for project. Hourly/daily rates will be considered firm for a period of 12 months after the contract is signed.

Fees for incidental disbursements such as mileage, photocopying, etc. must be clearly indicated. Proponents must also state the distance upon which mileage claims would be expensed. Meals are not an allowable expense.

Your proposal must clearly state which services are not included in your financial proposal.

The total estimated cost including disbursements for the work proposed shall be considered in the upset limit. Fees & expenses shall not include contingencies or HST.

h) Form of Proposal - Declaration

Include a signed and completed copy of the Form of Proposal – Declaration.

Failure to sign and return this form will result in non-acceptance of your submission.

3.3 Evaluation Process

Each proposal will be evaluated on its clarity and the demonstrated understanding of the Project requirements, the services proposed and timeframes, as well as the proponent’s experience and the anticipated benefit to the County. A short list of firms may be created for purposes of an interview or presentation, should this be required. Proponents may be contacted to explain or clarify their proposals; however, they will not be permitted to alter information as submitted.

An Evaluation Committee will be established from members of the County or any others as deemed necessary.

Proposals will be evaluated on the basis of all information provided by the Proponent. Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFP. Failure to comply with these requirements may deem the proposal non-responsive.

Selection of a proposal will be based on (but not solely limited to) the following criteria and any other relevant information provided by the Proponent at the time of submission as well as any additional information provided during subsequent meetings with the Proponent.

In recognition of the importance of the procedure by which a Proponent may be selected, the following criterion outlines the primary considerations to be used in the evaluation and consequent awarding of this project (not in any order). The County reserves the right to evaluate and rank each submission using criterion noted. Actual scores will be confidential.

The County reserves the right to request confidential references for any of the proponent's projects listed, as well as any of the proponent’s other projects, and factor the ratings from all references, whether completed or in progress.

3.4 Evaluation Criteria

Proposals will be evaluated based on the following weighted evaluation factors:

Rated Criteria	Maximum Weight Points
Previous experience on similar projects	20
Proponent Capabilities and Experience	20
Submission Content	10
Evidence of budget and schedule control	10

References	10
Fees / Pricing / Total Overall Cost	30
TOTAL SCORE:	100

3.5 Ratings

For consistency, the following table describes the characteristics attributable to particular scores between 0-10.

0	Unacceptable	Did not submit information
1-2	Very Unsatisfactory	Very poor to unsatisfactory
3	Unsatisfactory	Minimally addresses some, but not all of the requirement of the criteria. Lacking in critical areas
4	Somewhat Unsatisfactory	Addresses most of the requirements of the criteria to the minimum acceptable level. Lacking in critical areas.
5	Somewhat Satisfactory	Addresses most, but not all, of the requirements of the criteria to the minimum acceptable level. May be lacking in some areas that are not critical.
6	Satisfactory	Adequately meets most of the requirements of the criteria. May be lacking in some areas that are not critical.
7	Good	Meets all requirements of the criteria.
8	Very Good	Somewhat exceeds the requirements of the criteria.
9	Excellent	Exceeds the requirements of the criteria in ways that are beneficial.
10	Outstanding	Proposal exceeds the requirements of the criteria in superlative ways / very desirable.

The lowest fee proposed shall be awarded the full amount of points available for the fee portion of the evaluation. All higher fees proposed shall be awarded points, rounded to the closest full point for the fee portion of the evaluation by the following:

$$\text{Lowest Fee} \div \text{Proposed Fee} \times \text{Maximum Points} = \text{Total Cost Points.}$$

It should be emphasized that pricing is only one of the factors being considered in determining the most suitable Consultant.

In submitting a proposal, the Proponent acknowledges the County's right to accept other than the lowest priced proposal and expressly waives all rights for damages or redress as may exist in common law

stemming from the County’s decision to accept a proposal which is not the lowest price proposal, if it is deemed to be in the County’s best interest to do so. All qualified proposal submissions will be reviewed and evaluated. Additional information may be requested if necessary.

Only the proposal response and Curricula Vitae requested will be evaluated. Proponents must include all relevant information in the required fifteen (15) page limit restriction.

3.6 Presentation and Interview

The County may have the two highest scoring Proponents attend an interview to present the evaluation team with additional insight into the Proponent’s ability to meet the requirements as requested in the RFP. The County reserves the right to interview more or fewer than two Proponents based on the scoring results. Note- If the Owner elects to interview short listed proponents, the proposed Project Manager is required to attend.

The interviews would be conducted by the representatives of the Evaluation Committee at the County Administration Building, 450 Sunset Drive, St. Thomas, Ontario N5R 5V1. Senior staff members to be assigned to this project must be in attendance at the interview.

Presentations shall follow this general format:

- Introduction of Proponents Project Team (5 minutes)
- Proponent Presentation of the Proposal (15 minutes)
- Questions from Interview Committee (10 minutes)
- Questions from Proponents (5 minutes)

The Proponents will be notified of the final format and exact date and time for interviews / presentations in advance.

For the interview portion of the evaluation (if required), the County will be using the rating criteria shown below and will evaluate each short-listed Proponent only.

Interview Criteria and Weighting (Second Stage if required):

Criteria Category	Weighted Points
Presentation	25
Response to Questions	10
Total Weighted Points	35

The score from the proposal evaluations and the Interview will be combined to determine an overall score.

SECTION 4.0 - GENERAL CONDITIONS

4.1 Rights of the County

(Note: Reference to the “County” in this section implicitly includes all associated municipalities – See Definitions)

The County is not liable for any costs incurred by the Proponent in the preparation of their response to the RFP or selection interviews, if required. Furthermore, the County shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained or suffered by any Proponent, prior or subsequent to, or by reason of the acceptance, or non-acceptance by the County of any proposal or by reason of any delay in the award of the contract.

The County reserves the right to accept any proposal, in whole or in part, that it feels most fully meets the selection criteria. Therefore, the lowest cost proposal, or any proposal may not necessarily be accepted. County staff shall evaluate all compliant proposals received by the closing time and make evaluations and recommendations for acceptance.

The County reserves the right to request specific requirements not adequately covered in their initial submission and clarify information contained in the Request for Proposal.

The County reserves the right to modify any and all requirements stated in the Request for Proposal at any time prior to the possible awarding of the contract.

The County reserves the right to cancel this Request for Proposal at any time, without penalty or cost to the County. This Request for Proposal should not be considered a commitment by the County to enter into any contract.

The County reserves the right to enter into negotiations with the selected Proponent. If these negotiations are not successfully concluded, the County reserves the right to begin negotiations with the next selected Proponent.

Proposals shall remain open and subject to acceptance for a period of ninety (90) days from closing date.

In the event of any disagreement between the County and the Proponent regarding the interpretation of the provisions of the Request for Proposal, the Director of Financial Services or an individual acting in that capacity, shall make the final determination as to interpretation.

No proposal shall be accepted from any person or Proponent who, has a claim or has instituted a legal proceeding against the County or against whom the County has a claim or has instituted a legal proceeding, without the prior approval of County Council. This applies whether the legal proceeding is related or unrelated to the subject matter of this RFP.

4.2 **Conflict of Interest**

The Proponent declares that no person, firm or corporation with whom or which the Proponent has an interest, has any interest in this RFP or in the proposed contract for which this proposal is made. The Proponent further declares that no member of the Council of the County or any associated municipality and no officer or employee of the County or any associated municipality will become interested directly or indirectly as a contracting party, partner, shareholder, surety, or otherwise in or in the performance of the Contract or in the supplies, work or business to which it relates, or in any portion of the profits thereof, or in any of the money to be derived there from.

Should the Proponent feel that a conflict of interest or potential conflict of interest exists; the Proponent must disclose this information to the County prior to the submission of a proposal. The County of Elgin may, at its discretion, delay any evaluation or award until the matter is resolved to the satisfaction of the County, the County may allow a conflict of interest or potential conflict of interest to exist if it is satisfied that there are adequate safeguards in place and if the County determines that it is in its best interests to do so.

The County reserves the right to disqualify a proposal where the County believes a conflict of interest or potential conflict of interest exists.

4.3 **Modified Proposals**

In the event that a preferred proposal does not entirely meet the requirements of the County, the County reserves the right to enter into negotiations with the selected Proponent, to arrive at a mutually satisfactory arrangement and to make any modifications to the proposal as are in the best interests of the County.

4.4 **Disqualification of Proponents**

More than one proposal from an individual firm, partnership, corporation or association under the same or different names will not be considered. Collusion between Proponents will be sufficient for rejection of any proposals so affected.

4.5 **Confidentiality**

The proposal must not be restricted by any statement, covering letter or alteration by the Proponent in respect of confidential or proprietary information. The County will treat all proposals as confidential. The County will comply with the Municipal Freedom of Information and Protection of Privacy Act, and its retention by-law pursuant to the Municipal Act, in respect of all proposals. All Public Reports approved by the Council of the County will become public information.

4.6 **Proposal Assignments**

The successful Proponent will not be permitted to assign or transfer any portion of the proposal as submitted or the subsequent agreement without prior written approval from the County.

4.7 **Purchasing Policy**

Submissions will be solicited, received, evaluated, accepted and processed in accordance with the County's Purchasing Policy as amended from time to time. In submitting a proposal in response to this RFP, the Proponent agrees and acknowledges that it has read and will be bound by the terms and conditions of the County's Purchasing By-law. The Purchasing By-Law can be viewed on the County's website, www.elgincounty.ca

4.8 **Failure to Perform**

Failure to comply with all terms and conditions of this proposal, and failure to supply all documentation, as required herein, shall be just cause for cancellation of the award. The County shall then have the right to award this contract to any other Proponent or to re-issue this RFP.

4.9 **Agreement**

A written agreement, prepared by the County shall be executed by the County and the successful Consultant. The complete proposal package submitted by the successful proponent, together with the entire Request for Proposal documents prepared by the County, shall form part of the Agreement (see attached sample of agreement in Appendix A).

4.10 **Insurance Requirements**

Any agreement resulting from this RFP will contain at a minimum the following insurance requirements:

- a) Comprehensive general liability insurance including bodily injury and property damage liability, personal injury liability, completed operations liability, blanket contractual liability with a severability of interest and cross liability clause to a limit of no less than five million (\$ 5,000,000) dollars in respect to any one occurrence. The above-mentioned policy shall be endorsed to include the County, and any associated municipality as an Additional Insureds.
- b) Non-owned Automobile liability policy to a limit of no less than two million (\$2,000,000) dollars.
- c) Professional Liability insurance covering all activities as described in the Proponent's proposal to a limit of no less than two million (\$2,000,000) per claim and in the aggregate.
- d) The aforementioned policies of insurance shall contain or shall be subject to the following terms and conditions:
 - be written with an insurer licensed to do business in Ontario;
 - be non-contributing with, and will apply only as primary and not excess to any other insurance or self-insurance available to the County;
 - contain an undertaking by the insurer to notify the County in writing not less than sixty (60) days before any material change in risk or cancellation of coverage.
 - any deductible amounts shall be borne by the Proponent.

- The Proponent shall provide proof of insurance upon execution of the Agreement. Proof of insurance shall be in the form of Certificates of Insurance, in form and detail satisfactory to the County, signed by an authorized representative of the insurer. The Proponent will make available the complete original copies of all applicable insurance policies for examination if required by the County.
- Certificates of Insurance evidencing renewal or replacement of policies shall be delivered to the County within fifteen (15) business days prior to the expiration or replacement of the current policies, without demand by the County.

4.11 **Indemnification**

The successful Proponent shall indemnify and hold harmless the County and any associated municipality, including all respective officers, Councillors, Employees and volunteers from and against any liabilities, claims, expenses, demands, loss, cost, damages, suits or proceedings by whomsoever made, directly or indirectly arising directly or indirectly by reason of a requirements of this agreement save and except for damage caused by the negligence of the County and any associated municipality or any employees.

4.12 **Compliance with the Accessibility for Ontario with Disabilities Act 2005**

The Proponent shall ensure that all its employees and agents receive training regarding accessibility as outlined in the Accessible Customer Service Standard (Ontario Regulation 429/07) and the Integrated Accessibility Standards Regulation (Ontario Regulation 191/11). The Proponent is responsible to ensure that all of its employees, volunteers and others for which the Proponent is responsible are adequately trained.

In accordance with the *Accessibility for Ontarians with Disabilities Act, 2005 Integrated Accessibility Standards*, the County requires content created for the municipality that is to be posted on our website to be provided in a format which is compliant with WCAG 2.0 Level AA requirements. As required under Section 14 of the regulation, any content published on our website after January 1, 2012 needs to be compliant with the WCAG requirements by the timelines set out in the Act. It is the successful Proponent's responsibility to produce the required documents in an accessible format. Inaccessible documents will not be accepted or posted on our website.

4.13 **Disqualification**

The County may, in its sole discretion, disqualify a proposal or cancel its decision to make an award under this RFP, at any time prior to the execution of the Agreement by the county, if,

- the Proponent fails to cooperate in any attempt by the County to verify any information provided by the Proponent in its proposal;
- the Proponent contravenes one proposal per Person or Entity;
- the Proponent fails to comply with the laws of Ontario or of Canada, as applicable;
- the Proposal contains false or misleading information;
- the Proposal, in the opinion of the County, reveals a material conflict of interest;
- the Proponent misrepresents any information contained in its proposal.

4.14 **Record and Reputation**

Without limiting or restricting any other right or privilege of the County and regardless of whether or not a proposal or a Proponent otherwise satisfies the requirements of this RFP, the County may disqualify any proposal from any Proponent, where;

- In the opinion of the County Solicitor or the Purchasing Coordinator for the County, the commercial relationship between the County and the Proponent has been impaired by the prior and/or current act(s) or omission(s) of each Proponent, including but not limited to:
 - a) Litigation with the County;
 - b) The failure of the Proponent to pay, in full, all outstanding accounts due to the County by the Proponent after the County has made demand for payment;
 - c) The refusal to follow reasonable directions of the County or to cure a default under a contract with the County as and when required by the County or its representatives;
 - d) The Proponent has previously refused to enter into an Agreement with the County after the Proponent's proposal was accepted by the County;
 - e) The Proponent has previously refused to perform or to complete performance of contracted work with the County after the Proponent was awarded the contract;
 - f) Act(s) or omission(s) of the Proponent has resulted in a claim by the County under a bid bond, a performance bond, a warranty bond or any other security required to be submitted by the Proponent on an RFP within the previous five years.
- In the opinion of Elgin County, by its Chief Administrative Officer, or their designate, and following consultation and/or input from the associated municipalities there are reasonable grounds to believe that it would not be in the best interests of the County to enter into an Agreement with the Proponent, for reasons including but not limited to the conviction or finding of liability of or against the Proponent or its officers or directors and any associated entities under any taxation legislation in Canada, any criminal or civil law relating to fraud, theft, extortion, threatening, influence peddling and fraudulent misrepresentation, the Environmental Protection Act or corresponding legislation in other jurisdictions, any law regarding occupational health or safety or the Securities Act or related legislation.

4.15 **Proponent's Costs**

The Proponent shall bear all costs and expenses incurred by the Proponent relating to any aspect of its participation in this RFP process, including all costs and expenses related to the Proponent's involvement in;

- the preparation, presentation and submission of its proposal;
- the Proponent's attendance at the Proponent's meeting;
- due diligence and information gathering processes;
- site visits and interviews;
- preparation of responses to questions or requests for clarification from the County;
- preparation of the Proponent's own questions during the clarification process; and,
- agreement discussions.

The County is not liable to pay such costs and expenses or to reimburse or compensate a Proponent under any circumstances, regardless of the conduct or outcome of the RFP Process, including the rejection of all proposals or the cancellation of the RFP, and including any negligence of the County in the conduct of the RFP process.

4.16 **Legal Matters and Rights of the County**

This RFP is not an offer to enter into either a bidding contract (often referred to as “Contract A”) or a contract to carry out the project (often referred to as “Contract B”). Neither this RFP nor the submission of a proposal by a Proponent shall create any contractual rights or obligations whatsoever on either the Proponent or the County.

The County may at its sole discretion change or discontinue this RFP process at any time whatsoever. The County may in its sole discretion enter into negotiations with any person, whether or not that person is a Proponent or a Short-Listed Proponent with respect to the work that is the subject of this RFP.

The County may at its sole discretion decline to evaluate any proposal that in the County’s opinion is incomplete, obscure or does not contain sufficient information to carry out a reasonable evaluation.

Without limiting the generality of the RFP, the County may at its sole discretion and at any time during the RFP process;

- reject any or all of the Proposals;
- accept any Proposal;
- if only one Proposal is received, elect to accept or reject it;
- elect not to proceed with the RFP;
- alter the timetable, the RFP process or any other aspect of this RFP; and
- cancel this RFP and subsequently advertise or call for new Proposals for the subject matter of this RFP.

In addition to and notwithstanding any other term of this RFP, the County shall not be liable for any damages resulting from any claim or cause of action, whether based upon an action or claim in contract, warranty, equity negligence, intended conduct or otherwise, including any action or claim arising from the acts or omissions, negligent or otherwise of the County and including any claim for direct, indirect or consequential damages, including but not limited to damages for loss of profit, loss of reputation, injury to property and bodily injury that results from the Proponents’ participation in the RFP process, including but not limited to;

- the disclosure of a Proponent’s confidential information;
- the costs of preparation of a Proponents Proposal, whether it is accepted, disqualified or rejected;
- any delays, or any costs associated with such delays, in the RFP process;
- any errors in any information supplied by the County to the Proponents;
- the cancellation of the RFP; and

- the award of the contract to a Proponent other than the Proponent recommended by the Proposal Review Committee.

4.17 **Human Rights, Harassment and Occupational Health and Safety**

The Proponent shall be required to comply with the County's policies regarding Human Rights, Harassment in the Workplace and Occupational Health and Safety.

4.18 **Clarification**

The County may require the Proponent to clarify the contents of its proposal, including by the submission of supplementary documentation, or seek a Proponent's acknowledgement of the County's interpretation of the Proponent's proposal.

The County is not obliged to seek clarification of any aspect of a proposal.

4.19 **Supplementary Information**

The County may, in its sole discretion, request any supplementary information whatsoever from a Proponent after the submission deadline including information that the Proponent could or should have submitted in its proposal prior to the submission deadline. The County is not obliged to request supplementary information from a Proponent.

4.20 **Default / Non-Performance**

The County will reserve the right to determine "non-performance" or "poor quality" of service and further reserves the right to cancel any or all of this contract at any time should the Proponent's performance not meet the terms and conditions of the RFP upon 30 days written notification to the Proponent.

"Non-performance" shall mean the failure to meet the complete terms and conditions of this Contract including, but not limited to, the response time. In the event of such cancellation, the County retains the right to claim damages as a result of such default.

If the County terminates the Contract, it is entitled to:

- a) withhold any further payment to the Proponent until the completion of the work and the expiry of all obligations under the Contract; and
- b) recover from the Proponent any loss, damage and expense incurred by the County by reason of the default (which may be deducted from any monies due or becoming due to the Proponent).



SECTION 5.0 - FORM OF PROPOSAL

DECLARATION

I/We the undersigned authorized signing officer of the Proponent, HEREBY DECLARE that no person, firm or Corporation other than the one represented by the signature (or signatures) of proper officers as provided below, has any interest in the proposal.

I/We further declare that all statements, schedules and other information provided in this proposal are true, complete and accurate in all respects to the best knowledge and belief of the Proponent.

I/We declare that this proposal is made without connection, knowledge, comparison of figures or arrangement with any other company, firm or persons making a proposal and is in all respects fair and without collusion for fraud.

I/We further declare that no employee of the County is or will become interested, directly or indirectly as a contracting party or otherwise in the supplies, work or business to which it relates or in any portion of the profits thereof, or in any such supplies to be therein or in any of the monies to be derived there from.

I/We further declare that the undersigned is empowered by the Proponent to negotiate all matters with the County or its representatives, relative to this proposal.

I/We further declare that the agent listed below is hereby authorized by the Proponent to submit this proposal and is authorized to negotiate on behalf of the Proponent.

I/We further agree in submitting this proposal, we recognize the County may accept any proposal in whole or in part, or elect to reject all proposals.

ACKNOWLEDGEMENT OF ADDENDA

I/We have received and allowed for **ADDENDA NUMBER** _____ in preparing my/our proposal.
Insert #'s or "none"

Company Name

Signature

Print Name

NOTE: Failure to sign this page and return with your submission in the sealed envelope will result in non-acceptance of your submission.

APPENDIX A – SAMPLE AGREEMENT

THIS AGREEMENT made in duplicate this _____ day of _____ 2019.

- BETWEEN -

CORPORATION OF THE COUNTY OF ELGIN
450 Sunset Drive, St. Thomas, Ontario N5R 5V1

Hereinafter called the "County" (of the first part)

- AND -

< **CONSULTANT NAME** >

Address

Hereinafter called the "Consultant" (of the second part)

WHEREAS on **(date)**, the County, on its own behalf and on behalf of associated municipalities as described below, issued Request for Proposal # **(insert number)** *(if applicable)* and **Addendum # (insert number)** **dated (date)** for **(enter the description of work)** (the "RFP");

AND WHEREAS on **(enter date of Consultant's proposal)** the Consultant submitted a proposal in response to the RFP (the "proposal");

AND WHEREAS the County, on its own behalf, wishes to enter into an agreement with the Consultant for the services, as more particularly described in the RFP and the proposal, attached hereto as Schedule "A" and forming part of this Agreement (the "Services");

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration, the sufficiency whereof is acknowledged hereby by the parties, the parties hereto agree with each other as follows:

1. For purposes of this Agreement:

"Associated Municipalities" or "associated municipalities" collectively refers to the City of St. Thomas, Town of Aylmer, Municipality of Bayham, Municipality of Central Elgin, Municipality of Dutton Dunwich, Township of Southwold, Township of Malahide, and Municipality of West Elgin

"County" refers to the Corporation of the County of Elgin.

2. The Consultant shall provide the Services pursuant to all the terms and specifications set out in Schedule "A". If there should be any conflict between the provisions of this Agreement and the provisions of Schedule "A", the provisions of this Agreement shall prevail.

3. The term of this Agreement shall commence _____.
4. If either party, acting reasonably, determines that the other party has failed to perform its obligations pursuant to this Agreement, then such party may terminate this Agreement upon giving at least thirty (30) days' written notice to the other party.
5. The Consultant shall indemnify and save harmless the County and all associated municipalities, their elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest, or damages of every nature and kind whatsoever arising out of the negligence, errors, omissions, fraud or willful misconduct of the Consultant its officers, employees, agents and sub-consultants, or any of them, attributable to or connected with the performance, non-performance or purported performance of the Consultant obligations pursuant to this Agreement, except to the extent that same is attributable or caused by the negligence of the County and/or the associated municipalities, including their officers, employees and agents, or any of them. Further, this indemnity shall survive the expiration or early termination of this Agreement and continue in full force and effect.
6. This Agreement together with its schedule constitutes the entire understanding between the parties. Any change, addition to, or waiver of the terms hereof must be specifically agreed upon, in writing, and signed by both parties. Failure on the part of either party to insist upon the strict observance of any of the terms and/or conditions herein shall not operate as a waiver of such party's right to require the future observance of any such terms or conditions.
7. This Agreement shall not be assigned, in whole or in part, by either party hereto without the prior written consent of the other party. This Agreement, all its covenants, promises and conditions shall ensure to the benefit of and be binding upon the parties hereto and their respective permitted successors and assigns.
8. Either party may terminate this Agreement at any time, without notice, for just cause which shall include, without limitation, dishonesty, fraud, willful deceit or failure to properly fulfill the obligations hereunder where such failure is not remedied within ten (10) days after notice of same is given.

(Balance of page left blank intentionally)



REQUEST FOR PROPOSAL NO. 2019-40
Community Safety and Well-Being Plan

9. This Agreement shall be construed and interpreted in accordance with the laws of the Province of Ontario, Canada.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement.

DATE

“Consultant’s name
Per: _____
Name: _____
Position: _____
I have the authority to bind the corporation”

DATE

“Corporation of the County of Elgin
Per: _____
Name: Julie Gonyou
Position: Chief Administrative Officer

Per: _____
Name: Duncan McPhail
Position: Warden
We have the authority to bind the corporation”

RETURN ADDRESS LABEL

Place this label on the front of the sealed envelope containing your proposal.

FROM:

Contact:



DELIVER PROPOSAL TO:

**County of Elgin
450 Sunset Drive
2nd Floor, Financial Services
St. Thomas, ON N5R 5V1
Attn: Mike Hoogstra, Purchasing Coordinator**

RFP No.: 2019-40
Description: Community Safety and Well-Being Plan
Closing Date: December 10, 2019 @ 3:00 p.m. (local time)

Late proposals will NOT be accepted!

Elgin-Aylmer-St. Thomas Community Safety and Well-Being Planning



COORDINATING COMMITTEE

Terms of Reference

Context

The Government of Ontario has demonstrated its commitment to supporting communities through the development of the Provincial Approach to Community Safety and Well-Being (Provincial Approach), and this work will continue under the Strategy for a Safer Ontario (Strategy).

As a result, the Province of Ontario's Bill 175, *Safer Ontario Act (2018)*, mandates that:

- The Council of every municipality shall prepare and, by resolution, adopt a community safety and well-being plan;
- Municipal Council.... shall establish an advisory committee.

Purpose

The purpose of the Coordinating Committee is to engage the municipalities in a collaborative initiative to develop a Community Safety and Well-Being Plan for all of Elgin County and the City of St. Thomas as per the Municipal mandate for same in Provincial Bill 175 (*Safer Ontario Act*). The Plan will represent Elgin County, the Town of Aylmer and the City of St. Thomas as a whole, but will reflect local needs and nuances specific to the respective Municipalities as appropriate.

Coordinating Committee Composition

- Municipal Representation
 - 2 members of City of St. Thomas Council
 - 2 members of Elgin County Council (including Mayor of Town of Aylmer)
- Police Representation
 - Elgin Ontario Provincial Police (OPP) Detachment Commander (or designate)
 - Town of Aylmer Police Chief (or designate)
 - City of St. Thomas Police Chief (or designate)
- Police Services Board Representation
 - Town of Aylmer, City of St. Thomas, Elgin Group
- Municipal Representation
 - City of St. Thomas (City Manager or designate), Town of Aylmer (Chief Administrative Officer or designate)
 - Other municipal staff as required
- CSWB Coordinator (Elgin County Chief Administrative Officer)
- Recording Secretary (Elgin County)

General Responsibilities of Coordinating Committee Membership

Note: Administrative function will be the responsibility of the CSWB Coordinator

- Directing and responding to the work of the Advisory Committee
- Participating on the Advisory Committee (ad hoc)
- Planning community engagement sessions (ad hoc)
- Ensuring the Advisory Committee recommendations are reviewed and evaluated
- Building on and/or establishing strong working partnerships with community members and organizations that can facilitate and enable effective community safety and well-being planning
- Receiving and responding to the requests for information about the CSWB Plan
- Assessing and determining from the information and data sources what the data will be used for, what is public facing and what is for internal use only
- Ensuring the plan is made publicly available
- Reporting back to the respective Council(s) and advocating for support for the Plan

Characteristics of the Coordinating Committee Members

Members shall understand and support the CSWB purposes and processes mandated by Bill 175.

Executive Function

- Understanding and supporting the purposes and processes mandated by Bill 175
- Guiding, facilitating and enabling all steps, measures and actions required to create and recommend for Municipal Councils' approvals, an Elgin-Aylmer-St. Thomas Community Safety and Well-Being Plan
- Providing to Municipal Councils timely reports on the status, and recommendations on the decisions required to support development of the Elgin-St. Thomas Community Safety and Well-Being Plan
- Soliciting advice from the Advisory Committee and channeling that advice into the planning process and products that go before Municipal Councils for approval

Decision Making

The Coordinating Committee will make its decisions via consensus

Coordinating Committee Chair

The CSWB Plan Coordinator

Role and Responsibility of the Chair

- Chair committee meetings;
- Prepare agendas;
- Act as liaison between the Coordinating Committee and the Advisory Committee; and
- Facilitate work towards fulfillment of the mandate and development of the CSWB Plan for Elgin-Aylmer-St. Thomas.

Date Approved: _____

Revision Date(s): _____

Elgin-Aylmer-St. Thomas Community Safety and Well-Being Planning



ADVISORY COMMITTEE

Terms of Reference

Context

The Government of Ontario has demonstrated its commitment to supporting communities through the development of the Provincial Approach to Community Safety and Well-Being (Provincial Approach), and this work will continue under the Strategy for a Safer Ontario (Strategy).

As a result, the Province of Ontario's Bill 175, *Safer Ontario Act (2018)*, mandates that:

- The Council of every municipality shall prepare and, by resolution, adopt a community safety and well-being plan;
- Municipal Council.... shall establish an advisory committee.

Purpose

The purpose of the Advisory Committee is to advise and inform the Coordinating Committee as they examine the County of Elgin, Town of Aylmer and City of St. Thomas' principle risk factors, vulnerable groups and protective factors needed to reduce harms and enhance safety and well-being for all residents in the County of Elgin, Town of Aylmer and the City of St. Thomas.

Advisory Committee Composition:

The Province of Ontario's Bill 175, *Safer Ontario Act (2018)* mandates that:

- ... the advisory committee must, at a minimum, consist of the following members:
 1. Local health integration network
 2. Mental and physical health
 3. Educational services
 4. Social services
 5. Custodial care for children and/or youth
 6. Member of Council or municipal administration
 7. Police
 8. And other prescribed members

The Advisory Committee will be comprised of members who are identified to reflect a wide range of relevant knowledge, expertise and experience with cross-sectoral representation. Members will act in an advisory capacity to the Coordinating Committee, specific to the mandate of Bill 175, as it relates to the development of Elgin-St. Thomas' Community Safety and Well-Being Plan.

General Responsibilities of Advisory Committee Membership

Members of the Advisory Committee, with the support of the Coordinating Committee, shall:

- Facilitate and enable community engagement and consultation sessions
- Act as a resource for the Coordinating Committee
- Provide data and information from their own agencies and organization, pertaining to priority risk factors, vulnerable groups and protective factors to reduce those risks
- Ensure the engagement and creation of opportunities for involvement of people within Elgin County and City of St. Thomas including culturally diverse populations
- Work in collaboration with the Coordinating Committee in developing the focal points of the emerging community safety and well-being plan based on available data, evidence, community information and feedback, as well as core community capacity to address those factors; and,
- Help the Coordinating Committee develop a plan for implementing the goals, directions and protective factors isolated in the Community Safety and Well Being Plan for Elgin-St. Thomas.

Characteristics of the Advisors

Advisors shall be selected and recruited on the basis of the following characteristics:

- Represent an organization or sector as outlined in the mandate of Bill 175
- Knowledge and information about the risks and vulnerable populations in Elgin County and City of St. Thomas
- Lived experience with risk factors
- Understanding of protective factors needed to address those risks
- Experience developing effective partnerships in the County of Elgin, Town of Aylmer and City of St. Thomas
- Experience with ensuring equity, inclusion and accessibility in community initiatives
- A proven track record advocating for the interests of vulnerable groups; and
- The power and authority needed to make decisions and represent the expertise of their respective agencies or organizations.

Accountability

The Advisory Committee has no binding decision making authority or executive function in the context of the Municipal responsibilities outlined in Bill 175.

The Advisory Committee will, with openness and transparency, share their subject matter expertise with the Coordinating Committee.

The Province of Ontario's Bill 175, *Safer Ontario Act (2018)*, mandates that:

- The council of every municipality shall prepare and by resolution, adopt a community safety and well-being plan;
- In municipalities, the community safety and well-being planning process should be led by a clearly identifiable coordinator(s) that is from the Municipality.

Decision Making

The Advisory Committee will make its decisions via consensus.

Advisory Committee Chair

The CSWB Plan Coordinator

The Role and Responsibility of the Chair

- Chair committee meetings;
- Prepare agendas;
- Act as a liaison between the Advisory Committee and the Coordinating Committee; and
- Facilitate work towards fulfillment of the mandate and development of the CSWB Plan for Elgin-St. Thomas.

Meeting Arrangements and Logistics

Meetings will be called at the discretion of the Chair. When possible, input and consultation of the Advisory Committee will take place in a virtual manner by engaging subject matter experts one on one, via electronic communication and feedback and/or via teleconference.

Date Approved: _____

Revision Date(s): _____

FROM: Julie Gonyou, Chief Administrative Officer
DATE: November 16, 2019
SUBJECT: Municipal Modernization Program – 2020 Service Review

RECOMMENDATIONS:

WHEREAS Elgin County Council is committed to making informed, strategic choices about how municipal services are delivered; and

WHEREAS Elgin County Council wishes to examine how to improve services and assess service levels in the face of competing priorities and/or decreasing revenues and reduce costs; and

WHEREAS Elgin County Council wishes to set priorities and, where possible, reduce the cost of delivery while maintaining or improving services and service levels;

THEREFORE, be it resolved

THAT Elgin County Council conduct a Municipal Services Review to identify actions and directions that could result in a more efficient and effective service delivery, organizational and operation arrangements and associated savings; and

THAT the CAO be directed to finalize and issue a Request for Proposal for a Service Delivery Review no later than mid-December 2019; and

THAT the Chief Administrative Officer be directed to submit an Expression of Interest Form and applicable supporting documentation to the Municipal Modernization Program no later than December 6, 2019; and

THAT the \$725,000 in funding received from the Province of Ontario through the *Improving Service Delivery and Efficiency Funding* be reserved for future use related to the Community Safety and Well-Being planning process and actions resulting from the recommendations of the Municipal Services Review or service efficiencies recommended by staff prior to the completion of the Municipal Services Review; and further

THAT the report titled “Municipal Modernization Program – 2020 Service Review” from the Chief Administrative Officer, dated November 16, 2019 be received and filed.

INTRODUCTION:

The purpose of this report is to assess whether Council wishes to complete a Municipal Service Review in 2020 and to seek direction for the CAO to apply for the Municipal

Modernization Program funding by the December 6, 2019 deadline and to seek Council direction for the use of the *Improving Service Delivery and Efficiency Funding* received earlier this year.

BACKGROUND:

Municipal Services Review

As part of their Strategic Planning Process, several Councillors expressed an interest in undertaking a Municipal Services Review in the near future. A Municipal Services Review is an evaluation process in which municipal service(s) are systematically reviewed to determine the most appropriate way to provide services. Municipal Services Reviews are time and resource-intensive exercises and may involve sensitive issues. Before undertaking a Municipal Services Review, it is recommended that Council be fully committed to the process, give staff clear direction and support the process in its entirety.

Municipal Modernization Program Fund

The province is making up to \$125 million available through 2022-23 to help 405 small and rural municipalities conduct new service delivery reviews, implement recommendations from previous reviews and undertake a range of projects, such as IT solutions or process improvements, to achieve cost savings and efficiencies. On November 12, 2019, Assistant Deputy Minister of Municipal Affairs and Housing, Marcia Wallace, sent a letter to Municipal Administrators (attached) which provides additional information about Ontario's new *Municipal Modernization Program Fund* and advises that the first intake is now open.

As part of the application process, the CAO was required to advise our regional Municipal Services Office of Elgin County's intention to apply no later than November 22, 2019. Notice was sent to the Ministry office by the CAO on November 16, 2019 and confirmation was received from the Ministry office on the same date. Should Council direct otherwise, a follow up notice will be sent to the Ministry office.

Up to \$200,000 is available for approved projects and only third-party service provider fees will be eligible.

Program Eligibility

As identified in the correspondence received from the Ministry of Municipal Affairs and Housing, to be eligible, the project must meet the following criteria:

1. Be a review of municipal service delivery expenditures by an independent third-party reviewer for the purpose of finding savings and efficiencies. The review project could take a number of forms including:
 - a. A line-by-line review of the municipality's entire budget; or
 - b. a review of service delivery and modernization opportunities; or
 - c. a review of administrative processes to reduce costs.

2. Results in a report by the independent third-party reviewer that provides specific and actionable recommendations for cost savings and improved efficiencies.
3. Begin field work no earlier than November 1, 2019, with a draft report completed by June 15, 2020 and the final report posted publicly by June 30, 2020.

It is important to note that, to ensure eligibility, the funding will not cover review projects where the goal is to identify opportunities for revenue generation or reduction in front-line services and cannot extend beyond municipal accountability.

Program Approval

Approved projects will be notified by mid-January. Should Elgin County be selected for this funding, the third-party reviewer's draft report must be submitted to the Ministry by June 15, 2019. A four (4) month turnaround is an aggressive timeline, as a result, it is recommended that Council act quickly to ensure project readiness.

Draft Request for Proposal – Elgin County Municipal Services Review

One method that municipalities use to evaluate the cost efficiency of their services is through a Municipal Services Review. This process is widely viewed in Ontario as a beneficial method of evaluating a variety of services and providing data regarding their delivery. It is essential that the Municipal Services Review process include a public participation component in order to establish legitimacy for the actions of Council.

The Chief Administrative Officer has prepared a draft Request for Proposal (RFP) (attached) which seeks proposals from firms/individuals interested in completing Elgin County's Municipal Services Review who are experienced in modernizing service delivery and reducing costs through service delivery reviews, development of shared services agreements with multiple stakeholders and making cost saving suggestions for local service delivery and operations in a municipal environment. While this document requires a number of revisions prior to posting, it is important that County Council agree, in principle, with the general content of the RFP, provide feedback and suggestions for changes to the RFP document and provide direction to post the RFP immediately upon final review by staff. A public engagement component is included in the draft RFP document.

Additionally, should any local municipality wish to undertake an independent service review, or have other services included in the review, the RFP includes a section which recommends that the Consultant complete that work via an agreement directly with the municipality but shall offer the same terms and conditions as through the main review covered by the RFP.

Improving Service Delivery and Efficiency Funding – One-time funding

As previously reported to County Council, the Province of Ontario announced that Elgin County was one of 405 small and rural municipalities who received one-time funding to improve service delivery and efficiency. Elgin County received \$725,000 in support of Ontario's commitment to reduce the cost of government.

It is anticipated that there may be some costs associated with the recommendations of the Municipal Services Review. Whether the County decides to make improvements to current service delivery methods or utilize alternative service delivery methods, it is recommended that the *Improving Service Delivery and Efficiency Funding* be reserved to implement future changes approved by Council as identified through the Municipal Services Review.

Without presupposing the outcome of the study, it is anticipated that some service areas may require enhancements, examples of service changes include:

- Increasing the number of benefits, for example, by using technology to make services more responsive, reliable or accessible.
- Increasing the number of outputs, for example, by making better use of existing assets and facilities.
- Decreasing the number of inputs, for example, by eliminating red tape or duplication; redeploying inputs that don't add significant value; or sharing services to achieve economies of scale.
- Decreasing the cost of inputs, for example, by error proofing; standardizing; simplifying, etc.

It is also recommended that a portion of this efficiency funding be spent on Council's Community Safety and Well-Being Plan.

CONCLUSION:

It is recommended that Council commit to undertaking a Municipal Services Review of Elgin County services in 2020 and apply for funding available through the *Municipal Modernization Program Fund*. Furthermore, it is recommended that Council commit to reserving the *Improving Service Delivery and Efficiency Funding* for future service improvements recommended as a result of the Municipal Services Review as well as costs associated with the Community Safety and Well-Being Planning process.

All of which is Respectfully Submitted

Julie Gonyou
Chief Administrative Officer

Ministry of Municipal Affairs
and Housing

Ministère des Affaires municipales
et Logement

Municipal Services Division

Division des services aux municipalités

777 Bay Street, 16th Floor
Toronto ON M5G 2E5
Telephone: 416-585-6427

777, rue Bay, 16^e étage
Toronto ON M5G 2E5
Téléphone: 416-585-6427



November 12, 2019

Dear Municipal Administrator,

Further to the November 1, 2019 letter from the Honourable Steve Clark, Minister of Municipal Affairs and Housing, I am writing to provide additional information about Ontario's new Municipal Modernization Program and advise that Intake 1 under the program is now open.

Under the Municipal Modernization Program, the province is making up to \$125 million available through 2022-23 to help 405 small and rural municipalities conduct new service delivery reviews, implement recommendations from previous reviews and undertake a range of projects, such as IT solutions or process improvements, to achieve cost savings and efficiencies.

Program guidelines and an Expression of Interest form for Intake 1 of the program are attached. Eligible projects under Intake 1 are reviews of municipal service delivery expenditures by independent third-party reviewers that will be completed by June 30, 2020. I encourage you to consider how your municipality might benefit from participation in Intake 1 of the Municipal Modernization Program and submit an Expression of Interest by December 6, 2019. Please see the attached guidelines for details about the program and how to apply.

Under future intakes of the program, municipalities will have the opportunity to apply for projects aimed at implementing service delivery efficiencies to achieve cost savings, in addition to service delivery reviews. Intake 2 under the program is planned for Spring/Summer 2020, with additional intakes expected through 2022-23. Participation in Intake 1 is not a requirement for participation in future intakes.

I look forward to continuing to work together to support your municipality in delivering efficient, effective and modern services for your residents. If you have questions about the program, I encourage you to reach out to your Municipal Services Office contact or email the ministry at Municipal.Programs@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Wallace", written over a horizontal line.

Marcia Wallace
Assistant Deputy Minister

c. Municipal Treasurer



Municipal Modernization Program

Intake 1 Program Guidelines

WHAT YOU NEED TO KNOW

Ontario is helping municipalities become more efficient and modernize service delivery while protecting front line jobs.

The 405 small and rural municipalities that received a *Municipal Modernization Payment* in March 2019 can now apply to the *Municipal Modernization Program* for funding to undertake expenditure reviews with the goal of finding service delivery efficiencies and lowering costs in the longer term.

Eligible municipalities can apply individually, or collectively with other eligible municipalities, to undertake independent third-party reviews similar to the *Managing Transformation: A Modernization Action Plan for Ontario* review of Ontario government expenditures.

ELIGIBILITY CRITERIA

To be eligible under Intake 1, a project must:

1. Be a review of municipal service delivery expenditures by an independent third-party reviewer for the purpose of finding savings and efficiencies. The review project could take a number of forms including:
 - a line-by-line review of the municipality's entire budget; or
 - a review of service delivery and modernization opportunities; or
 - a review of administrative processes to reduce costs.
2. Result in a report by the independent third-party reviewer that provides specific and actionable recommendations for cost savings and improved efficiencies.
3. Begin field work no earlier than November 1, 2019, with a draft report completed by June 15, 2020 and the final report posted publicly by June 30, 2020.

It is anticipated that most review projects will be between \$20,000 and \$200,000. Proposals will be reviewed on a case-by-case basis and funding amounts may depend on the available appropriation. Only third-party service provider fees will be eligible. Municipal administrative costs, such as staff time, are not eligible.

The program will not cover review projects where:

- the goal is to identify opportunities for revenue generation or reductions in front line services; or
- the review does not result in a formal report prepared by a third party; or
- the object of the review extends beyond municipal accountability.

HOW TO APPLY

1. Advise your Municipal Services Office contact of your intention to apply by **November 22, 2019**.
2. Submit your completed Municipal Modernization Program: Expression of Interest form and applicable supporting documentation to Municipal.Programs@ontario.ca by **December 6, 2019**.

HOW IT WORKS

The ministry will advise municipalities of the outcomes of their applications by mid-January. If your application is approved, a proposed transfer payment agreement with the ministry will be sent to confirm the funding amount and set out the terms, including reporting requirements and a payment schedule. Municipalities will receive an initial payment following full execution of a transfer payment agreement and a final payment after submission of a final report.

PROGRAM TIMELINE

November 22, 2019	<ul style="list-style-type: none">• Advise your Municipal Services Office of your municipality's intention to apply.
December 6, 2019	<ul style="list-style-type: none">• Submit your Expression of Interest and any supporting documentation to Municipal.Programs@ontario.ca.
January-February, 2020	<ul style="list-style-type: none">• Learn whether your application is approved. If it is approved, enter into a transfer payment agreement for project funding, and receive an initial payment once the agreement is executed.
June 15, 2020	<ul style="list-style-type: none">• Submit your third-party reviewer's draft report to the ministry.
June 30, 2020	<ul style="list-style-type: none">• Post the third-party reviewer's final report online and submit your final report to the ministry. The final report will include: a hyperlink to the publicly posted third-party reviewer's report; the amount paid to the third-party reviewer and a copy of the invoice; a statement of the total amount of expenditures reviewed and the total amount identified as potential savings; and a 250-word abstract of the project and its findings.

FOR MORE INFORMATION

Municipalities can direct program questions to Municipal.Programs@ontario.ca or contact their regional Municipal Services Office for further information.

Central Region – Toronto

Tel: 416-585-6226 or
1-800-668-0230

Western Region – London

Tel: 519-873-4020 or
1-800-265-4736

Eastern Region – Kingston

Tel: 613-545-2100 or
1-800-267-9438

Northern Region - Sudbury

Tel: 705-564-0120 or
1-800-461-1193

Northern Region – Thunder Bay

Tel: 807-475-1651 or
1-800-465-5027



Service Delivery Review for the Corporation of the County of Elgin

REQUEST FOR PROPOSAL No. 2019-4_

Closing Date and Time: January XX, 2019 at 3:00 p.m. (local time)

Issue Date: _____

Corporation of the County of Elgin
Financial Services
450 Sunset Drive
2nd Floor, Financial Services
St. Thomas, ON N5R 5V1

INDEX

Draft

DEFINITIONS AND INTERPRETATIONS

The following definitions apply to the interpretation of the Request for Proposal Documents;

1. “Addenda or Addendum” means such further additions, deletions, modifications or other changes to any Request for Proposal Documents.
2. “Authorized Person” means;
 - i. For a Proponent who is an individual or sole proprietor that person.
 - ii. For a Proponent which is a partnership, any authorized partner of the Proponent.
 - iii. For a Proponent which is a corporation:
 - a) any officer or director of the corporation; and
 - b) any person whose name and signature has been entered on the document submitted with the Request for Proposal, as having been authorized to participate in the completion, correction, revision, execution, or withdrawal of the submission, whether that person is or is not an officer or director.
 - iv. For a Proponent that is a joint venture, the submission shall be signed by a person for and on behalf of each joint venture or, if they warrant that they have the authority vested in them to do so, one person so authorized may sign on behalf of all joint ventures.
3. “County” refers to the Corporation of the County of Elgin.
4. “Designated Official” refers to the Purchasing Coordinator for the County of Elgin.
5. “Proposal” means the Response in the form prescribed by this Request for Proposal Document and completed and submitted by a Proponent in response to and in compliance with the Request for Proposal.
6. “Proponent” means the legal entity submitting a proposal.
7. “Request for Proposal (RFP)” means the document issued by the County in response to which Proponents are invited to submit a proposal that will result in the satisfaction of the County’s objectives in a cost-effective manner.
8. “Successful Proponent” means the Proponent whose proposal has been approved by the County.

SECTION 1.0 - INFORMATION TO PROPONENTS**1.1 Invitation to Proponents**

This Request for Proposals (the “RFP”) is an invitation by the Corporation of the County of Elgin (the “County”) to prospective Proponents to submit proposals for **Services Delivery Review** (SDR) of the County of Elgin and its services, as further described in Section 2.4 – Scope of Services.

To be considered, the Proponent must demonstrate that they have experience in modernizing service delivery and reducing further costs through service delivery reviews, development of shared services agreements with multiple stakeholders and making cost saving suggestions for local service delivery and operations in a municipal environment. The timeline for the project is expected to be for a period of approximately eight (8) months commencing in January 2020.

Proponents should have a core contingent of qualified permanent staff who will provide the required level of professional and support services.

To be considered, Proponents should be able to demonstrate that they have sufficient capacity, resources, skills, and will to meet the County’s needs. Proponents should have a minimum of five (5) years past experience, knowledge and familiarity of conducting an SDR in a municipal sector. Experience in operational service review in a municipal environment is mandatory.

Section 2.4 – Scope of Services identifies the scope at a high-level which the successful Proponent will be expected to deliver. The successful Proponent will be requested to provide consulting services, as required, as the project progresses. Therefore, the County will, at its sole discretion, select the Proponent it deems is best positioned to support the County now and over the longer term of the project.

Should local municipalities (within Elgin County) wish to use the same consultants to expand the review into their own internal operations, the consultant will provide additional services to be purchased under the same terms and conditions as per this RFP and be billed directly to the requesting municipality.

1.2 Proposal Format and Delivery

Proponents are required to submit one (1) original hardcopy and one (1) electronic copy of their proposal in two separate envelopes as described in section 3.0.

All copies must be delivered to:

Corporation of the County of Elgin
c/o Financial Services, 2nd Floor
450 Sunset Drive
St. Thomas, ON
N5R 5V1

Proposals must be received no later than 3:00 p.m. on January XX, 2019.

Proposals received at 3:00 p.m. as shown on the time stamp in the Financial Services Department are “on time” and will be accepted. Proposals received at 3:01 p.m. or later, as shown on the time stamp in the Financial Services Department will be considered late, will be rejected and returned unopened to the respective Proponent. The time stamp in Financial Services Department is the official time for the deadline for submission. No other clock or source of time will be recognized when considering the submission date and time of proposals to Financial Services.

This is a sealed proposal. All proposals shall be submitted in two separate sealed envelopes as described in section 3.0 with the submission label as provided firmly affixed to the outside of the envelope or package. All envelopes or packages must have Proponent's name and address where indicated and envelopes must be sealed.

Proposals will be officially opened after the closing time. Only the names of those Proponents submitting a proposal will be read out at the public proposal opening. No prices are to be read out, however, only once the award is made and approved by Council, the report recommending such award shall be a matter of public record, unless otherwise determined by Council.

A Proponent may request that their proposal be withdrawn. Withdrawal shall only be allowed if the Proponent makes the request in writing and the request is delivered to the Designated Official before the RFP closing time. Proposals confirmed as withdrawn shall be returned unopened to the Proponent. The withdrawal of a proposal does not disqualify a Proponent from submitting another proposal prior to the closing time.

The County shall not be liable for any cost of preparation or presentation of proposals, and all proposals and accompanying documents submitted by the Proponent become the property of the County and will not be returned. There will be no payment to Proponents for work related to, and materials supplied in the preparation, presentation and evaluation of any proposal, nor for the Contract negotiations whether they are successful or unsuccessful.

The County, its elected officials, employees and agents shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained or suffered by any Proponent, prior or subsequent to, or by reason of the acceptance, or non-acceptance by the County of any proposal, or by reason of any delay in the acceptance of any proposal.

1.3 **Designated Official**

For the purpose of this contract Mike Hoogstra, Purchasing Coordinator for the County is the “Designated Official” and shall perform the following functions: releasing, recording, and receiving proposals, recording and checking of submissions; answering queries from perspective proponents, considering extensions of time, reviewing proposals received, ruling on those not completing meeting requirements and coordinating the evaluation of the responses.

1.4 **Contract for Deliverables**

The selected Proponent will be required to enter into an agreement with the County for the provision of the Deliverables in the form included as Appendix A. It is the County's intention to enter into the Agreement with only one (1) legal entity.

1.5 **Term of Contract**

The term of the Agreement is to be for a period of approximately seven (7) months, with an option in favour of the County to extend the Agreement on the same terms and conditions for an additional term of up to four (4) months.

1.6 **Questions / Inquiries**

All inquiries regarding this RFP shall be directed through the Bidding System online by clicking on the "Submit a Question" button for this bid opportunity. All questions shall be submitted in writing with ample time before the deadline for submissions. Questions submitted through the bidding system are directed to the Designated Official.

The deadline for submitting questions is January 6, 2019 at 12:00 p.m. (noon).

No clarification requests will be accepted by telephone. Responses to clarification requests will be provided to all interested parties. Inquiries must not be directed to other County employees or elected officials. Directing inquiries to other than the Designated Official may result in your submission being rejected.

1.7 **Addenda**

The Designated Official will issue changes to the RFP Documents, which may include amendments to the submission deadline or changes in the Scope of Work or Qualifications of Proponents, by addendum only. No other statement, whether oral or written, made by the County will amend the RFP Documents. The County will make every effort to issue all addenda no later than three (3) days prior to the closing date.

The Proponent shall not rely on any information or instructions from the County or a County Representative except the RFP Documents and any addenda issued pursuant to this Section.

The Proponent is solely responsible to ensure that it has received all addenda issued by the County. Proponents may in writing seek confirmation of the number of addendum/addenda issued under this RFP from the Designated Official.

All Proponents are advised that any Addenda issued will only be posted on the bidding system website: <https://elgincounty.bidsandtenders.ca>

It is the sole responsibility of each Proponent to check the website for any and all Addenda that have been issued for this RFP.

The Proponent shall acknowledge receipt of all addenda on the Form of Proposal – Declaration Form. Failure to complete the acknowledgement may result in rejection of the proposal.

1.8 **RFP Schedule of Events**

The RFP process will be governed according to the following schedule. Although every attempt will be made to meet all dates, the County reserves the right to modify or alter any or all dates at its sole discretion by notifying all Proponents in writing at the address indicated in the completed RFP submitted to the County.

Issue RFP:	TBD
Last Date for Questions:	January 6, 2019
RFP Close:	January 13, 2019
Award of Contract:	January 28, 2019

**Dates noted above are an approximation only and are subject to change.*

1.9 **Notice of No Response**

If you are unable, or do not wish to provide a proposal, please complete a notice of no response form in the bidding system. It is important to the County to receive a reply from all Proponents.

SECTION 2.0 - TERMS OF REFERENCE**2.1 Introduction**

The County of Elgin (the “County”) is an upper-tier municipality situated in the heart of southwestern Ontario along the north shore of Lake Erie and due south of Highway 401 in what can be best described as a rich agricultural zone complemented by industry. The County is an upper-tier municipality comprised of seven local municipalities covering an area of 460,000 acres, with a population of approximately 50,000 people. The County has undergone significant growth and development over the past 30 years. With population growth has come enhanced expectation from residents of the type and quality of municipal services.

The County has attempted to balance access to services and financial realities to provide the best possible value to the public. However, over the past two years it has become increasingly apparent that the County is facing two distinct pressures that will impact services moving forward:

- Operations are impacted by a lack of capacity; and
- Provincial funding to municipalities will be reduced as part of a larger cost reduction and modernization initiative.

Although there has always been a practice of resource sharing, partnerships and working collaboratively in the delivery of municipal services in the County (both informally and contractually), the County wishes to examine the delivery of services provided to ensure that they are provided in the most effective manner.

To this end, the County of Elgin is seeking proposals from professional consultants to carry out a **Service Delivery Review (SDR)** of the following focus areas:

- Shared municipal services/resources (Part A)
- County operations (Part B)
- Human/Community Services (Part B)

The successful firm(s) will possess the requisite technical skills to deal with the complex matters to be addressed in the tasks outlined in Section 2.4 – Scope of Services and will be required to work directly with the County and municipal staff, Council, public and stakeholders in a professional manner. The Proponent, in addition to technical qualifications, must exhibit such skills as time management, political acumen, strong communication ability (both written and verbal) and an understanding of municipal interests and a demonstrated history of working successfully as a team.

The Consultant Project Team member(s) must possess:

- A thorough knowledge and understanding of service delivery review and demonstrated experience in conducting successful reviews;
- Demonstrated project management skills;
- Sufficient resources to meet the project timelines;

- Demonstrated experience in employee engagement and consultation;
- Strong communication skills (written and verbal); and
- In-depth understanding of municipal government.

2.2 **Background**

A review of what services are provided, how they are provided and by whom is critical to ensure financial sustainability and public value into the future. To this end, staff propose engaging a consultant(s) through an RFP process to complete this work. This process is intended to ensure our services are being delivered in the most effective and efficient manner and to identify potential opportunities for improvements or enhancements.

The SDR will improve the understanding of the services currently provided by the County and provide better information that will allow Council and staff to make informed, strategic choices regarding those services. The SDR will assist in exploring how municipal services will be delivered sustainably over the long term.

The SDR is an opportunity to take a comprehensive look at what services are provided by the County and how those services are provided, and determine if there is a more effective and/or efficient way to deliver services. This service delivery review will include Long Term Care.

The County of Elgin recently completed the first phase of their draft 2020-2022 Strategic Plan which identifies three (3) priority areas, including:

- Serving Elgin – to re-design how we respond to community need in a creative, sustainable way.
- Growing Elgin – to be the place where people want to live, work and play
- Investing in Elgin – to make responsible financial decisions.

Elgin County Council is seeking input from the community on their draft 2020-2022 Strategic Plan and it is anticipated that a final Strategic Plan and operational plan will be available in early January 2020.

2.3 **Goals and Objectives**

The SDR is to be an assessment of service levels and service provision to ensure the most efficient use of limited and likely declining resources. The expectation would be that any recommended changes to service levels and shared services/resource arrangements would result in enhanced public value through improvements in efficiency and modernization of service delivery.

Key objectives to be considered in the review and recommendations in this process include:

- Lower costs while maintaining service access;
- Improved service efficiency and effectiveness;
- Streamlined and modernized service delivery;
- Clear lines of accountability and responsibilities;
- Ensuring long-term financial sustainability; and
- Maximizing public value.

Through the completion of SDR, the successful Consultant will:

- Investigate and understand the current services and service delivery methods;
- Analyze and evaluate current services and delivery methods by:
 - Identifying mandatory versus discretionary areas
 - Identifying any duplication/overlap of activities
 - Identifying any services that have become redundant or irrelevant
 - Identifying services that are impacted by lack of capacity
 - Identifying any barriers to making effective and responsive infrastructure and service delivery decisions
- Assess and recommend opportunities to be more efficient and effective in the sustainable delivery of municipal services by:
 - Identifying opportunities for more efficient allocation of various service responsibilities and resources to address current capacity concerns
 - Identifying opportunities to reduce operating costs
 - Identifying additional revenue sources
 - Identifying opportunities for sharing resources/services
 - Identifying opportunities to discontinue services that no longer provide public value

The completion of this project is in keeping with the County of Elgin Strategic Plan and the Provincial Mandate to improve efficiency and modernize services.

2.4 **Scope of Services**

The project shall consist of three phases for each of Part A and Part B identified for review.

Part A: Shared Service/Resource Delivery Review

Part A shall consist of a review of services/resources that are currently shared between the County and all or some municipalities and services/resources that could potentially be shared in the future.

A preliminary list of shared services/resources is included in Exhibit 1.

Part A of the project will be managed by a Working Group comprising the CAOs from each local municipality and the County (or their designates) with support from other staff as appropriate. Preliminary outcomes and findings will be included in the final report and shall be presented to Elgin County Council.

Part B: County Operations and Community/Human Services Review

Part B of the project shall be a review of County operations that are not part of the Shared Service/Resource Review. Long Term Care will be part of the review. This work shall be led by a County Service Review team consisting of representatives from each County department. Final reports and recommendations shall be presented to Elgin County Council.

Phase 1: Project Initiation/Project Management

Introduction

A project initiation meeting will be held with the County of Elgin Chief Administrative Officer to confirm the overall scope of the project and to coordinate kick-off dates.

Part A: Shared Service/Resource Delivery Review

Project kick-off meetings with the Working Group of municipal CAOs will be held to identify shared services, confirm scope of work, detailed work plan and project schedule.

A preliminary list of shared services/resources is included in Exhibit I. Work with the Working Group and Steering Group will confirm the list of services for review.

To ensure a successful project, the Working Group members shall ensure communications to all staff are a priority. The Consultant will be responsible for developing and executing a plan for municipal consultation through the project.

Part B: County Operations and Community/Human Services Review

Project kick-off meeting with the County Service Review Team will be held to confirm scope of work, detailed work plan and project schedule. Three (3) kick-off meetings will be held with County staff to provide an overview of the project.

A list of community agencies and stakeholders along with community partners is included in Exhibit II. Working with the County Service Review Team, the consultant will confirm the list of services for review.

To ensure a successful project, the County Chief Administrative Officer and Service Review Team members shall ensure communications to all staff are a priority and shall also be responsible for all public communications. The Consultant will be responsible for developing and executing a plan for stakeholder consultation throughout the project.

General

Building on successful experiences in completing similar projects, it is expected that the consultation

plans will identify the types of input/feedback that will be solicited, method for gaining that feedback (one-on-one interviews, surveys, focus groups, etc.) and will detail how the input/feedback will be incorporated into the project. The consultation plan is to be developed to demonstrate trust and transparency between all stakeholders for future change management.

The consultation plans should also identify additional resources that may be required to execute the plan, including, but not limited to, staff resources, technology services, types of meeting locations, etc.

Phase 2: Detailed Service Inventory

For each service confirmed to be included in the review in Phase 1, a detailed profile is to be developed. Great care should be taken to ensure that the information being collected is consistent so as to provide valid comparisons and assessments. This will be especially important for financial information.

The service profiles will include, at minimum, the following information:

- Description of the service and how the service is provided (in non-technical terms)
- What is the current level of service?
- Is the service or service standard legislated/discretionary/voluntary?
- Are there bylaws/policies affecting the service?
- Is it an external or internal service? Who is the customer?
- Is the service provided by municipal forces (union or non-union)/contractor/volunteers?
- Is the service critical/non-critical?
- Resources required to provide the service (funding, staffing, etc.)
- Outcomes (what do we want this service to accomplish)

Part A: Shared Service/Resources Delivery Review

A profile template is to be developed by the consultant and review and approved by the Working Group prior to the profiles being undertaken.

Part B: County Operations and Community/Human Services Review

A profile template is to be developed by the consultant and reviewed and approved by the County Service Review team prior to the profiles being undertaken.

Phase 3: Development of Opportunities/Recommendations

Following development of the profiles, analysis of the services is to be undertaken to identify opportunities to delivery the services in a more effective and/or efficient manner.

It is expected that opportunities/recommendations may include, at minimum:

- Improving processes and performance

- Adjusting service levels (reductions and/or enhancements)
- Cost avoidance (operating costs and capital investments)
- New revenues
- Alternate service delivery models
- Identification of similarities across municipalities and opportunities for enhanced sharing services/resources
- Identification of partnerships

Part A: Shared Service/Resource Delivery Review

Implementation plans for any opportunities identified through this project will first be presented to the Working Group and then to the Steering Committee members. Recommendations will then be presented to Elgin County Council and presented more broadly, at the direction of Elgin County Council.

A report shall be prepared that includes service profiles, all analysis and opportunities/recommendations and shall be submitted for review and comment by the Working Group.

Part B: County Operations and Community/Human Services

Implementation plans for any opportunities identified through this project will be first presented to the County Services Review Team. Recommendations will then be presented to Elgin County Council. Following Council adoption and with direction from Council, three (3) presentation sessions will be provided to County staff.

One consolidated report, encompassing all deliverables from the project, will be prepared and submitted for review and comment. All materials provided are to be in an electronic form.

Meeting Summary

The Consultant is to provide a meeting/consultation schedule and plan for Part A and Part B, to meet the requirements of each Phase, for review.

Project Implementation Schedule

The Consultant is to provide a project schedule and plan for review, which shall be part of the evaluation criteria. All Phases, including a final report shall be completed by June 1, 2020.

Implementation recommendations for each municipal partner to be grouped based on:

- Immediate implementation (minimal, if any, impact on operating budget)
- Short-term implementation (could be implemented within the proposed 2021 operating budget – i.e. reallocation of proposed operating funds, no new additional funds required)
- Medium-term implementation (can be incorporated into the 2022 operating budget)
- Long-term implementation (requires additional study or consultation due to impacts on the existing service levels)

Project Deliverables

Deliverables for Phases

It is important the project be initiated and completed as quickly as possible without negatively impacting the long-term results. Given the scope of the project and the importance of involving many stakeholders, it is likely the full project will take close to a year to complete. However, the RFP will require consultants to bring forward recommendations on a rolling basis (as is practical) rather than to wait for one (1) final report.

Phase 1 – Deliverables for Parts A & B

- Detailed Work Plans
- Project Schedules
- Final Service Lists
- Consultation Plans

Deliverables shall be provided separately for both parts A & B

Phase 2 – Deliverables for Parts A & B

- Service Inventory Profiles for shared services and County services

Phase 3 – Deliverables for Parts A & B

- Draft report detailing shared services including service profiles, all analysis and opportunities/recommendations
- Consolidated Draft Report, including service profiles, all analysis and opportunities/recommendations
- Final Reports (in accessible format and Word document)
- Presentations of findings and recommendations (as above)
- Presentations to the Service Review Team, Elgin County Council and public meetings (provisional)

Final Reports

The final deliverable of the review will be reports to County Council and, if appropriate, member municipalities summarizing the short and long-term recommendations. It is expected that all reports will include similar information with respect to purpose, study design, and background information with respect to shared services/resources.

The final report to County Council, to be completed by June 1, 2020, must be organized to include the following:

- An executive summary
- Purpose of the report
- A study/design methodology describing who was involved, data sources and approach used for the research
- Background information pertinent to the work undertaken including identification of areas of duplication, overlap and fragmentation
- Findings on existing strengths, challenges, and gaps in the approach for implementing the recommendations
- Recommendations for action by the County of Elgin with respect to internal operations, community and human services, and shared services/resources and detailed implementation guidelines for each series of recommendations.

The final report to the Working Group with respect to shared services/resources, to be completed by August 2020, must be organized to include:

- An executive summary
- Purpose of the report
- A study/design methodology describing who was involved, data sources and approach used for the research
- Background information pertinent to the work undertaken including identification of areas of duplication, overlap and fragmentation
- Findings on existing strengths, challenges, and gaps in the approach for implementing the recommendations
- Recommendations for action with respect to internal operations, community and human services, and shared services/resources and detailed implementation guidelines for each series of recommendations.

Presentations

- Initial presentation to County staff Service Review Team (1)
- Initial presentation to member municipality CAO Working Group to explain the project and methodology
- Interim presentations of preliminary findings to Service Review Team and CAO Working Group and Elgin County Council (5)
- Final presentations of reports and strategy recommendations to Elgin County Council (1)
- Final presentation to County Staff (3)

Additional Requirement(s)

- The final deliverable provided by the consultant will be one (1) digital copy of each full report including the executive summary and appendices in PDF format.
- A draft of the full results must be provided for review and feedback no later than two weeks before contract end date.
- Regular updates on progress must be provided as per an agreed upon schedule.

Deliverables/Responsibilities

The Office of the CAO of the County of Elgin is the Project Lead and will oversee the general work of the consultant. The Project Lead will be the main point of contact for the consultant. For Part A of the workplan, interim reports, recommendations and implementation plan will be vetted by the CAO Working Group and will be shared more broadly at the discretion of each member of the Working Group.

Dates for all meetings will be determined in consultation with the consultant upon contract award. In the proposal, the Proponent shall identify a project manager who will act as the primary contact with the County CAO and oversee the day-to-day operations of the project.

The project manager and designate will oversee all project component tasks, quality control, adherence to project schedule, and organize meetings and interviews. Should there be sub-consultants, it will be the project manager's responsibility to coordinate all works contributing to the agreed deliverables so that they form a coherent product. The proponent will need to demonstrate project management experience with a proven ability to work with a level of independence from municipal clients.

Roles and Responsibilities of Project Lead: County of Elgin

The Chief Administrative Officer will administer the project and budget and will be responsible for:

- Providing overall leadership, direction and management of the review
- Confirming the terms of reference at the start of the review
- Approving the consultant's detailed work plan
- Monitoring the progress of the work of the consultant
- Considering changes to the scope of work as the review progresses
- Providing any County background documents, report, data, etc.
- Providing regular updates to County staff
- Providing regular updates to Elgin County Council
- Liaise with member municipalities and the consultant
- Giving the final approval for all deliverables with any feedback.

Assumptions

The proponent shall clearly identify all assumptions made in the preparation of the proposal. Additionally, the proponent is encouraged to outline other work considered essential to the successful completion of this project that was not identified in this RFP.

2.5 Local Municipal Participation

Should any local municipality wish to undertake an independent service review or have other services included in the review the Consultant will complete that work via an agreement directly with the municipality but shall offer the same terms and conditions as through the main review covered by this RFP.

SECTION 3.0 - PROPOSAL REQUIREMENTS

3.1 Proposal Submissions

NOTE: This RFP template is a two-envelope submission style. A single envelope RFP can also be selected.

All proposal submissions must be submitted in **two separate envelopes** with the submission labels as provided by the County of Elgin affixed firmly to the outside of each sealed envelope with all details completed as required on the labels. The term envelope shall have the same meaning as “package”.

Both separately sealed envelopes shall be submitted at the same time.

Any submissions which contain pricing information in Envelope 1 will be rendered informal and will be disqualified. All information related to fees and expenses must be submitted in Envelope 2 only.

Failure to include the submission requirements may result in your proposal being disqualified.

3.2 Proposal Submission Requirements – ENVELOPE 1

The first address label entitled “Technical Proposal” shall be firmly affixed to outside of envelope one. This envelope shall contain **one (1) hard copy** of the proposal with original signature(s) and **one (1) electronic copy**.

The submission shall be no longer than fifteen (15) single sided pages (Arial 12 font or equivalent), excluding the Curricula Vitae. The proposal submissions must include at a minimum the following information and shall be submitted in the same sequence in order to be considered responsive.

a) **Section A: Overview**

A narrative demonstrating the firm’s understanding of the full scope of services, reasons why the Proponent is interested in taking on this project and its familiarity with the Community (City of St. Thomas, County of Elgin, Town of Aylmer, Municipality of Bayham, Municipality of Central Elgin, Municipality of Dutton Dunwich, Township of Malahide, Township of Southwold and Municipality of West Elgin).

b) Section B: Implementation Plan / Work Program

The Proponent shall provide a detailed work plan summarizing the approach and methodology for the specific tasks proposed. The work plan shall include resources necessary to meet the project objectives/scope of work/deliverables and shall indicate the tools and techniques that will be used to ensure the project remains on budget and schedule. The Proponent shall identify issues and risks associated with the project, including deviations to the project plan and how risks will be managed through the course of the project.

c) Section C: Project Team – Own Personnel

Identify the Project Team proposed for the assignment. For each member of the Project Team, confirm if the individual is a full-time, permanent employee of the Proponent and the estimated number of hours allocated to accomplish each task by staff person.

Provide a complete company profile including the resumes and relevant experience (while employed by the proponent) of the proposed project manager. Provide confirmation that the individuals that will serve as the key personnel for the duration of the project assignment are available to work on this project. Provide prime consultant contact info for the Project Manager last two completed projects.

d) Section D: Project Team – Specialist Consultants

Identify the other members of the Project Team proposed for the assignment. For each member of the Project Team, identify specific role/specialty, the individual responsible, and their specific experience as it pertains to this assignment.

Describe the organization of the Project Team. Demonstrate the experience and capability of the members of the Project Team. Provide resumes for all members of the project team clearly indicating that the personnel have experience in the provision of the Scope of Services; identification of the personnel's education qualifications, professional affiliations, years of experience in the field, and the number of years with the firm. It is important that your Project Team show a proven track record in designing and detailing similar facilities and show foresight in resolving problems before construction starts.

Provide confirmation that the individuals that will serve as the key personnel for the duration of the project assignment are available to immediately commence on this project.

e) Section E: Project Schedule

Provide a comprehensive project timeline / schedule in the form of a Gantt chart (or equal) which identifies the proposed scheduling of all major project tasks as identified in the Terms of Reference including scheduling of all milestones and any scheduling dependency relationships between activities, tasks and/or phases of the project. Indicate any possible areas that have flexibility to provide time and cost savings.

f) **Section F: Client References**

Provide at least three (3) references the County may contact. References should be from sources of similar project experience relevant to the requirements of this project and include projects where various timelines and schedules were managed simultaneously and the timeline and budget were met to deliver a successful project. Where the budget and timeline were not met, include details regarding the challenges faced and the workarounds utilized in order to complete the project.

g) **Form of Proposal - Declaration**

Include a signed and completed copy of the Form of Proposal – Declaration in envelope 1.

3.3 **Financial Submission Requirements - ENVELOPE 2**

The second address label entitled “Financial” shall be firmly affixed to the outside of envelope two. This envelope shall contain **one (1) completed and executed hardcopy of the Price Form** (*electronic copy not required*). Include per diem rates and any other fees on a separate sheet. Your proposal must clearly state which services are not included in your financial proposal.

The Price Form and per diem rates shall be submitted in a sealed envelope separate from the Technical Requirements.

The total estimated cost including disbursements for the work proposed shall be considered in the upset limit. Fees & expenses shall not include contingencies or HST.

3.4 **Evaluation Process**

Each proposal will be evaluated on its clarity and the demonstrated understanding of the Project requirements, the services proposed and timeframes, as well as the proponent’s experience and the anticipated benefit to Elgin County. A short list of firms may be created for purposes of an interview or presentation, should this be required. Proponents may be contacted to explain or clarify their proposals; however, they will not be permitted to alter information as submitted.

An Evaluation Committee will be established from members of the County of Elgin or any others as deemed necessary.

Proposals will be evaluated on the basis of all information provided by the Proponent. Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFP. Failure to comply with these requirements may deem the proposal non-responsive.

Selection of a proposal will be based on (but not solely limited to) the following criteria and any other relevant information provided by the Proponent at the time of submission as well as any additional information provided during subsequent meetings with the Proponent.

In recognition of the importance of the procedure by which a Proponent may be selected, the following criterion outlines the primary considerations to be used in the evaluation and consequent awarding of this project (not in any order). The County reserves the right to evaluate and rank each submission using criterion noted. Actual scores will be confidential.

The Owner reserves the right to request confidential references for any of the proponent's projects listed, as well as any of the proponent's other projects, and factor the ratings from all references, whether completed or in progress.

The criteria below, outlines the broad specification for the proposed contract. The proposal submissions contained in Envelope 1 will provide the necessary information required to evaluate the submissions. The firms achieving a minimum score of **60/80** will be shortlisted and Envelope 2, (Financial) will be opened for consideration.

3.5 Evaluation Criteria

Proposals will be evaluated based on the following weighted evaluation factors:

a) First Phase Scoring (Envelope 1)

Rated Criteria	Maximum Weight Points
Experience in Operational Service Review <ul style="list-style-type: none"> • Proponent should have a minimum of 5 years past experience, knowledge and familiarity of conducting a SDR in a municipal sector. • Experience in operational service review in a municipal setting is mandatory PASS/FAIL (Mandatory) 	Pass/Fail
Proponent Capabilities and Experience <ul style="list-style-type: none"> • Previous experience in identification and engagement, research methods, data collection and analysis, report writing and design. • Demonstrated knowledge of different levels of municipal operations and relationships and issues in general, and understanding of the economic/political context in the County of Elgin. • Demonstrated experience producing well-written reports using plain language and accessible graphics. • Extent to which Proponent possesses required credentials. • Track record of Similar Projects 	15
Project Team and Experience	15

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<ul style="list-style-type: none"> • Relevant and specific experience and skills of staff assigned including sub-consultants (if any) with demonstrated experience in Operational Service Review • Clear organization of project team including definition of roles and reporting paths • Clear definition of role and involvement of staff • Appropriate allocation of staff time and resources corresponding to the project tasks, deliverables, and budget. • Description of how team members will be involved in the consultation process • Commitment of the proposed key team members • Proponent experience and ability to support team as required 	
<p>Methodology and Approach</p> <ul style="list-style-type: none"> • Demonstrated comprehension of the project intent, scope and challenges as outlined in the RFP. • Understanding of objectives of the review. • Proposed strategies/recommendations based on immediate actions/implementable in phases. • Proposed methodology, approach, plans in achieving the project goals and objectives • Insight into the problems, risks and opportunities likely to be encountered, and techniques to be used to address these. • Clear statement of deliverables. • Any value to be added, or costs to be controlled. 	20
<p>Project Management</p> <ul style="list-style-type: none"> • Approach to project management and the processes that the proponent will employ to address matters related to quality assurance to satisfy requirements of the review. • Project management techniques to meet the project deadline on time and on budget • Detailed work plan, including timelines, milestones and deliverables. • Reasonableness of proposed schedule. • Appropriate scheduling of meetings, adequate review periods, and constraints such as holidays. • Clear schedule of activities • Ability to anticipate and respond to challenges, issues, difficulties and domino effects, and to proactively prevent domino effects and enact preventative/corrective action plans. 	20
<p>References</p>	10
<p>TOTAL</p>	80

b) Second Phase Scoring (Envelope 2)

Fees / Pricing / Total Overall Cost	20
Total Score	100

3.6 **Ratings**

For consistency, the following table describes the characteristics attributable to particular scores between 0-10.

0	Unacceptable	Did not submit information
1-2	Very Unsatisfactory	Very poor to unsatisfactory
3	Unsatisfactory	Minimally addresses some, but not all of the requirement of the criteria. Lacking in critical areas
4	Somewhat Unsatisfactory	Addresses most of the requirements of the criteria to the minimum acceptable level. Lacking in critical areas.
5	Somewhat Satisfactory	Addresses most, but not all, of the requirements of the criteria to the minimum acceptable level. May be lacking in some areas that are not critical.
6	Satisfactory	Adequately meets most of the requirements of the criteria. May be lacking in some areas that are not critical.
7	Good	Meets all requirements of the criteria.
8	Very Good	Somewhat exceeds the requirements of the criteria.
9	Excellent	Exceeds the requirements of the criteria in ways that are beneficial.
10	Outstanding	Proposal exceeds the requirements of the criteria in superlative ways / very desirable.

The firms achieving a minimum score of **60** will be shortlisted and Envelope 2, (Financial) will be opened for consideration.

3.7 **Pricing**

Proponents shall submit their pricing information as per format provided.

The proposal shall be detailed and provide the anticipated cost to complete the scope of work including disbursements.

Rates must be provided in Canadian funds, inclusive of all applicable duties and taxes, except for HST,

which should be itemized separately.

Rates quoted by the proponent must be all-inclusive and must include all labour and material costs, all travel and disbursement costs, all insurance costs, all costs of delivery to the County, and all other overhead, including any fees or other charges required by law.

Evaluation of Pricing

Cost is worth 20% of the total score for the purpose of proposal evaluation.

Second Phase of Rating - The lowest fee proposed shall be awarded the full amount of points available for the fee portion of the evaluation. All higher fees proposed shall be awarded points, rounded to the closest full point for the fee portion of the evaluation by the following:

$$\text{Lowest Fee} \div \text{Proposed Fee} \times \text{Maximum Points} = \text{Total Cost Points.}$$

It should be emphasized that pricing is only one of the factors being considered in determining the most suitable Consultant.

In submitting a proposal, the Proponent acknowledges the County's right to accept other than the lowest priced proposal and expressly waives all rights for damages or redress as may exist in common law stemming from the County's decision to accept a proposal which is not the lowest price proposal, if it is deemed to be in the County's best interest to do so. All qualified proposal submissions will be reviewed and evaluated. Additional information may be requested if necessary.

Only the proposal response and Curricula Vitae requested will be evaluated. Proponents must include all relevant information in the required fifteen (15) page limit restriction.

Rates Extension to other local municipalities (within Elgin County)

Should local municipalities wish to use the same consultants to undertake a review of their own internal operations, the consultant will provide additional services to be purchased under the same terms as per this RFP and be billed directly to the requesting municipality.

3.8 Presentation and Interview

The County may have the two highest scoring Proponents attend an interview to present the evaluation team with additional insight into the Proponent's ability to meet the requirements as requested in the RFP. The County reserves the right to interview more or fewer than two Proponents based on the scoring results. Note- If the Owner elects to interview short listed proponents, the proposed Project Manager is required to attend.

The interviews would be conducted by the representatives of the Evaluation Committee at the County Administration Building, 450 Sunset Drive, St. Thomas, Ontario N5R 5V1. Senior staff members to be

assigned to this project must attend the interview.

Presentations shall follow this general format:

- Introduction of Proponents Project Team (5 minutes)
- Proponent Presentation of the Proposal (15 minutes)
- Questions from Interview Committee (10 minutes)
- Questions from Proponents (5 minutes)

The Proponents will be notified of the final format and exact date and time for interviews / presentations in advance.

For the interview portion of the evaluation (if required), the County of Elgin will be using the rating criteria shown below and will evaluate each short-listed Proponent only.

Interview Criteria and Weighting (Second Stage if required):

Criteria Category	Weighted Points
Presentation	25
Response to Questions	10
Total Weighted Points	35

The score from the proposal evaluations and the Interview will be combined to determine an overall score.

SECTION 4.0 - GENERAL CONDITIONS**4.1 Rights of the County**

The County is not liable for any costs incurred by the Proponent in the preparation of their response to the RFP or selection interviews, if required. Furthermore, the County shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained or suffered by any Proponent, prior or subsequent to, or by reason of the acceptance, or non-acceptance by the County of any proposal or by reason of any delay in the award of the contract.

The County reserves the right to accept any proposal, in whole or in part, that it feels most fully meets the selection criteria. Therefore, the lowest cost proposal, or any proposal may not necessarily be accepted. County staff shall evaluate all compliant proposals received by the closing time and make evaluations and recommendations for acceptance.

The County reserves the right to request specific requirements not adequately covered in their initial submission and clarify information contained in the Request for Proposal.

The County reserves the right to modify any and all requirements stated in the Request for Proposal at any time prior to the possible awarding of the contract.

The County reserves the right to cancel this Request for Proposal at any time, without penalty or cost to the County. This Request for Proposal should not be considered a commitment by the County to enter into any contract.

The County reserves the right to enter into negotiations with the selected Proponent. If these negotiations are not successfully concluded, the County reserves the right to begin negotiations with the next selected Proponent.

Proposals shall remain open and subject to acceptance for a period of ninety (90) days from closing date.

In the event of any disagreement between the County and the Proponent regarding the interpretation of the provisions of the Request for Proposal, the Director of Financial Services or an individual acting in that capacity, shall make the final determination as to interpretation.

No proposal shall be accepted from any person or Proponent who, has a claim or has instituted a legal proceeding against the County or against whom the County has a claim or has instituted a legal proceeding, without the prior approval of County Council. This applies whether the legal proceeding is related or unrelated to the subject matter of this RFP.

4.2 **Conflict of Interest**

The Proponent declares that no person, firm or corporation with whom or which the Proponent has an interest, has any interest in this RFP or in the proposed contract for which this proposal is made. The Proponent further declares that no member of the Council of the County of Elgin and no officer or employee of the County of Elgin will become interested directly or indirectly as a contracting party, partner, shareholder, surety, or otherwise in or in the performance of the Contract or in the supplies, work or business to which it relates, or in any portion of the profits thereof, or in any of the money to be derived there from.

Should the Proponent feel that a conflict of interest or potential conflict of interest exists; the Proponent must disclose this information to the County of Elgin prior to the submission of a proposal. The County of Elgin may, at its discretion, delay any evaluation or award until the matter is resolved to the County of Elgin's satisfaction. The County of Elgin may allow a conflict of interest or potential conflict of interest to exist if it is satisfied that there are adequate safeguards in place and if the County of Elgin determines that it is in its best interests to do so.

The County of Elgin reserves the right to disqualify a proposal where the County of Elgin believes a conflict of interest or potential conflict of interest exists.

4.3 **Modified Proposals**

In the event that a preferred proposal does not entirely meet the requirements of the County, the County reserves the right to enter into negotiations with the selected Proponent, to arrive at a mutually satisfactory arrangement and to make any modifications to the proposal as are in the best interests of the County.

4.4 **Disqualification of Proponents**

More than one proposal from an individual firm, partnership, corporation or association under the same or different names will not be considered. Collusion between Proponents will be sufficient for rejection of any proposals so affected.

4.5 **Confidentiality**

The proposal must not be restricted by any statement, covering letter or alteration by the Proponent in respect of confidential or proprietary information. The County will treat all proposals as confidential. The County will comply with the Municipal Freedom of Information and Protection of Privacy Act, and its retention by-law pursuant to the Municipal Act, in respect of all proposals. All Public Reports approved by the Council of the County will become public information.

4.6 **Proposal Assignments**

The successful Proponent will not be permitted to assign or transfer any portion of the proposal as submitted or the subsequent agreement without prior written approval from the County.

4.7 **Purchasing Policy**

Submissions will be solicited, received, evaluated, accepted and processed in accordance with the County's Purchasing Policy as amended from time to time. In submitting a proposal in response to this RFP, the Proponent agrees and acknowledges that it has read and will be bound by the terms and conditions of the County's Purchasing By-law. The Purchasing By-Law can be viewed on the County's website, www.elgincounty.ca

4.8 **Failure to Perform**

Failure to comply with all terms and conditions of this proposal, and failure to supply all documentation, as required herein, shall be just cause for cancellation of the award. The County shall then have the right to award this contract to any other Proponent or to re-issue this RFP.

4.9 **Agreement**

A written agreement, prepared by the County shall be executed by the County and the successful Consultant. The complete proposal package submitted by the successful proponent, together with the entire Request for Proposal documents prepared by the County of Elgin, shall form part of the Agreement (see attached sample of agreement in Appendix A).

4.10 **Insurance Requirements**

Any agreement resulting from this RFP will contain at a minimum the following insurance requirement:

- a) Comprehensive general liability insurance including bodily injury and property damage liability, personal injury liability, completed operations liability, blanket contractual liability with a severability of interest and cross liability clause to a limit of no less than five million (\$ 5,000,000) dollars in respect to any one occurrence. The above-mentioned policy shall be endorsed to include the County of Elgin as an Additional Insured.
- b) Non-owned Automobile liability policy to a limit of no less than two million (\$2,000,000) dollars.
- c) Professional Liability insurance covering all activities as described in the Proponent's proposal to a limit of no less than two million (\$2,000,000) per claim and in the aggregate.
- d) The aforementioned policies of insurance shall contain or shall be subject to the following terms and conditions:
 - be written with an insurer licensed to do business in Ontario;
 - be non-contributing with, and will apply only as primary and not excess to any other insurance or self-insurance available to Elgin County;
 - contain an undertaking by the insurer to notify the County in writing not less than sixty (60) days before any material change in risk or cancellation of coverage.
 - any deductible amounts shall be borne by the Proponent.

- The Proponent shall provide proof of insurance upon execution of the Agreement. Proof of insurance shall be in the form of Certificates of Insurance, in form and detail satisfactory to the County, signed by an authorized representative of the insurer. The Proponent will make available the complete original copies of all applicable insurance policies for examination if required by the County.
- Certificates of Insurance evidencing renewal or replacement of policies shall be delivered to the County of Elgin within fifteen (15) business days prior to the expiration or replacement of the current policies, without demand by the County.

4.11 **Indemnification**

The successful Proponent shall indemnify and hold harmless the County of Elgin, its officers, Municipal Council, Employees and volunteers from and against any liabilities, claims, expenses, demands, loss, cost, damages, suits or proceedings by whomsoever made, directly or indirectly arising directly or indirectly by reason of a requirements of this agreement save and except for damage caused by the negligence of the County or their employees.

4.12 **Compliance with the Accessibility for Ontario with Disabilities Act 2005**

The Proponent shall ensure that all its employees and agents receive training regarding accessibility as outlined in the Accessible Customer Service Standard (Ontario Regulation 429/07) and the Integrated Accessibility Standards Regulation (Ontario Regulation 191/11). The Proponent is responsible to ensure that all of its employees, volunteers and others for which the Proponent is responsible are adequately trained.

4.13 **Disqualification**

The County may, in its sole discretion, disqualify a proposal or cancel its decision to make an award under this RFP, at any time prior to the execution of the Agreement by the county, if,

- the Proponent fails to cooperate in any attempt by the County to verify any information provided by the Proponent in its proposal;
- the Proponent contravenes one proposal per Person or Entity;
- the Proponent fails to comply with the laws of Ontario or of Canada, as applicable;
- the Proposal contains false or misleading information;
- the Proposal, in the opinion of the County, reveals a material conflict of interest;
- the Proponent misrepresents any information contained in its proposal.

4.14 **Record and Reputation**

Without limiting or restricting any other right or privilege of the County and regardless of whether or not a proposal or a Proponent otherwise satisfies the requirements of this RFP, the County may disqualify any proposal from any Proponent, where;

- In the opinion of the County Solicitor or the Purchasing Coordinator for the County, the commercial relationship between the Corporation of the County of Elgin and the Proponent has been impaired by the prior and/or current act(s) or omission(s) of each Proponent, including but not limited to:
 - a) Litigation with the County;
 - b) The failure of the Proponent to pay, in full, all outstanding accounts due to the County by the Proponent after the County has made demand for payment;
 - c) The refusal to follow reasonable directions of the County or to cure a default under a contract with the County as and when required by the County or its representatives;
 - d) The Proponent has previously refused to enter into an Agreement with the County after the Proponent's proposal was accepted by the County;
 - e) The Proponent has previously refused to perform or to complete performance of contracted work with the County after the Proponent was awarded the contract;
 - f) Act(s) or omission(s) of the Proponent has resulted in a claim by the County under a bid bond, a performance bond, a warranty bond or any other security required to be submitted by the Proponent on an RFP within the previous five years.
- In the opinion of County Council or the Chief Administrative Officer, or their designate, there are reasonable grounds to believe that it would not be in the best interests of the County to enter into an Agreement with the Proponent, for reasons including but not limited to the conviction or finding of liability of or against the Proponent or its officers or directors and any associated entities under any taxation legislation in Canada, any criminal or civil law relating to fraud, theft, extortion, threatening, influence peddling and fraudulent misrepresentation, the Environmental Protection Act or corresponding legislation in other jurisdictions, any law regarding occupational health or safety or the Securities Act or related legislation.

4.15 **Proponent's Costs**

The Proponent shall bear all costs and expenses incurred by the Proponent relating to any aspect of its participation in this RFP process, including all costs and expenses related to the Proponent's involvement in;

- the preparation, presentation and submission of its proposal;
- the Proponent's attendance at the Proponent's meeting;
- due diligence and information gathering processes;
- site visits and interviews;
- preparation of responses to questions or requests for clarification from the County;
- preparation of the Proponent's own questions during the clarification process; and,
- agreement discussions.

The County is not liable to pay such costs and expenses or to reimburse or compensate a Proponent under any circumstances, regardless of the conduct or outcome of the RFP Process, including the rejection of all proposals or the cancellation of the RFP, and including any negligence of the County in the conduct of the RFP process.

4.16 **Legal Matters and Rights of the County**

This RFP is not an offer to enter into either a bidding contract (often referred to as “Contract A”) or a contract to carry out the project (often referred to as “Contract B”). Neither this RFP nor the submission of a proposal by a Proponent shall create any contractual rights or obligations whatsoever on either the Proponent or the County.

The County may at its sole discretion change or discontinue this RFP process at any time whatsoever. The County may in its sole discretion enter into negotiations with any person, whether or not that person is a Proponent or a Short-Listed Proponent with respect to the work that is the subject of this RFP.

The County may at its sole discretion decline to evaluate any proposal that in the County’s opinion is incomplete, obscure or does not contain sufficient information to carry out a reasonable evaluation.

Without limiting the generality of the RFP, the County may at its sole discretion and at any time during the RFP process;

- reject any or all of the Proposals;
- accept any Proposal;
- if only one Proposal is received, elect to accept or reject it;
- elect not to proceed with the RFP;
- alter the timetable, the RFP process or any other aspect of this RFP; and
- cancel this RFP and subsequently advertise or call for new Proposals for the subject matter of this RFP.

In addition to and notwithstanding any other term of this RFP, the County shall not be liable for any damages resulting from any claim or cause of action, whether based upon an action or claim in contract, warranty, equity negligence, intended conduct or otherwise, including any action or claim arising from the acts or omissions, negligent or otherwise of the County and including any claim for direct, indirect or consequential damages, including but not limited to damages for loss of profit, loss of reputation, injury to property and bodily injury that results from the Proponents’ participation in the RFP process, including but not limited to;

- the disclosure of a Proponent’s confidential information;
- the costs of preparation of a Proponents Proposal, whether it is accepted, disqualified or rejected;
- any delays, or any costs associated with such delays, in the RFP process;
- any errors in any information supplied by the County to the Proponents;
- the cancellation of the RFP; and

- the award of the contract to a Proponent other than the Proponent recommended by the Proposal Review Committee.

4.17 **Human Rights, Harassment and Occupational Health and Safety**

The Proponent shall be required to comply with the County's policies regarding Human Rights, Harassment in the Workplace and Occupational Health and Safety.

4.18 **Clarification**

The County may require the Proponent to clarify the contents of its proposal, including by the submission of supplementary documentation, or seek a Proponent's acknowledgement of the County's interpretation of the Proponent's proposal.

The County is not obliged to seek clarification of any aspect of a proposal.

4.19 **Supplementary Information**

The County may, in its sole discretion, request any supplementary information whatsoever from a Proponent after the submission deadline including information that the Proponent could or should have submitted in its proposal prior to the submission deadline. The County is not obliged to request supplementary information from a Proponent.

4.20 **Default / Non-Performance**

The County will reserve the right to determine "non-performance" or "poor quality" of service and further reserves the right to cancel any or all of this contract at any time should the Proponent's performance not meet the terms and conditions of the RFP upon 30 days written notification to the Proponent.

"Non-performance" shall mean the failure to meet the complete terms and conditions of this Contract including, but not limited to, the response time. In the event of such cancellation, the County retains the right to claim damages as a result of such default.

If the County terminates the Contract, it is entitled to:

- a) withhold any further payment to the Proponent until the completion of the work and the expiry of all obligations under the Contract; and
- b) recover from the Proponent any loss, damage and expense incurred by the County by reason of the default (which may be deducted from any monies due or becoming due to the Proponent).



SECTION 5.0 - FORM OF PROPOSAL

To be included in Envelope ONE

5.1 DECLARATION

I/We the undersigned authorized signing officer of the Proponent, HEREBY DECLARE that no person, firm or Corporation other than the one represented by the signature (or signatures) of proper officers as provided below, has any interest in the proposal.

I/We further declare that all statements, schedules and other information provided in this proposal are true, complete and accurate in all respects to the best knowledge and belief of the Proponent.

I/We declare that this proposal is made without connection, knowledge, comparison of figures or arrangement with any other company, firm or persons making a proposal and is in all respects fair and without collusion for fraud.

I/We further declare that no employee of the Corporation of the County of Elgin is or will become interested, directly or indirectly as a contracting party or otherwise in the supplies, work or business to which it relates or in any portion of the profits thereof, or in any such supplies to be therein or in any of the monies to be derived there from.

I/We further declare that the undersigned is empowered by the Proponent to negotiate all matters with the Corporation of the County of Elgin's representatives, relative to this proposal.

I/We further declare that the agent listed below is hereby authorized by the Proponent to submit this proposal and is authorized to negotiate on behalf of the Proponent.

I/We further agree in submitting this proposal, we recognize the County may accept any proposal in whole or in part, or elect to reject all proposals.

ACKNOWLEDGEMENT OF ADDENDA

I/We have received and allowed for **ADDENDA NUMBER** _____ in preparing my/our proposal.
Insert #'s or "none"

Company Name

Signature

Print Name

To be included in Envelope One

NOTE: Failure to sign this page and return with your submission in envelope one will result in non-acceptance of your submission.

SECTION 5.0 - FORM OF PROPOSAL

To be included in Envelope TWO

5.2 FEE PROPOSAL PRICE FORM

We hereby offer to perform the work outlined in the Request for Proposal.

Task No.	Project Tasks (2.4 – Scope of Services)	Total Hours	Total Cost
1	Phase 1: Project Initiation/Project Management		
(a)	Deliverables for Part A		\$
(b)	Deliverables for Part B		\$
2	Phase 2: Detailed Service Inventory		
(a)	Deliverables for Part A		\$
(b)	Deliverables for Part B		\$
3	Phase 3: Development of Opportunities/Recommendations		
(a)	Deliverables for Part A		\$
(b)	Deliverables for Part B		\$
4	Final Report to County Council		\$
5	Presentations to Elgin County Council and Working Group		\$
6	Disbursements (if applicable)		\$
7	Others (any other activities)		\$
		PRICE	\$
		HST	\$
		TOTAL PRICE	\$

Optional Item

1. Rate of consultants (all costs included) – for any additional work that may be asked of the consultant on this project outside of the Scope of Work based on a 7.0 hour day for each task of the work plan.
 - a. Per diem rate for consultant team member (please specify name) \$ _____
 - b. Per diem rate for attending additional meetings with project team members and additional presentations to Elgin County Council or with the public \$ _____

Note

1. The total estimated cost including disbursements for the work proposed shall be considered the upset limit for this project.
2. Taxes to be applied to invoices as per applicable tax at the time that the work is completed.

Effort Matrix (to be completed by the Proponent)

Service Delivery Review				
Consultant:				
Assigned Staff:				
Hourly Rate (\$/hr)				
Task No.	Project Tasks/Project Activities	Hours	Total Task Hours	Total Task Cost
1	Phase 1: Project Initiation/Project Management			
	List activities for this task as appropriate for Part A			
	List activities for this task as appropriate for Part B			
	SUBTOTAL Task No. 1			
2	Phase 2: Detailed Service Inventory			
	List activities as appropriate for Part A			
	List activities as appropriate for Part B			
	SUBTOTAL Task No. 2			
3	Phase 3: Development of Opportunities/Recommendations			
	List activities as appropriate for Part A			
	List activities as appropriate for Part B			
	SUBTOTAL Task No. 3			
4	Final Report to County Council and Working Group			
	SUBTOTAL Task No. 4			
5	Presentation to County Council and Working Group			
	List activities for this task as appropriate			
	SUBTOTAL Task No. 5			
6	Disbursement if applicable			
7	Others (list any other activities) if applicable			
Total Hours (Staff Time)				
Hourly Rate				
Total Costs of Tasks per Staff				

TOTAL FEES (excluding disbursements)	\$
TOTAL HOURS	Hrs.
Disbursements	\$
TOTAL COST (excluding HST)	\$

Include per diem rates and any other fees on a separate sheet and include in Envelope Two.

Your proposal must clearly state which services are not included in your financial proposal.

Company Name

Signature

Print Name

To be included in Envelope Two

NOTE: Failure to sign this page and return with your submission in envelope two will result in non-acceptance of your submission.

APPENDIX A – SAMPLE AGREEMENT

THIS AGREEMENT made in duplicate this _____ day of _____ 2020.

- BETWEEN -

CORPORATION OF THE COUNTY OF ELGIN
450 Sunset Drive, St. Thomas, Ontario N5R 5V1

Hereinafter called the "County" (of the first part)

- AND -

< **CONSULTANT NAME** >
Address

Hereinafter called the "Consultant" (of the second part)

WHEREAS on **(date)**, the County issued Request for Proposal # **(insert number)** *(if applicable and Addendum # (insert number) dated (date) for (enter the description of work)* (the "RFP");

AND WHEREAS on **(enter date of Consultant's proposal)** the Consultant submitted a proposal in response to the RFP (the "proposal");

AND WHEREAS the County wishes to enter into an agreement with the Consultant for the services, as more particularly described in the RFP and the proposal, attached hereto as Schedule "A" and forming part of this Agreement (the "Services");

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration, the sufficiency whereof is acknowledged hereby by the parties, the parties hereto agree with each other as follows:

1. The Consultant shall provide the Services pursuant to all the terms and specifications set out in Schedule "A". If there should be any conflict between the provisions of this Agreement and the provisions of Schedule "A", the provisions of this Agreement shall prevail.
2. The term of this Agreement shall commence _____.
3. If either party, acting reasonably, determines that the other party has failed to perform its obligations pursuant to this Agreement, then such party may terminate this Agreement upon giving at least thirty (30) days' written notice to the other party.
4. The Consultant shall indemnify and save harmless the Owner, its elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest, or damages of every nature and kind whatsoever arising out of the negligence, errors, omissions, fraud or willful misconduct of the Consultant its officers,

employees, agents and sub-consultants, or any of them, attributable to or connected with the performance, non-performance or purported performance of the Consultant obligations pursuant to this Agreement, except to the extent that same is attributable or caused by the negligence of the Owner, its officers, employees and agents, or any of them. Further, this indemnity shall survive the expiration or early termination of this Agreement and continue in full force and effect.

5. This Agreement together with its schedule constitutes the entire understanding between the parties. Any change, addition to, or waiver of the terms hereof must be specifically agreed upon, in writing, and signed by both parties. Failure on the part of either party to insist upon the strict observance of any of the terms and/or conditions herein shall not operate as a waiver of such party's right to require the future observance of any such terms or conditions.

6. This Agreement shall not be assigned, in whole or in part, by either party hereto without the prior written consent of the other party. This Agreement, all its covenants, promises and conditions shall ensure to the benefit of and be binding upon the parties hereto and their respective permitted successors and assigns.

7. Either party may terminate this Agreement at any time, without notice, for just cause which shall include, without limitation, dishonesty, fraud, willful deceit or failure to properly fulfill the obligations hereunder where such failure is not remedied within ten (10) days after notice of same is given.

8. This Agreement shall be construed and interpreted in accordance with the laws of the Province of Ontario, Canada.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement.

DATE

"Consultant's name
Per: _____
Name: _____
Position: _____
I have the authority to bind the corporation"

DATE

"The Corporation of the County of Elgin
Per: _____
Name: Julie Gonyou
Position: Chief Administrative Officer

Per: _____
Name: Duncan McPhail
Position: Warden
We have the authority to bind the corporation"

EXHIBIT I – SHARED SERVICES/RESOURCES

Service/Resource	Provided by	Provided to	Agreement
Full IT Support	County	Municipality of Bayham and Municipality of Central Elgin	Yes
Fire Training Officer/Community Emergency Management Coordinator	County	Interested local municipalities	In progress
Accessibility Compliance	County	All local municipalities and Corporation of the County of Middlesex	Yes
Land Division Committee	County	All local municipalities	Yes
Economic Development	County	Interested local municipalities	Project-work completed with Council's approval
Human Resources	County	Interested local municipalities	Ad hoc advice offered as requested
GIS	Township of Malahide	Elgin County	Yes
Provincial Offences Administration	County	On behalf of all partner municipalities	Yes
Traffic Data Collection	County	Interested local municipalities	Ad hoc on a project by project basis
Technical Advice/Service	County	Interested local municipalities	Ad hoc advice provided by County Engineer as requested
Coordination of Integrity Commissioner Services	County	6/7 local municipalities	Municipalities have individual agreements with Integrity Commissioner
Interlibrary Loan	Reciprocal (St. Thomas)	City of St. Thomas	Yes
Adult Day Program (LTCH)	County	Various Recipients	Yes
Meals on Wheels (LTCH)	County	Various Recipients	Yes
Stroke Program (LTCH)	County	Various Recipients	Yes
Diners Club (LTCH)	County	Various Recipients	Yes
Roads Maintenance Agreement	County	Local Municipal Partners	Yes

REQUEST FOR PROPOSAL NO. 2019-XX
Service Delivery Review

Archives Records Transfers	County	Various Recipients	Yes
Phragmites	County	Local Municipal Partners	Yes
Emergency Medical Services	County	City of St. Thomas	Yes
Benefits Consortium	County	Local Municipal Partners	Yes

Draft

RETURN ADDRESS LABEL – ENVELOPE 1

Place this label on the front of the sealed envelope (**ENVELOPE 1**) containing your proposal.

FROM:

Contact:



DELIVER PROPOSAL TO:

**County of Elgin
450 Sunset Drive
2nd Floor, Financial Services
St. Thomas, ON N5R 5V1
Attn: Mike Hoogstra, Purchasing Coordinator**

TECHNICAL PROPOSAL - ENVELOPE 1

RFP No.: 2019-XX
Description: <Insert Project Name>
Closing Date: <Insert Date> , 2019 @ 3:00 p.m. (local time)

Late proposals will NOT be accepted!

RETURN ADDRESS LABEL – ENVELOPE 2

Place this label on the front of the sealed envelope (**ENVELOPE 2**) containing your proposal.

FROM:

Contact:



DELIVER PROPOSAL TO:

**County of Elgin
450 Sunset Drive
2nd Floor, Financial Services
St. Thomas, ON N5R 5V1
Attn: Mike Hoogstra, Purchasing Coordinator**

FINANCIAL PROPOSAL - ENVELOPE 2

RFP No.: 2019-XX
Description: <Insert Project Name>
Closing Date: <Insert Date> , 2019 @ 3:00 p.m. (local time)

Late proposals will NOT be accepted!

CORRESPONDENCE – November 26, 2019

Items for Consideration – (Attached)

1. Municipality of Dutton Dunwich requesting Elgin County to investigate the feasibility and costs associated with the installation of traffic lights at the Currie Road/Talbot Line intersection.
2. Town of Aylmer requesting support and endorsement of a request for tax relief for the development of an affordable housing apartment building on Brown Street in Aylmer.



Municipality of
Dutton Dunwich

The Corporation of the Municipality of Dutton Dunwich

SENT BY EMAIL

November 18, 2019

County of Elgin
451 Sunset Drive
St. Thomas, ON
N5R 5V1

Attention: County Council

Re: Traffic Light Installation – Currie Road/Talbot Line Intersection

A recent accident at the intersection of Currie Road and Talbot Line prompted a report to Dutton Dunwich Council from our Manager of Roads and Facilities. This report outlines visibility issues at this intersection, as well as traffic volume concerns during EDRs. Dutton Dunwich Council respectfully requests that Elgin County Council directs County staff to further investigate the feasibility and costs associate with the installation of a traffic light at this intersection. Dutton Dunwich Council further requests that if this project were to move forward, any costs associated with the installation of a traffic light at this intersection be included in the Elgin County budget.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Heather Bouw'.

Heather Bouw
Clerk

/hb

199 Currie Road, Dutton, Ontario N0L 1J0

P 519.762.2204 F 519.762.2278

www.duttondunwich.on.ca [twitter @DuttonDunwich](https://twitter.com/DuttonDunwich)



Municipality of
Dutton Dunwich

TO: Mayor and Members of Council
FROM: Murray Wickerson, Manager Roads and Facilities
DATE: November 13, 2019
SUBJECT: **Report on Traffic Lights in Wallacetown**

RECOMMENDATION

THAT the Council of the Municipality of Dutton Dunwich requests that the County of Elgin further investigate the feasibility and costs associated with the installation of traffic lights at the intersection of Currie Road and Talbot Line; and

THAT a copy of this report be forwarded to the County of Elgin for information.

FOR INFORMATION

A recent accident at the corner of Currie Road and Talbot Line shed light once again on conditions at this intersection. Currie Road traffic is lacking visibility at this intersection, particularly when vehicles are parked along Talbot Line. There is a provision for parking along Talbot Line with a marked parking lane necessary for the local businesses. Higher traffic volumes are being experienced in this area due to Highway 401 construction and the potential for EDR events. During EDR events especially, this intersection becomes quite problematic as Hwy 401 traffic, not familiar with the area, is using this intersection. During EDR event, vehicles heading north on Currie Road can find it challenging to proceed through the intersection. An electrical contractor has provided a rough estimate of between \$150,000 to \$170,000 with engineering to install traffic lights at this intersection. This intersection is entirely under the jurisdiction of the County of Elgin and maintenance of county roads is provided by Dutton Dunwich as outlined in a maintenance agreement. Potentially the county may have an opportunity to lower these costs. Considering that construction on Hwy 401 will continue with the construction zone moving westward in the coming year, the installation of traffic lights is recommended.

Respectfully Submitted:

Murray Wickerson
Manager Roads and Facilities

Approved for Submission:

Heather Bouw
Clerk

From: Josh Brick
Date: November 19, 2019 at 3:29:50 PM EST
To: Julie Gonyou
Cc: Jennifer Reynaert; John Fishback
Subject: **Town of Aylmer Resolution 363-19 - Affordable Housing Support Resolution.**

Hi Julie,

At their Regular Meeting on November 18, 2019 the Council of the Town of Aylmer passed the following resolution:

Resolution No. 363-19

Moved by Councillor Barbour and seconded by Councillor Oslach:

That Report CAO 73-19 entitled Affordable Housing Support Resolution for Walter Ostojic & Sons Ltd. be received for information; and,

That the Council of the Town of Aylmer supports Walter Ostojic & Sons Ltd. in their development of the second building on Brown Street in Aylmer as an Affordable Housing Project, noting endorsement of a request for tax relief for the project; and further,

That Council provides a copy of this resolution to the County of Elgin requesting support for this initiative.

The motion is Carried.

I have attached a copy of the reference material that was included with this Council Report.

Best,

Josh Brick
Director of Legislative Services/ Clerk | Town of Aylmer
46 Talbot Street West, Aylmer, ON N5H 1J7
519-773-3164 Ext. 4911 | Fax 519-765-1446
jbrick@town.aylmer.on.ca | www.aylmer.ca

Investment in Affordable Housing for Ontario (2014 Extension) Program Guidelines

Introduction

The Investment in Affordable Housing for Ontario program (IAH) (2014 Extension) will provide over \$800 million in federal and provincial funding to improve access to affordable housing over six years. The program will end March 31, 2020.

The IAH (2014 Extension) will continue to provide Service Managers (SMs) with increased flexibility and accountability to deliver tailored programs that respond to local conditions and priorities.

Scope of the Guidelines

The Program Guidelines describe the various components of the IAH (2014 Extension) and outline the program's requirements.

The Ministry recognizes that adjustments or enhancements to the program's design may be necessary as a result of SM feedback and consultations. As such, the Program Guidelines may be updated on an as needed basis and changes will be communicated to SMs.

Program Objectives

Supported by the principles of Ontario's Long-Term Affordable Housing Strategy (LTAHS), the IAH (2014 Extension) builds on the successes of previous housing programs including the Canada-Ontario Affordable Housing Program (AHP).

The IAH (2014 Extension) has the following key objectives:

- Improve access to affordable housing that is safe, sound, suitable, and sustainable for households across Ontario.
- Provide SMs with the flexibility to meet local needs and priorities identified in their Housing and Homelessness Plans.
- Address the affordable housing needs of specific priority groups and contribute to the province's overall targets for seniors and persons with disabilities.
- Offer funding for an array of housing options that address affordable housing needs across the housing system.
- Incorporate energy efficiency and accessibility into affordable housing units and building design.
- Promote and support the use of apprentices and the training of skilled labour.

Program Components

The IAH (2014 Extension) offers the following program components to SMs:

- Rental Housing component
- Homeownership component
- Ontario Renovates component
- Operating component
 - Rent Supplement stream
 - Housing Allowance Direct Delivery stream
 - Housing Allowance Shared Delivery stream

Details on each component are included in these Guidelines.

SMs have the flexibility to select the components they will deliver each year using their notional annual funding allocations. Planned commitments and projected take-up for selected program components must be identified in each SM's Program Delivery and Fiscal Plan (PDFP) – see page 4.

The IAH (2014 Extension) will also offer an Off-Reserve Aboriginal Housing component to be delivered in partnership with Aboriginal Program Administrators. IAH (2014 Extension) funding cannot be used On-Reserve.

Targets for Priority Groups

The IAH (2014 Extension) will fund the creation and repair of an estimated 11,000 units across the province. Overall, the Ministry is targeting a minimum of 1,650 units (15%) for seniors and 1,100 units (10%) for persons with disabilities.

SMs will not be mandated specific targets for these priority groups. The Ministry, however, is required to meet these priority targets and retains the right to reallocate funds in Year 5 and Year 6 of the program if these targets are not being met.

In line with the Ontario Housing Policy Statement, the Ministry strongly encourages SMs to address the needs of victims of domestic violence as well as other specific local groups as identified in SMs' Housing and Homelessness Plans.

Supportive Housing

Affordable housing with appropriate support services leads to better health outcomes for seniors and persons with disabilities including those living with mental health or addiction issues who are homeless or at risk of homelessness. The Ministry of Municipal Affairs and Housing encourages SMs to work with their Local Health Integration Network, Community Care Access Centres and local support services agencies including those that provide services to people with mental health or addiction issues to help coordinate support services with the affordable housing created under the IAH (2014 Extension).

Funding Allocations

SMs will be provided with their notional funding allocation for each year of the program. This is based on the SM's share of households and the number of households in core need equally weighted.

Funding allocations are provided on a **'use it or lose it'** basis. Funds that are not committed* by the required timelines may be reallocated to other SM areas as there are limited options to move funds between program years.

*The following documentation is required to commit funds under the IAH (2014 Extension):

- Rental Housing – Contribution Agreement
- Homeownership – Approved project information in the Affordable Housing Information Management System (AIMS), Agreement of Purchase and Sale
- Ontario Renovates – Approved project information in AIMS, confirmation of security (mortgage or promissory note), executed Letter of Agreement or Funding Agreement (as required)
- Operating – Commitment letter from Ministry

Funding Commitments (Year 1)

IAH (2014 Extension) – Year 1 funding under all program components must be committed no later than January 30, 2015.

Funding Commitments (Year 2 – Year 6)

Capital Components

Rental Housing component funding allocations must be committed by December 31st of each program year.

For the Homeownership and Ontario Renovates components, no more than 10% of each component's funding allocation may be planned for take-up in the fourth quarter of the respective program years. A minimum of 90% of the annual funding allocations for both components combined must be committed by December 31st of each program year.

Operating Component

Allocations for the Operating component will be committed at the beginning of each program year through a letter from the Ministry based on the planned commitments identified in the Service Manager's approved PDFP. Expenditures must begin in that program year and in accordance with the cash flow projections. SMs are required to report on program take-up through their quarterly PDFP updates. The Ministry will provide quarterly payments, based on cash flow projections and actual expenditures.

Re-allocation

Under the capital components, all annual funding allocations must be committed to projects within specified timelines in each program year; otherwise, the outstanding funding allocation may be reallocated to other SMs. The Ministry will review SMs' third quarter PDFP updates for each program year to determine whether funding targets will be met and whether re-allocation is needed.

Any funding that is re-allocated from a SM will be deducted from that SM's total overall allocation.

Program Delivery and Fiscal Plan (Year 1)

SMs must submit a Program Delivery and Fiscal Plan (Year 1), exclusive to their Year 1 allocation, that outlines the components to be delivered, projected take-up, and the amount of funding to be used for administration fees.

Year 1 Plans do not require Council approval. Approval by a Chief Administration Officer or delegated authority is sufficient. Year 1 Plans must be received by the Ministry no later than November 30, 2014.

Program Delivery and Fiscal Plan (Year 2 – Year 6)

Each SM is required to develop and submit a Program Delivery and Fiscal Plan (PDFP) that outlines how the annual funding allocations will be used over the final five-year funding period (2015-16 to 2019-20). The Ministry requires the PDFP to support the goals and address the needs outlined in SMs' Housing and Homelessness Plans.

PDFPs must be Council/Board (or delegated authority) and Ministry approved prior to receiving any IAH (2014 Extension) funding approval for Year 2.

The PDFP is intended to be a concise document that identifies:

- The IAH (2014 Extension) components the SM will deliver in each year of the program and how the selected components address the needs identified in the SM's Housing and Homelessness Plan.
- The number of units expected to be developed and households to be assisted under the selected components in each year of the program.
- The amount of funding from each year's funding allocation to be used for the selected components.
- The amount of funding projected to be committed to projects/households quarterly under the capital components.
- Proposed quarterly expenditures and agreement information under the Rent Supplement and Housing Allowance streams.
- The client groups to be targeted under the selected components.
- The amount of funding from each year's funding allocation to be used for administration fees.

The PDFP confirms the SM's commitment to using their total notional funding allocation for the program. The Ministry will be using the PDFPs to track each SM's progress against their allocation and will use this information to provide reports to Canada Mortgage and Housing Corporation (CMHC).

The initial PDFP must be submitted to the Ministry for approval no later than February 27, 2015. SMs are required to update their PDFPs on a quarterly basis. Updates will include the SM's progress (i.e. actual commitments and Operating component payments) against their planned commitments.

Due Date	Description
February 27, 2015	Initial PDFP to Ministry for approval
July 15 of each year	First quarter PDFP update
October 15 of each year	Second quarter PDFP update
December 15 of each year	Third quarter PDFP update
March 15 of each year	Fourth quarter PDFP update and revisions to subsequent program year allocations

Administration Agreement

SMs must enter into an Administration Agreement with the province to participate in the IAH (2014 Extension). The Administration Agreement contains an accountability framework between the province and SMs and outlines the roles and responsibilities of the SM.

The Administration Agreement outlines:

- Financial provisions (i.e. administration fees, payment claims and financial accountability)
- Eligibility criteria
- Indemnification and repayment provisions
- Risk management protocols for projects facing difficulties
- Reporting, auditing and other accountability enforcement provisions
- Other requirements (e.g. French Language Services).

Administration Agreements must be signed no later than November 30, 2014.

Administration Fees

SMs may use up to 5% of their total funding allocation to assist with the administration costs of the IAH (2014 Extension). SMs are responsible for determining the amount required by program year and identifying these amounts in their PDFPs.

SMs **must not** exceed 5% when determining their total administration fee amount. SMs may elect to set their administration fee amount below 5% in order to provide more funding to the program components.

Administration fees will be paid to SMs at the beginning of each program year as per the amounts identified in the PDFP.

Role of the Service Manager

Service Managers are responsible for:

- Entering into an Administration Agreement with the province
- Completing and updating a PDFP outlining how their notional funding allocations will be used under the program
- Developing application processes for the selected program components, if applicable
- Selecting and recommending Rental projects for Ministry approval
- Approving Homeownership and Ontario Renovates projects

- Entering into funding agreements with housing proponents/landlords/clients
- Advancing payments to proponents, housing providers, or clients based on agreed upon milestones
- Monitoring projects to ensure timely completion and occupancy
- Fulfilling reporting requirements as per the Administration Agreement
- Adhering to indemnification provisions as per the Administration Agreement
- Preventing and resolving issues for projects that encounter difficulties
- Participating in communication events pertaining to the IAH (2014 Extension) as per the Communications Protocol Requirements outlined in Schedule E of the Administration Agreement.

SMs may engage third party agencies to deliver the IAH (2014 Extension) but retain all responsibilities for program delivery. Under the Operating component, SMs may opt for the Housing Allowance Shared Delivery stream, administered by the Ministry of Finance (MOF), the Ministry's program partner.

The Ministry is available to assist SMs with the implementation of the IAH (2014 Extension) in their communities. SMs are encouraged to liaise with their Ministry contacts for more information (see Appendix A for Ministry contact information).

Reporting

IAH (2014 Extension) reporting consists of updating and submitting the PDFP with SM progress on a quarterly basis and completing reports specific to each program component as described in their respective sections of the Administration Agreement.

It is expected that all component-specific reports will be completed and submitted through the Ministry's Affordable Housing Information Management System (AIMS).

This reporting ensures compliance with the provisions of the CMHC-Ontario Investment in Affordable Housing Program Agreement, the Supplementary Agreement No.1 and other established program requirements.

Stacking Provisions

The following stacking provisions are **not allowed** for the IAH (2014 Extension):

- Rental Housing component funding must NOT be combined with Ontario Renovates component funding **for the same units**.
- Ontario Renovates component funding must NOT be applied to units that have previously received AHP (2005), AHP Extension (2009) or IAH funding under the Rental and Supportive or Rental Housing components.
- Ontario Renovates component funding must not be approved for a homeowner who received previous Homeownership component funding under the AHP or IAH **for the same unit**.

- Funding under different streams of the Operating component cannot be combined.
Example: A unit receiving funding under the Rent Supplement stream cannot also house a rental household receiving funding under the Housing Allowance stream.
- Funding must NOT be applied to social housing projects/units as defined under the *Housing Services Act, 2011* (e.g. *demolition and replacement or repair of existing social housing units*).
Social housing redevelopment which involves building new affordable rental units/additions on social housing sites may be eligible (see “Rental Housing Component” for more details).

The following stacking provisions **are allowed** for the IAH (2014 Extension):

- Rental Housing or Ontario Renovates (Multi-Unit Rehabilitation) component funding may be combined with Operating component funding **for the same units**.
Example: A project may receive Rental Housing funding to create 5 units; the SM may use Rent Supplement funding for those 5 units to provide deeper affordability.
- Ontario Renovates component funding may be approved for a unit that previously received funding under another federal and/or provincial repair-type program (e.g. Northern Repair, Residential Rehabilitation Assistance Program (RRAP), emergency repairs funded under the Community Homelessness Prevention Initiative, Ontario Renovates), provided the repair addresses a need or condition of work which has not been previously funded.
Example: A homeowner who previously received RRAP funding to repair their roof may be eligible to receive funding under IAH Ontario Renovates to install a ramp for greater accessibility.

Duty to Consult

The province has a duty to consult and accommodate Aboriginal peoples where it has knowledge of the potential existence of an Aboriginal right or title and contemplates conduct that might adversely impact that right or title.

If such a duty arises in the context of making a decision to provide IAH (2014 Extension) funding, the province has an obligation to consult Aboriginal peoples before the decision is made.

The Housing Division of the Ministry of Municipal Affairs and Housing has established a protocol for assessing when a duty to consult may arise and with whom consultation may be required. Please contact your local Ministry contact (see Appendix A) if you have any questions or are uncertain if a proposed IAH (2014 Extension) project requires consultation.

French Language Services

SMs providing a service to the public in connection with IAH (2014 Extension) and that have an office (including the offices of sub-contractors) located in or serving a designated area must:

- Ensure services are provided in French; and,
- Make it known to the public (through signs, notices, other information on services, and initiation of communications in French) that services provided to and communications with the public in connection with the IAH (2014 Extension) are available in French.

The list of designated areas can be found in Appendix B.

SMs serving a designated area are required to complete and submit a French Language Services Report to the Ministry confirming that the SM is providing the requisite French language services. The report must be signed and submitted to the Ministry at the time of signing the Administration Agreement.

SMs are also required to submit annual French Language Services Reports confirming their continued compliance with the French language services requirements, by May 31st of each year.

Environmental Assessment

Projects approved under the capital components of the IAH (2014 Extension) are subject to the *Canadian Environmental Assessment Act 2012* (“CEAA 2012”). SMs are required to check for compliance of the CEAA 2012 and provide confirmation to the Ministry. Please refer to Appendix C for a revised and simplified CEAA 2012 checklist. CEAA 2012 compliance does not apply to the Operating and Homeownership components.

Communications Protocol

SMs participating in the IAH (2014 Extension) must agree to adhere to the CMHC-Ontario Agreement for Investment in Affordable Housing (2011-14) Communications Protocol. This is to ensure open, transparent, effective and proactive communications with citizens through ongoing public information activities that recognize the contributions of each party. This approach is consistent with the guiding principles established in the Memorandum of Understanding (MOU) signed by the federal and provincial governments, the Association of Municipalities of Ontario (AMO), and the City of Toronto on August 31, 2005.

Important Dates

Date	Description
November 30, 2014	Last day to enter into Administration Agreement with the province
November 30, 2014	Last day to submit the Program Delivery Fiscal Plan (Year 1)
January 30, 2015	Deadline to commit Year 1 funding allocations
February 27, 2015	Last day to submit PDFP (Year 2 – Year 6)
December 31 of each year	Last day for annual funding allocations to be committed for each year under the Rental Housing component For the Homeownership and Ontario Renovates components, SMs must have committed a minimum of 90% of their annual allocations to projects.
March 31, 2020	IAH (2014 Extension) ends. No further funding commitments can be made.
March 31, 2024	Final deadline for disbursement of IAH (2014 Extension) funding to projects/clients under all components

Rental Housing Component

The Rental Housing component will:

- Increase the supply of rental housing for households on, or eligible to be on, social housing waiting lists.
- Ensure that safe, adequate and affordable rental housing is available to Ontario households.

Eligibility Criteria - Projects

Eligible projects must be one of the following:

- New construction, including additions and extensions
- Acquisition and, where required, rehabilitation of existing residential buildings to maintain or increase the affordable rental housing stock
- Conversion of non-residential buildings or units to purpose-built rental buildings/units

Social housing redevelopment which involves building new affordable rental units/additions on social housing sites may be eligible provided that the appropriate ministerial or service manager consent, as applicable, is obtained as per the *Housing Services Act, 2011*.

Projects that are **not eligible** include:

- Secondary suites in owner-occupied housing
- Nursing and retirement homes
- Social housing projects/units that receive ongoing federal and/or provincial subsidies (e.g. demolition and replacement of existing social housing units)
- Shelters and crisis care facilities
- Owner-occupied housing
- Student residences

Eligibility Criteria – Units

Units must be modest in size and amenities relative to other housing in the community. Units are expected to be self-contained unless a rationale is provided. Proponents who wish to develop congregate living buildings (rooms with shared living spaces) for supportive housing may be eligible for program funding and should provide a rationale in order to receive funding.

SMs may establish size and amenity requirements. If SMs do not set size requirements, the following provincial average size requirements will be used for new construction projects.

Unit Type	Bachelor	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Apartment	41.8 m ²	60.4 m ²	79.0 m ²	92.9 m ²	111.5 m ²
Townhouse (Row houses)	N/A	65.0 m ²	83.6 m ²	102.2 m ²	120.8 m ²

Project Submission Process

SMs will solicit proposals and select rental housing projects to recommend to the Ministry for funding approval. All procurement processes must be in accordance with the *Municipal Act, 2001*.

SMs will submit recommended projects for the Ministry's consideration as per their allocation set out in their PDFP.

Recommended projects shall:

- Be approved by council and/or board based on municipal/board procurement practices and in accordance with the *Municipal Act, 2001*.
- Have all required municipal approvals such as zoning, minor variances, land severances, or site plan approvals in place to permit the proposed development, or be well advanced in the planning approvals process.
- Be able to sign a Contribution Agreement (CA) no later than December 31st of each program year.
- Start construction within 120 days after signing a Contribution Agreement.
- Be financially viable from a construction and operating cost perspective – based on SM confirmation.
- Meet the current Ontario Building Code and Canadian Environment Assessment Act, 2012 (CEAA 2012) requirements.
- Have rents that on average for the project are at or below 80% of the CMHC Average Market Rent (AMR) for the community or as approved by the Ministry for a minimum of 20 years (see “Affordability Criteria and Rents” on page 15 for additional details).
- Provide the required equity, if applicable – 10% for private proponents; 4% for partnerships between private sector and non-profit organizations; 0% for non-profit organizations.
- Have confirmation of support services, if applicable.
- Address local housing needs and target tenant groups identified in local housing and homelessness plans.
- Have an occupancy plan in place to ensure that units will be occupied in a timely manner.

SMs are required to give priority consideration to the employment of apprentices in the residential housing sector during the project evaluation and selection process. SMs are required to report on the initiatives/activities used to promote or support apprentices, the number of apprentices employed in each project, and the type of trade the apprentices are training in.

Further, SMs are encouraged to give priority consideration to projects that:

- Have Contributions by Others, including the SM, host municipality, and proponent – to be used in partnership with IAH (2014 Extension) funding.
- Are sponsored by providers that agree to project affordability periods beyond the minimum 20-year term to ensure the longer-term supply of the affordable housing stock.

- Have energy efficiency features.
- Are fully accessible and/or have units that are accessible to persons with disabilities.
- Have support service funding in place, if applicable.

In instances where proposals with merit submitted by non-profit housing providers require additional time for project development (i.e. site identification and/or securing a site, municipal planning approvals, project concept designs), SMs may consider these projects for funding in later years of the program.

Recommended projects for commitment should be submitted to the Ministry between April 1st and November 30th of each program year. All projects must be submitted through the Affordable Housing Information Management System (AIMS) along with additional project background information such as that contained in Council/board reports.

Project Approval Process

Project approval will be based on construction readiness, ability to meet the program's eligibility criteria, and alignment with the PDFP.

Once approved, a project will receive a Conditional Letter of Commitment (CLC) from the Ministry, which confirms Ministry approval and outlines the steps to take prior to signing a Contribution Agreement (CA).

The CA shall describe legal obligations and reporting requirements for the project. All SMs are required to enter into CAs directly with proponents.

As funding allocations must be committed for each year of the program, the deadline to execute CAs is December 31st of each program year to allow time for re-allocation of funds if necessary. SMs that have not signed a CA or have not begun construction by the required dates may have their funding re-allocated.

Funding

Funding for the Rental Housing component is provided as a forgivable capital loan that is available during the construction phase of the project.

The IAH (2014 Extension) Rental Housing component will fund up to 75% of the total capital cost per unit or \$150,000 per unit, whichever is less. Total capital costs include land, financing, hard (construction) and soft costs but less any HST rebates. An example is provided below.

Example: 10 unit project

Total Capital Cost = \$1,800,000

Total Capital Cost per unit = \$1,800,000 ÷ 10 = \$180,000

IAH (2014 Extension) funding per unit is the lesser of:

(a) 75% of \$180,000 = \$135,000 or

(b) \$150,000

The maximum funding per unit will be \$135,000.

The total maximum IAH (2014 Extension) funding for the project will be \$1,350,000.

SMs may set variable amounts of funding per unit based on factors such as unit bedroom size, unit type (e.g. low-rise apartment, high-rise apartment, townhouse), or geographic location of the project within the SM's service area. SMs are also encouraged to support projects that incorporate enhanced energy efficiency and/or accessibility measures.

SMs are required to perform their due diligence to ensure that a project is financially viable from a construction cost and on-going operating context and that costs per unit are accurate.

The Canada Mortgage and Housing Corporation has developed an [Affordable Housing Project Viability Assessment Tool](#) which can help determine a project's financial viability based on preliminary calculations.

The Ministry, at its discretion, may require an independent analysis to confirm project financial viability.

Payment Process

The Ministry will advance funding directly to SMs, who will be responsible for making project payments to housing proponents. SMs will advance funds to proponents based on the completion of construction milestones and compliance with the program requirements.

Funding will be advanced to SMs in three instalments:

- 50% at signing of CA, registration of security, 1st available building permit, and construction start
- 40% at completion of structural framing for new construction or fifty percent completion for acquisition and rehabilitation projects
- 10% at confirmation of occupancy, submission of Initial Occupancy Report and Confirmation of Employment of Apprentices Report, and submission of an updated capital cost statement in a form acceptable to the Ministry

SMs must also obtain and submit to the Ministry an audited capital cost statement within six months following the initial occupancy date of projects, or such additional time acceptable to the Ministry.

The Ministry may consider accelerated payments for projects sponsored by non-profit proponents on a case-by-case basis.

SMs will be required to submit signed project checklists and documentation in AIMS when requesting each payment.

All final payments (10% at confirmation of occupancy) are required to be made within four years of signing the Contribution Agreement, but in any event not later than March 31, 2024. SMs are required to ensure that all projects are completed and request the final payment prior to this deadline.

Eligible Client Groups

The Rental Housing component aims to create affordable rental housing for households that are on, or eligible to be on, social housing waitlists. This includes, but is not limited to:

- Seniors
- Persons with disabilities
- Aboriginal peoples
- Victims of domestic violence
- Recent immigrants
- Working poor
- Singles and families

Targets for Special Priority Groups

Across the province, the IAH (2014 Extension) will fund the creation and repair of an estimated 11,000 units. Overall, the Ministry is targeting a minimum of 1,650 units (15%) for seniors and 1,100 units (10%) for persons with disabilities. To assist the province to achieve these targets, SMs should consider dedicating a portion of their rental units to seniors and persons with disabilities. The Ministry retains the right to reallocate funds in Year 5 and Year 6 of the program if the provincial targets are not being met.

In addition, SMs are encouraged to target victims of domestic violence under the program.

Supportive Housing

The Ministry encourages Service Managers to work with their Local Health Integration Network, Community Care Access Centres and local support services agencies including those that provide services to people with mental health or addiction issues to help coordinate support services with the affordable housing created under the IAH (2014 Extension).

Income Verification

SMs are required to establish maximum income levels for IAH (2014 Extension)-funded Rental Housing units at the time of initial tenancy. SMs must establish an approach for income verification in order to ensure that households in need are targeted. Annual income verification is at the SM's discretion.

Affordability Criteria and Rents

Projects approved under the Rental Housing component must remain affordable for a minimum period of 20 years. Affordability is defined as having rents for the project that are at or below 80% of CMHC Average Market Rent (AMR) at the time of occupancy. Average rent is calculated using actual rents paid by tenants and any rent supplements provided by the Service Manager.

While individual unit rents may be set above or below the 80% threshold, in no instance shall an IAH (2014 Extension) funded unit have a rent that is greater than the CMHC AMR for the area.

If CMHC AMRs are not available for certain communities, or in instances where in the opinion of SMs the CMHC AMRs do not reflect the actual AMRs in the local market area, SMs may request an alternate AMR by submitting a business case including a local market rent survey for the Ministry's consideration.

Projects may include both IAH (2014 Extension) and market units, but only units with rents that meet affordability requirements will receive IAH (2014 Extension) funding.

If rent supplements are used for IAH (2014 Extension) funded units to provide deeper affordability for tenants, the Service Manager shall ensure that total rent received by a Proponent, including rent from the tenant and any rental supplements from the Service Manager or other party shall not exceed 100% of CMHC Average Market Rent. In addition, the total of the rent paid by the tenant and any federal and/or provincially funded rent supplements paid to the proponent must be used to calculate the weighted average rent in a project.

Rent increases after initial occupancy must be made in accordance with rules established in the *Residential Tenancies Act* (RTA). New rental buildings (built after 1991) are technically exempt from RTA rent increase guidelines, but are subject to terms and conditions in the Administration Agreement. The Administration Agreement states that rent increases follow the RTA rent increase guidelines, but must still remain at 80% of CMHC AMR.

The Ministry updates [AMR rent level information](#) on its website annually.

General Program Requirements

The following general program requirements apply to projects approved under the Rental Housing component:

Construction start

- Projects must start construction within 120 days of signing a CA.
- Projects that do not start construction within 120 days of signing a CA may, at the Ministry's discretion, have IAH (2014 Extension) program funding withdrawn and re-allocated.
- Written confirmation of construction start must be provided to the Ministry.
- Site inspections will be conducted at the discretion of the Ministry.

Municipal Property Tax

- SMs are required to either:
 - Reduce property taxes for Rental Housing projects by setting it at a rate equivalent to, or lower than, the single residential rate for the area; or
 - Provide a grant in lieu of this property tax reduction.

Municipal Housing Facility Bylaw

- SMs are required to have a Municipal Housing Facility Bylaw to enable municipal contributions according to *Municipal Act, 2001*.

Equity

- Minimum 10% equity must be provided for projects sponsored by private proponents.
- Minimum 4% equity must be provided for projects sponsored by partnerships between private companies and non-profit organizations.
- No equity contribution is required for projects sponsored by non-profit or co-operative housing organizations to encourage participation by these groups in the program.
- Please note that private lenders may have additional equity requirements.

Contributions by Others

In addition to the mandatory requirements of reducing property taxes/grants in lieu and providing required equity, SMs and proponents are encouraged to provide additional contributions in order to increase the financial viability of the project and/or to provide deeper affordability.

Contributions by SMs may include: waiving or reducing development charges, planning approvals application fees, building permit fees, and full property tax exemptions as well as contributions of municipal grants, and municipally-owned land.

Contributions by proponents may include: land or cash, including that from fundraising and donations.

Energy Efficiency

The Ministry encourages the use of energy efficient features in building design and ENERGYSTAR-rated products should be used when available.

Suite Meters

As of January 1, 2011, it is mandatory that suite meters be installed in all new social and affordable housing units.

The *Energy Consumer Protection Act, 2010* and Ontario Regulation 389/10 set out the rules for suite meter installation. For further information, please contact [the Ontario Energy Board's \(OEB\) Consumer Relations Centre](#) at 1-877-632-2727 or 416-314-2455.

Please note that although suite meters are required to be installed, the decision to bill tenants directly as a result of suite metering will be at the discretion of each housing provider.

Indemnification and Repayment

There are obligations for all IAH (2014 Extension) parties with regard to the indemnification and recovery of government funding. Specific obligations and provisions are included in the Administration Agreement.

The Ministry has developed the Affordable Housing Program and Investment in [Affordable Housing Risk Mitigation Strategies Guide \(2012\)](#) that provides best practices and clarification on preventing and resolving issues with affordable housing projects that may experience difficulties.

In cases where an IAH (2014 Extension) project encounters difficulties, the risk mitigation strategies outlined in the Guide may assist proponents and SMs.

Reporting

SMs are required to update their PDFPs with their funding commitment projections under the Rental Housing component on a quarterly basis. Proponents will be required to report accordingly to the SM.

PDFP quarterly reports will be supplemented by regular AIMS milestone updates along with progress reports to the Ministry contacts describing project progress and potential issues of concern that might delay or jeopardize the project.

SMs are also required to complete an Initial Occupancy Report and Annual Occupancy Report once projects are completed and occupied.

In addition, SMs are required to obtain from the Proponents and forward to the Ministry an audited capital cost statement within six months following the initial occupancy date, or such additional time acceptable to the Ministry.

This reporting ensures compliance with the provisions of the CMHC-Ontario Investment in Affordable Housing Program Agreement, the Supplementary Agreement No.1 and other established program requirements. All reports and updates are to be submitted through AIMS, where possible.

Homeownership Component

The Homeownership component aims to assist low to moderate income renter households to purchase affordable homes by providing down payment assistance in the form of a forgivable loan.

Specific objectives are:

- To provide renter households with an opportunity to move into homeownership.
- To ease the demand for rental housing by assisting renter households to purchase affordable homes.
- To encourage developers to build affordable housing by fostering demand.

Eligibility Criteria

To be eligible for down payment assistance, prospective purchasers must:

- Be a renter household buying a sole and principal residence in a participating SM area.
- Have household income at or below the 60th percentile income level for the SM area or the province, whichever is lower (see Appendix D).
- Meet any additional criteria as established and communicated by the SM.

Household income verification is the responsibility of the SM.

Purchasers must be selected and approved through a fair and open process developed by the SM based on local criteria and defined needs specified in the SM's PDFP.

Purchase Price

The purchase price of a home must not exceed the average resale price in the SM's area. SMs may establish their own maximum house prices, provided they are lower than the average resale price in the SM area. Maximum house prices will be updated on a quarterly basis and provided by the Ministry.

Eligible Unit Types

Resale or new homes (including conversions from non-residential use that include a new home warranty) are eligible unit types under the Homeownership component.

Homes may be detached, semi-detached, town (condo and freehold), stacked homes, row houses, apartments or other similar built forms approved by the Ministry. SMs may also choose to include duplexes as eligible units.

Homes must be modest in size, relative to community norms, in terms of floor area and amenities, as determined by the province and/or the SM.

Home inspections are required for all resale homes and are strongly recommended for new homes.

Eligible Client Groups

SMs are encouraged to address groups (e.g. seniors, persons with disabilities, first-time home buyers, new immigrants, single parent households, households with dependents) identified through their local Housing and Homelessness Plan.

Education and Training

SMs must ensure education and training on the home buying experience – including financial guidance around the up-front and on-going costs of homeownership – and on the obligations and benefits of being a homeowner are offered to purchasers approved under the Homeownership component.

The Canada Mortgage and Housing Corporation website has [a number of tools](#), worksheets, calculators and guides to assist and inform interested home buyers.

Service Manager Revolving Loan Fund (RLF)

Creation and maintenance of a dedicated account / revolving fund is a prerequisite of program participation. SMs with an already-established RLF of 20 years are eligible to receive IAH (2014 Extension) Homeownership component funding.

SMs that do not have a RLF established will need to ensure that one is created and maintained for at least a 20-year period with the option of phasing out after 15 years.

Funding

Funding is provided as a down payment assistance loan for eligible purchasers. Assistance is forgiven after a minimum of 20 years – the affordability period for the Homeownership component. SMs may choose to require a forgiveness period of more than 20 years.

The amount of down payment assistance for each eligible purchaser will be determined by the SM, to a maximum of \$50,000 per eligible unit.

Total funding advanced by each SM must not exceed 10% of the sum of purchase prices for all units acquired by eligible purchasers – other than units acquired from Habitat for Humanity affiliates as they are exempt from this calculation.

If a SM elects to provide less than 5% down payment assistance, the primary lending institution and/or insurance provider may require additional equity to be contributed by the purchaser.

Partnerships

SMs partnering with non-profits like Habitat for Humanity or private developers should encourage the employment of apprentices to build new home units.

SM Tip

SMs may choose to provide a top-up to down payment assistance from their RLF for households with dependents. This is to provide additional support to potential purchasers who face more challenges to save for a down payment and who would need to spend more to buy a home with adequate space. Top-up funding amounts from an RLF would be determined by the SM, and would not count as part of the 10% average funding limit.

Funding Commitment

A minimum of 90% of the annual Homeownership component funding allocation must be committed to eligible purchasers of eligible units by December 31st of each program year. If a SM has not met this threshold, the Ministry may reallocate funds to another SM to ensure full commitment of program funding.

Payment Process

SMs are to provide down payment assistance to eligible purchasers at the time of closing on the purchase of the home; when a mortgage can be registered on title. Please note that IAH (2014 Extension) funding may not be used for deposits toward eligible units.

Once an eligible purchaser has been approved by the SM, the required project information – along with a copy of the Agreement of Purchase and Sale (APS) – must be submitted to the Ministry through the Affordable Housing Information Management System (AIMS).

Payments to SMs will be made within 15 business days of project approval, or within seven days of the closing date of the sale of the unit, whichever is later.

Conditions for Repayment by Homeowner

Repayment of the original down payment contribution must be made if the following situations occur while the IAH (2014 Extension) Homeownership loan is outstanding:

- The unit is sold or leased.
- The unit is no longer the sole and principal residence of the loan recipient.
- The loan recipient becomes bankrupt or insolvent.
- The loan recipient misrepresented their eligibility for the program.
- The loan recipient used the proceeds of the loan for a purpose other than the acquisition of the unit.
- The death of the loan recipient.

Traditional interest will not be charged on the assistance. The original loan amount and the percentage share of the realized capital gains proportionate to the down payment assistance must be repaid in the above cases. For example, if the purchaser was assisted with 5% of the purchase price, the loan amount plus 5% of any capital gains/appreciation would have to be repaid.

If a unit is sold for less than the original purchase price, the difference between the down payment assistance and the depreciated amount will be repayable.

- Amount payable = Loan – (original purchase price – resale price)
- For example, if the down payment assistance was \$10,000 for a home originally purchased at \$100,000 and then sold for \$92,000:
- Amount payable = \$10,000 - (\$100,000 - \$92,000) = \$2,000
- If the same home is sold for \$85,000, the principal shall be forgiven.

The SM must be satisfied that the sale was at fair market value.

If a purchaser chooses to repay the down payment assistance without selling the home within the affordability period, the purchaser is still required to repay the proportionate percentage of any notional capital gain* as of the date of repayment.

Only the principal amount would have to be repaid in the event of the death of a homeowner prior to the expiry of the affordability period.

Repayments are to be made into the RLF and redistributed under the Homeownership component in the SM's area.

**Notional capital gains will be calculated based on the current fair market value of the home at the time of repayment of the loan. Fair market value shall be based on an independent appraisal.*

Canada Mortgage and Housing Corporation (CMHC)

In support of the Homeownership component, CMHC will recognize down payment assistance as owner's equity in its underwriting evaluation.

Reporting

SMs are required to update and submit their PDFPs with their approved progress under the Homeownership component on a quarterly basis.

Participating SMs are also required to report annually to the Ministry on the progress of the Homeownership component.

The report will include information on:

- Number of households assisted/units financed through the program
- Number of occupants
- Price of unit
- Actual occupancy and closing dates
- Amount of IAH (2014 Extension) subsidy
- Funding commitments to date
- Financial position of the RLF
- Other financial contributions

This reporting ensures compliance with the provisions of the CMHC-Ontario Investment in Affordable Housing Program Agreement, the Supplementary Agreement No.1 and other

established program requirements. All reports and updates are to be submitted through AIMS, where possible.

Documentation Required for Records

SMs are responsible for retaining the following documents over the life of the program:

Eligibility information:

- The signed application form, including a declaration that all information is accurate
- The notice of assessment for all members of the household
- Copies of photo identification
- Unit eligibility information

Loan information:

- Agreements of Purchase and Sale
- IAH (2014 Extension) loan agreement
- Mortgage registration documentation
- Title search

Payment documents and default actions:

- Records of all payments and defaults
- Confirmation of compliance with the terms of the Loan Agreement (e.g., letter confirming that the unit remains the sole and principal residence of the eligible purchaser)
- Record of actions taken by the SM and the participant on any defaults

Ontario Renovates Component

The Ontario Renovates component provides financial assistance to renovate and/or rehabilitate affordable ownership and rental properties.

The objectives of Ontario Renovates are:

- To improve the living conditions of households in need through financial assistance to repair deficiencies in affordable ownership and rental properties.
- To foster independent living of seniors and persons with disabilities by providing financial assistance to support modifications and renovations to increase accessibility of affordable rental and ownership properties.
- To increase the supply of affordable rental housing by providing assistance to create secondary suites in existing single family homes.
- To respect the environment and to realize savings that will improve housing affordability over the long term through the use of energy-savings products or systems.
- To encourage and support the employment of apprentices.

The Ontario Renovates component consists of two sub-components:

a) *Home Repair* to assist low to moderate income homeowner households:

- Repair their home to bring to acceptable standards while improving the energy-efficiency of the unit.
- Increase accessibility of their unit through modifications and adaptations.

b) *Multi-Unit Rehabilitation* to assist:

- Landlords of eligible affordable rental buildings to rehabilitate units that require essential repairs and/or modify units to increase accessibility.
- Low to moderate income homeowners to create a new affordable rental unit in an existing single family home.
- In repairing, rehabilitating and improving existing shelters (that house victims of domestic violence).

SMs are required to give priority consideration to the employment of apprentices in the renovation of Multi-Unit Rehabilitation projects (with the exception of projects that create secondary suites) during the selection process. SMs are required to report to the Ministry on the initiatives used to promote or support apprentices, the number of projects employing apprentices, the number of apprentices employed in each project, and the type of trade the apprentices are training in.

General Eligible Activities and Costs

Eligible repairs for Ontario Renovates may include the following activities:

- Repairs and rehabilitation required to bring a home/unit to an acceptable standard while improving energy efficiency. Examples include, but are not limited to:
 - Heating systems
 - Chimneys
 - Doors and windows
 - Foundations

- Roofs, walls, floors and ceilings
 - Vents, louvers
 - Electrical systems
 - Plumbing
 - Septic systems, well water, and well drilling
 - Other repairs may be considered, with supporting documentation, at the discretion of the SM
- Remediation for an overcrowded dwelling through the addition of habitable living space.
 - Modifications to reduce physical barriers related to housing and reasonably related to the occupant's disability. Examples include, but are not limited to:
 - Ramps
 - Handrails
 - Chair and bath lifts
 - Height adjustments to countertops
 - Cues for doorbells/fire alarms
 - Creation of self-contained secondary suites for affordable rental purposes and garden suites for seniors and/or persons with disabilities.

Other eligible costs may include labour and applicable taxes, building permits, legal fees, certificates, appraisal fees, inspection fees, drawing and specification and any other costs that the SM deems reasonable and that are agreed to by the Ministry.

Applicants who have previously received federal and/or provincial repair funding (e.g. Residential Rehabilitation Assistance Program (RRAP); IAH – Ontario Renovates; Northern Repair; Northern Remote Communities, CHPI funding) may be eligible for Ontario Renovates provided the repair/remediation/modification addresses a need or condition of work which has not been the subject of previous repair assistance.

Repairs must commence within 120 days of project approval. Copies of all financial invoices must be kept for reporting and audit purposes.

Energy Efficiency

The Ministry strongly encourages the use of energy-saving products or systems for the required repairs to housing under the Ontario Renovates component. Examples include, but are not limited to:

- Window replacement using double pane, low E Argon windows.
- Roof replacement using attic insulation to a minimum of R40.
- Furnace replacement with an ENERGY STAR qualified furnace with a brushless DC motor.
- Toilet replacement with a low-flush or dual-flush toilet rated at 6 litres per flush or less.
- Replacement of water heater with an ENERGY STAR qualified instantaneous water heater.

Ineligible Projects

The following projects are not eligible for Ontario Renovates funding:

- Retirement Homes, Long-Term Care Homes (including nursing homes), and crisis care facilities.
- Units not subject to the *Residential Tenancies Act, 2006* (except shelters and transitional housing that house victims of domestic violence)).
- Projects that received funding under AHP (2005), AHP Extension (2009) – Rental and Supportive and IAH – Rental Housing.
- Units for which the homeowner received Homeownership component funding under the AHP or IAH.
- Social Housing units as defined under the *Housing Services Act, 2011*.
- Creation of new rental units (except secondary suites in a single family home and garden suites on the property lot of a primary residence).

Project Submission Process

The SM is responsible for selecting and approving all eligible Ontario Renovates projects, monitoring progress and completion of projects, quality of work and for the advancement of funds.

Once an eligible project has been approved by the SM, completed project information along with proof of loan security (promissory note or mortgage registration) must be entered and approved in AIMS to confirm program take-up. The Ministry reserves the right to return an Ontario Renovates project for revision and resubmission if it is not consistent with the Program Guidelines.

Loans may be secured by promissory notes. If funding exceeds \$25,000, a mortgage registered on title is required upon project completion.

SMs must confirm that property taxes and mortgage payments are up-to-date. Insurance coverage should be in place for the full value of the home or project.

For *Home Repair* projects, SMs must provide a sign-back letter of agreement to each homeowner outlining the scope of work, funding commitment and roles and responsibilities of both the homeowners and the SM.

For *Multi-Unit Rehabilitation* projects, the SM must verify the following additional conditions:

- Certificate of insurance is provided, as appropriate.
- The SM and the proponent or homeowner have signed a Funding Agreement, which confirms that:
 - Rental projects must remain affordable for a minimum of 15 years (maintain rent levels at or below CMHC average market rents (AMR), and
 - Forgiveness of funding is earned at an equal rate per year for the minimum 15-year period.
- The proponent or homeowner is in compliance with the Funding Agreement.

SMs must ensure project status is updated and documents are posted in AIMS on an on-going basis.

Funding Commitment

A minimum of 90% of the annual Ontario Renovates component funding allocation must be committed to eligible homeowners or landlords by December 31st of each program year. If a SM has not met this threshold, the Ministry reserves the right to reallocate funds to another SM to ensure full commitment of program funding.

Eligible Client Groups

Eligible client groups for Ontario Renovates include, but are not limited to:

- Seniors
- Persons with disabilities
- Victims of domestic violence
- Aboriginal people living off-reserve
- Residents of remote communities*
- Low to moderate income singles and families

** The Ministry will be selecting a delivery agent to work on behalf of the province to deliver Ontario Renovates to remote communities in northern Ontario.*

Affordability Criteria

Home Repair

Under the Ontario Renovates Home Repair subcomponent, eligible households must:

- Have a household income at or below the 60th income percentile for the SM area or province, whichever is lower. SMs are responsible for household income verification. (See Appendix D)
- Own a home that is their sole and principal residence with a market value at or below the average resale price for the SM area provided by the Ministry.

The province will supply annual updates to the 60th percentile income figures and quarterly updates to the average resale price data. In communities where data is non-existent, market values may be determined by the SM. SMs may use these or more restrictive ceilings or figures, such as Household Income Limits (HILs).

Multi-Unit Rehabilitation

Under the Ontario Renovates Multi-Unit Rehabilitation subcomponent, units must be modest relative to community norms in terms of floor space and amenities, with rents at or below the CMHC average market rent (AMR) for the SM area for the entire loan forgiveness period.

Projects (with the exception of projects that create secondary suites) that support the employment of apprentices must be given consideration during the selection process.

Service Managers will be required to report on the initiatives used to promote or support apprentices, the number of apprentices employed in each project and the type of trade the apprentices are training in.

Renovations to rooming houses are eligible activities for funding under the *Multi-Unit Rehabilitation* subcomponent. Rooming house units must have rents at or below 60 percent of AMR levels for 1 bedroom units in the SM area.

Renovations and upgrades to shelters – provided the shelter assists victims of domestic violence – are eligible under the *Multi-Unit Rehabilitation* subcomponent.

The creation of affordable secondary suites in existing single family homes or garden suites on the property lot of a single family home are also eligible activities under the *Multi-Unit Rehabilitation* subcomponent. The household income of the incoming tenant must be at or below the 60th income percentile for the SM area or province, whichever is lower; however, SMs may establish more restrictive income limits. SMs must establish an approach for income verification in order to ensure that households in need are targeted. House value and income limits of the homeowner household may be set by, and are at the discretion of, the SM.

Funding

Funding is provided in the form of a forgivable loan to the proponent / homeowner based on the cost of approved work items. SMs may vary the amount of funding per unit in order to address local priorities, to a maximum of \$50,000. The average funding across a SM's area must not exceed \$25,000 per unit. Funding for projects must not be greater than the cost of repairs net any HST rebates.

The period of forgiveness for *Home Repair* projects is a minimum of 10 years and for *Multi-Unit Rehabilitation* projects it is a minimum of 15 years. Both are forgiven at an equal rate per year over the affordability period. The earning of loan forgiveness begins on the date of repair completion.

Funding for accessibility repairs made to a home and/or unit, up to a maximum of \$5,000 is in the form of a contribution without an affordability period and does not require repayment provided the funds are used for their intended purpose.

The applicant is considered to be in default and any outstanding loan amount must be repaid if the following situations occur:

- The unit or project is sold.
- Rent levels are increased beyond allowable limits.
- Homeowners cease to occupy the unit as sole and principal residence.

If any of the following situations occur, the applicant is considered to be in default and the original loan amount must be repaid:

- Misrepresentation occurs related to eligibility for the program.
- Funding is used for other purposes.

Repayments made to the SM are to be reinvested into Ontario Renovates projects unless otherwise directed by the Ministry.

Payment Process – Year 1

Home Repair

Under the *Home Repair* subcomponent, upon submission of a completed Project Information Form (PIF) along with appropriate security, 75% of the estimated IAH (2014 Extension) project costs will be provided to the SM within 15 business days following Ministry acceptance of the project. The remaining funding will be provided upon confirmation of the completion of the repairs and finalization of project costs.

Multi-Unit Rehabilitation

Under the *Multi-Unit Rehabilitation* subcomponent, funding will be advanced to SMs in three payments:

- 50% at signing of Funding Agreement (FA), execution of security documents and the submission of a completed PIF
- 40% upon fifty percent completion of the repairs
- Remaining funding at confirmation of repair completion and submission of a Proponent's Post-Repair Occupancy Report

Quarterly Payment Process – Year 2 to Year 6

The Ministry is introducing a new quarterly payment process for the Ontario Renovates component beginning in Year 2. The Ministry will transfer funds electronically on a quarterly basis to SMs based on their approved PDFP and actual funding take-up. Payments will be made to the Service Managers within 15 days following the receipt of the Service Manager's quarterly updated PDFP.

Once an eligible project has been approved by the SM, a completed project information form along with a promissory note or mortgage registration and funding agreement – must be entered and approved in AIMS to confirm program take-up.

SMs are responsible for project selection and approval, monitoring progress and completion of projects, quality of work and for the advancement of funds. SMs must ensure project status is updated in AIMS. Should project details – for example, completion dates – not be updated as required, payments to SMs may be reduced.

The Ministry will monitor SMs' progress under the Ontario Renovates component on AIMS throughout the year. In particular, the Ministry will review progress at the end of the third quarter of each program year. SMs that have not demonstrated take-up of 90% or more of their yearly Ontario Renovates allocation by the end of the third quarter may risk losing their funds.

Reporting

SMs are required to update and submit their PDFPs with their approved progress under the Ontario Renovates component on a quarterly basis.

SMs will also be required to submit the following reports:

- Post-Repair Occupancy Report upon the completion of Multi-unit Rehabilitation projects
- Annual Report (includes Annual Occupancy Reports for Multi-unit Rehabilitation projects throughout the affordability period of all Ontario Renovates projects)

SMs are required to create and submit reports through AIMS and ensure that Project Information Form and rents are updated on an ongoing basis.

This reporting ensures compliance with the provisions of the CMHC-Ontario Investment in Affordable Housing Program Agreement, the Supplementary Agreement No.1 and other established program requirements. All reports and updates are to be submitted through AIMS, where possible.

Operating Component

For additional information on the Housing Allowance Shared Delivery option, SMs should consult the *IAH (2014 Extension) Housing Allowance Shared Delivery Stream Reference Guide for Service Managers* and work with their Ministry contacts.

The objective of the Operating component is to address affordability issues of households in modest rental units across the province.

The Ministry has redesigned the previous IAH Operating components:

- The two distinct components of previous IAH – Rent Supplement and Housing Allowance – have been combined into one Operating component with three streams:
 - Rent Supplement
 - Housing Allowance Direct Delivery
 - Housing Allowance Shared Delivery.
- A Rent Supplement is a subsidy paid to the landlord on behalf of a household in need of rental assistance.
- A Housing Allowance is a subsidy paid directly to a household in need of rental assistance. SMs have discretion to allow Housing Allowance payments to be made directly to landlords on their clients' behalf where they deem it appropriate and where the clients have chosen this approach and provided written direction and consent.
- SMs may deliver the Operating component locally (Rent Supplement or Housing Allowance Direct Delivery) or in partnership with the province (Housing Allowance Shared Delivery).
- Under Housing Allowance Shared Delivery, the Ministry of Finance (MOF) provides certain administrative functions that include providing the portable monthly payments directly to eligible households.
- SMs are allocated funding for the Operating component at the beginning of each year of the program, based on the commitments for each stream identified in their approved PDFPs.
 - Note: Some SMs will continue to have separate concurrent funding commitments for Rent Supplement and Housing Allowance components under the 2011 IAH agreement.
- SMs have the flexibility to move funds between their direct delivery streams, i.e. Housing Allowance Direct Delivery and Rent Supplement, at any time to meet their needs.
- This flexibility does *not* apply to Housing Allowance Shared Delivery. SMs may *not* move funds between the direct delivery streams and the Housing Allowance

Shared Delivery stream, as the latter is governed by both the Administration Agreement and a separate agreement between the SM and the Ministry. Once a SM's PDFP is approved, funding for Housing Allowance Shared Delivery is committed and cannot be moved to another stream.

Under the Operating component, SMs must make all funding commitments by March 31, 2020, but may extend funding for their clients up to March 31, 2024.

Stacking Provisions

Stacking permitted

To provide deeper affordability, SMs may use Operating component funding for units/households currently receiving, or having received, funding under the following programs:

- IAH or IAH (2014 Extension) Rental Housing and Ontario Renovates
- Off-Reserve Aboriginal Housing (Trust) Program

SMs may use Operating component funding for units/households having received funding **previously** under the following programs:

- Canada-Ontario Affordable Housing Program (AHP) (2005) or AHP Extension (2009) Capital components
- AHP (2005) Housing Allowance/Rent Supplement Program (HARS)
- IAH Operating components (Rent Supplement, Housing Allowance Direct or Housing Allowance Shared)

Funding Allocations

Allocations will be committed at the beginning of each program year through a letter from the Ministry based on the planned commitments identified in the PDFP. SMs are required to demonstrate program take-up through their PDFP updates. SMs may contribute their own funding to the Operating component.

Reporting – Direct Delivery Streams

Initial PDFP

In their initial PDFP, SMs are required to break down their Operating component funding by streams and indicate the length of each stream, as well as subsidy levels and estimated number of units/households. SMs are required to make all funding commitments by March 31, 2020. However, they may extend funding for their clients up to March 31, 2024.

PDFP updates

IAH (2014 Extension) reporting consists of updating and submitting the PDFP with SM progress on a quarterly basis and completing reports specific to the Operating component.

It is expected that reports will be completed and submitted through the Ministry's Affordable Housing Information Management System (AIMS).

For their quarterly updates, SMs are required to track spending and client numbers separately for each stream. Quarterly PDFP updates must include, in the case of the Rent Supplement stream, the number of occupied units, and in the case of the Housing Allowance streams, the number of eligible households.

SMs are also required to track the following information:

- Landlord agreements and agreements with third-party delivery agencies
- Approved client applications
- Target client groups. SMs must report on these in their annual PDFP update.

This reporting ensures compliance with the provisions of the CMHC-Ontario Agreement for Investment in Affordable Housing, the Supplementary Agreement No. 1, the SM Administration Agreement, and other established program parameters.

Payment Process

Direct Delivery Streams (Housing Allowance and Rent Supplement)

The Ministry will provide quarterly payments based on annual cash flow statements and actual expenditures.

Generally, payments to SMs are made on the first day of every quarter of the program year in advance for the upcoming quarter. However, fourth quarter payments are made on January 20th instead of the first day of the quarter to allow time for payment reconciliation.

Funds are transferred electronically to SMs. SMs must ensure that the Ministry has their latest banking information to receive these funds.

SMs advance monthly payments to landlords upon the signing of landlord agreements and updated unit occupancy figures. Under the Housing Allowance Direct Delivery stream, SMs pay households directly.

Shared Delivery Stream (Housing Allowance)

MOF administers the Shared Delivery stream on behalf of Service Managers, and pays eligible households directly. No funds are transferred to SMs. Rather, the Ministry holds back funds from each SM's IAH (2014 Extension) allocation as per the PDFP, Housing Allowance Shared Delivery stream, for use by MOF to pay clients.

Client Eligibility

To be eligible for Operating component funding, households must be on, or be eligible to be on, social housing waiting lists and have household incomes that do not exceed the applicable Household Income Limits (HILs) in the annually amended Ontario Regulation 370/11 under the *Housing Services Act, 2011*.

Households in receipt of social housing rent-geared-to-income (RGI) subsidy or payments under any other rent support programs are not eligible.

For the purposes of the Operating component, “household” is defined as any family unit or single individual inhabiting a self-contained rental unit.

A rental unit or its occupants can receive only one type of subsidy, either under the Rent Supplement or Housing Allowance stream. In addition, a rental unit can receive only one Rent Supplement subsidy. A household can receive only one Housing Allowance subsidy; that is, two or more members of a household cannot each receive a subsidy under the Housing Allowance stream.

See “Stacking Provisions” above.

Household Income Limits

If SMs are of the opinion that Household Income Limits (HILs) in the annually amended Ontario Regulation 370/11 under the *Housing Services Act, 2011* are too low and do not correlate with CMHC’s Average Market Rents (AMRs) for their areas, they can request in writing modifications to their HILs through their Ministry contacts (see Appendix A).

SMs should refer to the Average Market Rents section, below, for related information.

Client Selection

SMs may select households from social housing waiting lists, and at the same time take into consideration their target client groups.

SMs must report on any targeted client groups in their PDFP updates.

Unit Eligibility

Only self-contained units, that is, units with their own kitchen and bathroom facilities, are eligible for funding.

Hostel units, group home or other congregate living arrangements, and nursing or retirement homes are not eligible.

Units may be in private buildings or in non-profit and co-operative projects and must be modest (at or below average market rent, see below) and in satisfactory state of repair. However, only market rent units in social housing developments are eligible, as program funding cannot be combined with RGI assistance.

Units must meet local occupancy standards. SMs must establish local occupancy standards and include them in program information available to the general public.

Average Market Rents

The Ministry updates AMR information on its website annually.

If CMHC AMRs are not available in certain communities, or if SMs are of the opinion that CMHC AMRs do not reflect the actual AMRs in the local market area, they may request an alternate AMR by submitting a business case, including a local market rent survey for the Ministry's consideration.

Each SM is responsible for defining what expenses are to be included in monthly rent for the purposes of the program and for ensuring that the monthly rent does not exceed local AMR.

If Operating component funding is used for units funded under the IAH (2014 Extension) Rental Housing component to provide deeper affordability for tenants, the SM must ensure that the total rent received by a Rental Housing Proponent, including rent from the household and Operating component funding from the SM or other party, shall not exceed CMHC's AMR.

Initial Income Testing

SMs must establish a clear set of rules to determine whether the applicant's household income is at, or below, HILs. These rules must be in writing and available to the general public. See also the Household Income Limits section, above.

Income Testing / Continued Affordability

SMs must conduct annual income testing of households to ensure continued eligibility for the Operating component, but may exempt specific types of households (e.g., seniors with fixed incomes). SMs are solely responsible for establishing the necessary rules, forms and procedures to meet this requirement.

Monthly Subsidy Amounts

SMs must determine amounts to be paid to households (Housing Allowance streams) or landlords on behalf of each household (Rent Supplement stream).

For detailed information on the Housing Allowance Shared Delivery option, SMs should consult the *IAH (2014 Extension) Housing Allowance Shared Delivery Stream Reference Guide for Service Managers*.

Appendix A: Ministry Contacts

Municipal Services Office – Central

777 Bay Street 13th Floor
Toronto, ON, M5G 2E5
General Inquiry: 416-585-6226
Toll Free: 1-800-668-0230
Fax: 416-585-6882

Contact: Ian Russell, Team Lead, Regional Housing Services
Tel: 416-585-6965
Email: ian.russell@ontario.ca

Serving: Durham, Halton, Muskoka, Peel, Simcoe, York

Municipal Services Office – Eastern

8 Estate Lane, Rockwood House
Kingston, ON, K7M 9A8
General Inquiry: 613-545-2100
Toll Free: 1-800-267-9438
Fax: 613-548-6822

Contact: Mila Kolokolnikova, Team Lead, Regional Housing Services
Tel: 613-545-2123
Email: mila.kolokolnikova@ontario.ca

Serving: Cornwall, Hastings, Kawartha Lakes, Kingston, Lanark, Leeds and Grenville, Lennox and Addington, Northumberland, Ottawa, Peterborough, Prescott and Russell, Renfrew

Municipal Services Office – Western

659 Exeter Road, 2nd Floor
London, ON, N6E 1L3
General Inquiry: 519-873-4020
Toll Free: 1-800-265-4736
Fax: 519-873-4018

Contact: Tony Brutto, Team Lead, Regional Housing Services
Tel: 519-873-4032
Email: tony.brutto@ontario.ca

Serving: Brantford, Bruce, Chatham-Kent, Dufferin, Grey, Hamilton, Huron, Lambton, London, Niagara, Norfolk, Oxford, St. Thomas, Stratford, Waterloo, Wellington, Windsor

Municipal Services Office – Northeastern

159 Cedar Street, Suite 401
Sudbury, ON, P3E 6A5
General Inquiry: 705-564-0120
Toll Free: 1-800-461-1193
Fax: 705-564-6863

Contact: Cindy Couillard, Team Lead, Regional Housing Services
Tel: 705-564-6808
Email: cindy.couillard@ontario.ca

Serving: Algoma, Cochrane, Greater Sudbury, Manitoulin-Sudbury, Nipissing, Parry Sound, Sault Ste. Marie, Timiskaming

Municipal Services Office – Northwestern

435 James Street, Suite 223
Thunder Bay, ON, P7E 6S7
General Inquiry: 807-475-1651
Toll Free: 1-800-465-5027
Fax: 807-475-1196

Contact: Peter Boban, Team Lead, Regional Housing Services
Tel: 807-473-3017
Email: peter.boban@ontario.ca

Serving: Kenora, Rainy River, Thunder Bay

Housing Programs Branch - Toronto

777 Bay Street, 14th Floor
Toronto, ON, M5G 2E5
Fax: 416-585-7003

Contact: Walter Battello, Account Manager, Toronto & West Unit
Tel: 416-585-6480
Email: walter.battello@ontario.ca

Serving: Toronto

**Appendix B – List of Designated Areas
under the French Language Services Act**

Service Manager	Designated Area(s)
City of Toronto	All
Central Region	
Regional Municipality of Peel	City of Mississauga; City of Brampton
County of Simcoe	Town of Penetanguishene; Townships of Tiny and Essa
Eastern Region	
City of Cornwall	County of Glengarry; Township of Winchester; County of Stormont
City of Kingston	City of Kingston
City of Ottawa	All
United Counties of Prescott and Russell	County of Prescott; County of Russell
County of Renfrew	City of Pembroke; Townships of Stafford and Westmeath
Western Region	
Municipality of Chatham-Kent	Town of Tilbury; Townships of Dover and Tilbury East
City of Hamilton	All of the City of Hamilton as it exists on December 31, 2000
City of London	City of London
Regional Municipality of Niagara	City of Port Colborne; City of Welland
City of Windsor	City of Windsor; Towns of Belle River and Tecumseh; Townships of Anderdon, Colchester North, Maidstone, Sandwich South, Sandwich West, Tilbury North, Tilbury West and Rochester
Northeast Region	
Algoma District Services Administration Board	District of Algoma
Cochrane District Social Services Administration Board	All
City of Greater Sudbury	All
Manitoulin-Sudbury District Services Board	District of Sudbury
District of Nipissing Social Services Administration Board	District of Nipissing
District of Parry Sound Social Services Administration Board	Municipality of Callander
District of Sault Ste. Marie Social Services Administration Board	The part of the District of Algoma that is part of the district for the District of Sault Ste. Marie Social Services Administration Board
District of Timiskaming Social Services Administration Board	All
Northwest Region	
Kenora District Services Board	Township of Ignace
District of Thunder Bay Social Services Administration Board	Towns of Geraldton, Longlac and Marathon; Townships of Manitouwadge, Beardmore, Nakina and Terrace Bay

Appendix C: Canadian Environmental Assessment Act (CEAA) Pre-screening Guidelines

The *Canadian Environmental Assessment Act, 2012* (the “CEAA 2012”) has replaced the *Canadian Environmental Assessment Act, 1992*. Under CEAA 2012, housing-related activities do not currently constitute physical activities as described in the *Regulations Designating Physical Activities*. Accordingly, the Pre-Screening Guideline (the “Guideline”) has been simplified and updated to reflect the provisions of the CEAA 2012 and replaces all previous versions of the Guideline.

SMs are required to consider this checklist when recommending project proposals to the Ministry for funding approval. SMs must confirm to the Ministry that the proposed project complies with the CEAA 2012, as per CMHC requirements. The answers to the two questions must be “NO” for the CEAA 2012 to be complied with.

- Is the project carried out on federal lands*?
- Has the project been specifically identified by the Minister of the Environment in an Order Designating Physical Activities?

*NOTE: “federal lands” includes lands that belong to, or that may be disposed of by, Her Majesty in right of Canada, but does not include lands under the administration and control of the Commissioner of Yukon, the Northwest Territories, or Nunavut.

Appendix D: Maximum Household Income Level, 2014

CMSMs	Income at 60th Percentile
Greater Toronto Area**	\$85,800
City of Toronto	-
Regional Municipality of Durham	-
Regional Municipality of Halton	-
Regional Municipality of Peel	-
Regional Municipality of York	-
City of Brantford	\$76,200
City of Cornwall	\$69,700
City of Greater Sudbury	\$80,800
City of Hamilton	\$78,800
City of Kawartha Lakes	\$72,100
City of Kingston	\$80,400
City of London	\$75,800
City of Ottawa**	\$85,800
City of Peterborough	\$74,300
City of St. Thomas	\$75,700
City of Stratford	\$81,600
City of Windsor	\$76,000
County of Bruce	\$85,500
County of Dufferin**	\$85,800
County of Grey	\$72,400
County of Hastings	\$69,000
County of Huron	\$73,500
County of Lambton	\$79,700
County of Lanark	\$83,200
County of Lennox & Addington	\$75,600
County of Norfolk	\$78,500
County of Northumberland	\$78,400
County of Oxford	\$81,500
County of Renfrew	\$76,200
County of Simcoe**	\$85,800
County of Wellington**	\$85,800
District Municipality of Muskoka	\$76,900
Municipality of Chatham Kent	\$66,500
Regional Municipality of Waterloo**	\$85,800
Regional Municipality of Niagara	\$74,900
United Counties of Leeds & Grenville	\$79,600
United Counties of Prescott & Russell	\$85,800
Algoma DSSAB	\$60,300
Cochrane DSSAB	\$77,900
Kenora DSSAB	\$76,800
Manitoulin-Sudbury DSSAB	\$69,200
Nipissing DSSAB	\$73,000
Parry Sound DSSAB	\$69,500
Rainy River DSSAB	\$69,600
Sault Ste. Marie DSSAB	\$74,000
Thunder Bay DSSAB	\$76,400
Timiskaming DSSAB	\$63,300
ONTARIO**	\$85,800

* Based on Statistics Canada 2011 National Household Survey, indexed to 2013, rounded to the nearest hundred.

** In areas where 60th income percentile is greater than the provincial level, the provincial level 60th income percentile is used.

CORRESPONDENCE – November 26, 2019

Items for Information– (Attached)

1. Ministry of Finance announcing the release of the 2020 Ontario Municipal Partnership Fund (OMPF) allocations.
2. Grants Ontario Funding Opportunities – Investing in Canada Infrastructure Program: Green Stream.
3. Grey Sauble Conservation with a resolution requesting that the Minister of the Environment, Conservation and Parks gives clear direction as to what services are considered mandatory and non-mandatory and that no programs or services of the GSCA be wound down at this time.
4. Deputy Minister, Small Business and Red Tape Reduction, Ministry of the Economic Development, Job Creation and Trade announcing the launch of the Job Site Challenge.
5. Ministry of Economic Development, Job Creation and Trade announcing a package of over 80 proposed actions to eliminate unnecessary or outdated rules and streamline regulations that need updating.
6. Ministry of Natural Resources and Forestry responding to Warden McPhail's letter regarding invasive phragmites.
7. Ministry of the Attorney General providing an update with respect to the transfer of the prosecution of Part III matters under the Provincial Offences Act to municipalities.
8. Ministry of Natural Resources and Forestry with an Environmental Registry notice regarding proposal to amend three statutes and make a new regulation under the Lakes and Rivers Improvement Act.
9. Bill Hatanaka, Ontario Health Board Chair and Susan Fitzpatrick Ontario Health Interim CEO with a letter regarding Ontario Health Transitional Regional Leadership.
10. Township of Ramara with a resolution expressing the Township's desire that an exit clause be provided in any new Conservation Authorities Act.



7th Floor, Frost Building South
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Telephone: 416-325-0400

7^e étage, Édifice Frost Sud
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Téléphone: 416-325-0400

October 24, 2019

Dear Head of Council:

We are writing to announce the release of the 2020 Ontario Municipal Partnership Fund (OMPF) allocations.

As communicated by the Premier at the Association of Municipalities of Ontario (AMO) conference, the government is maintaining the current structure of the OMPF for 2020. This means the program is the same as it was in 2019, while allowing for annual data updates and related adjustments.

We have been listening to municipalities and have heard that you need information early to allow time to plan for your budgets. That is why we are announcing allocations now – the earliest that OMPF allocations have ever been announced.

Consistent with prior years, Transitional Assistance will ensure that the 2020 funding guarantee for municipalities in northern Ontario will be at least 90 per cent of their 2019 OMPF allocation and for municipalities in southern Ontario will be at least 85 per cent of their 2019 OMPF allocation.

Northern and rural municipalities with the most challenging fiscal circumstances will continue to have their guarantee enhanced up to 100 per cent of the prior year's allocation.

As in prior years, Transitional Assistance continues to adjust in 2020 as fewer municipalities require this funding. Consequently, the 2020 OMPF will provide a total of \$500 million to 389 municipalities across the province.

The Ministry of Finance's Provincial-Local Finance Division will be providing your municipal Treasurers and Clerk-Treasurers with further details on the 2020 OMPF. This information and other supporting materials will be posted online at <http://www.fin.gov.on.ca/en/budget/ompf/2020>.

.../cont'd

Our government respects our municipal partners and we are committed to working together to serve the people of Ontario.

Sincerely,

Original signed by

Rod Phillips
Minister of Finance

c: The Honourable Steve Clark, Minister of Municipal Affairs and Housing

Ministry of Finance

Provincial-Local
Finance Division
10th Floor
777 Bay Street
Toronto ON M5G 2C8
Tel (416) 327-0264
Fax (416) 325-7644

Ministère des Finances

Division des relations provinciales-
municipales en matière de finances
10^e étage
777 rue Bay
Toronto (Ontario) M5G 2C8
Tél. (416) 327-0264
Télééc. (416) 325-7644



October 24, 2019

Dear Treasurer/Clerk-Treasurer:

In the October 24 letter to Heads of Council, the Minister of Finance announced the 2020 Ontario Municipal Partnership Fund (OMPF) municipal allocations. I am writing to provide you with additional details regarding your 2020 allocation.

As noted in the Minister's letter to Heads of Council, for 2020, the Province is ensuring that municipalities receive a guaranteed level of support based on their 2019 OMPF allocation. In 2020, your municipality will receive at least 85 per cent of its 2019 OMPF allocation.

The details specific to your municipality's 2020 allocation are outlined in the attached *2020 OMPF Allocation Notice and Inserts*.

2020 OMPF

In 2020, the government is maintaining the current structure of the OMPF. This means that the program is remaining the same as in 2019, while allowing for annual data updates and related grant parameter adjustments.

All four grant components of the 2020 OMPF are providing the same level of support as in 2019. As in prior years, Transitional Assistance will continue to adjust as fewer municipalities require this funding.

As a result, the 2020 OMPF will provide a total of \$500 million to 389 municipalities across the province through the following grant components and Transitional Assistance:

- The **Northern Communities Grant** component will provide \$89 million in recognition of the challenges of northern municipalities.
- The **Rural Communities Grant** component will provide \$150 million to support rural communities across the province.

.../2

- The **Northern and Rural Fiscal Circumstances Grant** component will provide \$89 million to support municipalities with more challenging fiscal circumstances.
- The **Assessment Equalization Grant** component will provide \$149 million to support municipalities with limited property assessment.
- Consistent with prior years, **Transitional Assistance** will continue to ensure that municipalities in southern Ontario receive at least 85 per cent of their 2019 OMPF allocation.

Additional information on the 2020 OMPF can be found in the accompanying supporting materials.

2020 OMPF – SUPPORTING MATERIAL

To assist municipalities in understanding the OMPF and their individual 2020 allocations, the Ministry of Finance has prepared detailed and customized supporting documentation:

- A.** 2020 OMPF Allocation Notice and Inserts
- B.** 2020 OMPF Technical Guide
- C.** Municipal Workbooks

A. 2020 OMPF Allocation Notice and Inserts

The *OMPF Allocation Notice and Insert* outline individual municipal OMPF allocations by grant component, and also provide a summary of key data inputs for 2020. Your municipality's 2020 funding allocation is noted on line A.

Details with respect to the calculation of your municipality's Transitional Assistance support are included in the *2020 Transitional Assistance Calculation Insert*.

B. 2020 OMPF Technical Guide

The *2020 OMPF Technical Guide* provides information with respect to individual grant thresholds, parameters and data sources.

C. 2020 Municipal Workbooks

The *2020 OMPF Workbook and the 2020 Northern and Rural Municipal Fiscal Circumstances Index (MFCI) Workbook* (if applicable) provide detailed calculations of the 2020 OMPF grant components, and the determination of the Northern and Rural MFCI, as well as outline all underlying data elements.

These workbooks will be provided electronically to municipal treasurers and clerk-treasurers in the coming weeks.

The *2020 OMPF Technical Guide*, as well as individual municipal *OMPF Allocation Notices*, are also available electronically on the Ministry's website:

<http://www.fin.gov.on.ca/en/budget/ompf/2020>

2020 PAYMENT SCHEDULE

The *2020 Cash Flow Notice* identifies your municipality's quarterly payment schedule. Payments will be processed at the end of January, April, July, and October 2020.

2020 REPORTING OBLIGATIONS

We would like to remind you that municipalities are required to submit their 2019 Financial Information Return (FIR) to the Ministry of Municipal Affairs and Housing (MMAH) by **May 31, 2020**.

Municipalities are also required to submit their 2020 tax rates through the Online Property Tax Analysis (OPTA) system or to MMAH by **September 30, 2020**.

Payments for municipalities that do not meet these reporting obligations will be subject to holdback, beginning with the 2020 fourth quarterly payment, until these documents have been filed.

If you require additional information regarding the OMPF, you may e-mail your inquiries and contact information to: info.ompf@ontario.ca.

In closing, we would like to thank our municipal partners and all municipalities for their ongoing collaboration on the OMPF.

Sincerely,

Original signed by

Allan Doheny
Assistant Deputy Minister
Provincial-Local Finance Division

- c. Hannah Evans
Assistant Deputy Minister (Acting)
Local Government and Planning Policy Division
Ministry of Municipal Affairs and Housing

Marcia Wallace
Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing

Ontario Municipal Partnership Fund (OMPF)
2020 Allocation Notice



County of Elgin

3400

In 2020, the Province is providing the County of Elgin with \$534,500 in funding through the OMPF.

A Total 2020 OMPF	\$534,500
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1. Assessment Equalization Grant Component	-
2. Northern Communities Grant Component	-
3. Rural Communities Grant Component	-
4. Northern and Rural Fiscal Circumstances Grant Component	-
5. Transitional Assistance	\$534,500

B Key OMPF Data Inputs

1. Households	20,968
2. Total Weighted Assessment per Household	\$297,305
3. Rural and Small Community Measure	87.5%
4. Farm Area Measure	n/a
5. Northern and Rural Municipal Fiscal Circumstances Index	n/a
6. 2020 Guaranteed Level of Support	85.0%
7. 2019 OMPF	\$628,800

Note: See line item descriptions on the following page.

Ontario Municipal Partnership Fund (OMPF)

2020 Allocation Notice

County of Elgin

3400

2020 OMPF Allocation Notice - Line Item Descriptions

Sum of 2020 OMPF grant components and Transitional Assistance, which are described in the 2020 OMPF Technical Guide. This document can be accessed on the Ministry of Finance's website at:
A <http://www.fin.gov.on.ca/en/budget/ompf/2020>

If applicable, reflects the amount of transitional support provided to assist the municipality in adjusting to
A5 year-over-year funding changes. See the enclosed Transitional Assistance Calculation Insert for further details.

B1 Based on the 2019 returned roll from the Municipal Property Assessment Corporation (MPAC).

Refers to the total assessment for a municipality weighted by the tax ratio for each class of property
B2 (including payments in lieu of property taxes retained by the municipality) divided by the total number of households.

Represents the proportion of a municipality's population residing in rural areas and/or small communities.
B3 For additional information, see the 2020 OMPF Technical Guide, Appendix A.

Represents the percentage of a municipality's land area comprised of farm land. Additional details
B4 regarding the calculation of the Farm Area Measure are provided in the 2020 OMPF Technical Guide, Appendix B.

Measures a municipality's fiscal circumstances relative to other northern and rural municipalities in the province, and ranges from 0 to 10. A lower MFCl corresponds to relatively positive fiscal circumstances, whereas a higher MFCl corresponds to more challenging fiscal circumstances. For additional information, see the 2020 OMPF Technical Guide, Appendix D.
B5

Represents the guaranteed level of support the municipality will receive through the 2020 OMPF. For additional information, see the 2020 OMPF Technical Guide.
B6

B7 2019 OMPF Allocation Notice (Line A).

Note: Grant components and Transitional Assistance are rounded up to multiples of \$100.

**Ontario Municipal Partnership Fund (OMPF)
2020 Transitional Assistance Calculation Insert**



County of Elgin

3400

A 2020 OMPF Transitional Assistance (Line B2 - Line B1, if positive)	\$534,500
-----------------------------------------------------------------------------	------------------

B Supporting Details	
1. Sum of 2020 OMPF Grant Components (excluding Transitional Assistance)	\$0
2. 2020 Guaranteed Support (Line B2a x Line B2b)	\$534,500
a. 2019 OMPF	\$628,800
b. 2020 Guaranteed Level of Support	85.0%

Note: See line item descriptions on the following page.

Ontario Municipal Partnership Fund (OMPF) 2020 Transitional Assistance Calculation Insert

County of Elgin

3400

2020 Transitional Assistance Calculation Insert - Line Item Descriptions

A Represents the total Transitional Assistance funding the municipality will receive through the 2020 OMPF.

B1 Sum of the following 2020 OMPF grant components: Assessment Equalization, Northern Communities, Rural Communities, and Northern and Rural Fiscal Circumstances Grant Components.

B2 Guaranteed amount of funding through the 2020 OMPF.

B2a 2019 OMPF Allocation Notice (Line A).

B2b Represents the guaranteed level of support the municipality will receive through the 2020 OMPF. For additional information, see the 2020 OMPF Technical Guide.

Note: Grant components and Transitional Assistance are rounded up to multiples of \$100.

Ontario Municipal Partnership Fund (OMPF)
2020 Cash Flow Notice



County of Elgin

3400

A	Total 2020 OMPF (2020 Allocation Notice, Line A)	\$534,500
----------	-------------------------------------------------------------	------------------

B	2020 OMPF Quarterly Payments Schedule	\$534,500	
1.	2020 OMPF First Quarter Payment	<i>Scheduled for January 2020</i>	\$133,625
2.	2020 OMPF Second Quarter Payment	<i>Scheduled for April 2020</i>	\$133,625
3.	2020 OMPF Third Quarter Payment	<i>Scheduled for July 2020</i>	\$133,625
4.	2020 OMPF Fourth Quarter Payment	<i>Scheduled for October 2020</i>	\$133,625

Ontario Municipal Partnership Fund (OMPF)
2020 Cash Flow Notice



County of Elgin

3400

2020 Cash Flow Notice - Line Item Descriptions

A Total 2020 OMPF allocation. See 2020 OMPF Allocation Notice, Line A.

B1 - B4 Scheduled quarterly payments in respect of the 2020 OMPF allocation. Fourth quarter payment will be subject to holdback pending submission of all 2020 OMPF reporting requirements.

Ministry of Finance

ONTARIO MUNICIPAL PARTNERSHIP FUND

2020 Technical Guide

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INTRODUCTION

This guide outlines the grant parameters for the 2020 Ontario Municipal Partnership Fund (OMPF). It is intended to provide a technical overview of the funding program.

2020 OVERVIEW

The OMPF is the Province's main general assistance grant to municipalities.

The program primarily supports northern and rural municipalities across the province. Its objectives are to:

- recognize the challenges of northern and rural municipalities, while targeting funding to those with more challenging fiscal circumstances;
- support areas with limited property assessment; and
- assist municipalities that are adjusting to year-over-year funding changes.

For 2020, the government is maintaining the OMPF structure as it was in 2019, while allowing for annual data updates and related grant parameter adjustments, in keeping with the program's responsiveness to changing municipal circumstances.

The Transitional Assistance component of the program is also remaining the same, and will continue to adjust as fewer municipalities require this funding.

Consistent with prior years, Transitional Assistance will ensure that the 2020 funding guarantee for municipalities in northern Ontario will be at least 90 per cent of their 2019 OMPF allocation, and for municipalities in southern Ontario will be at least 85 per cent of their 2019 OMPF allocation.

2020 Minimum Levels of Support (Per Cent of 2019 OMPF Allocation)	
Northern Ontario	90%
Southern Ontario	85%

Municipalities with the most challenging fiscal circumstances will continue to have their funding enhanced up to 100 per cent of the prior year's allocation.

2020 ONTARIO MUNICIPAL PARTNERSHIP FUND

All four core grant components of the 2020 OMPF are providing the same level of support as in 2019. As in prior years, Transitional Assistance will continue to adjust as fewer municipalities require this funding.

As a result, the 2020 OMPF will provide a total of \$500 million to 389 municipalities across the province through the following grant components and Transitional Assistance.

I. Assessment Equalization Grant Component – \$149 million

Provides funding to municipalities with limited property assessment.

II. Northern Communities Grant Component – \$89 million

Provides funding to all northern municipalities in recognition of their unique challenges.

III. Rural Communities Grant Component – \$150 million

Provides funding to rural municipalities, including targeted funding for rural farming communities, in recognition of their unique challenges.

IV. Northern and Rural Fiscal Circumstances Grant Component – \$89 million

Provides additional, targeted funding to northern and rural municipalities based on their fiscal circumstances.

V. Transitional Assistance – \$23 million

Ensures a guaranteed level of support to municipalities based on their 2019 OMPF allocation.

Note: The above numbers have been rounded.

2020 OMPF GRANT COMPONENTS

I. ASSESSMENT EQUALIZATION GRANT

The Assessment Equalization Grant provides funding to single- and lower-tier municipalities with limited property assessment due to lower property values and/or limited non-residential assessment.

To determine the grant amount, a total assessment differential (i.e., the total municipal assessment below the provincial median per-household threshold of \$298,500) is calculated for each municipality. Single- and lower-tier municipalities receive funding based on the total assessment differential. Funding provided through this grant increases the further a municipality's total weighted assessment per household is below the provincial median.

Every \$10,000 increment in a municipality's total assessment differential results in an additional \$30.10 in funding.

Example 1.1

Municipality A:

- Weighted assessment per household: \$200,000
- Assessment per household below the \$298,500 threshold: $\$298,500 - \$200,000 = \$98,500$
- Number of households: 2,000
- Total assessment differential: $\$98,500 \times 2,000 = \$197,000,000$

Grant Amount: $\$197,000,000 / \$10,000 \times \$30.10 = \$592,970$

II. NORTHERN COMMUNITIES GRANT

The Northern Communities Grant provides funding to all northern municipalities in recognition of the unique challenges they face.

The grant is based on the number of households, and the per-household amount is \$240.

Example 2.1

Municipality A (Northern):

- Number of households: 1,300

Grant Amount: $1,300 \times \$240 = \$312,000$

III. RURAL COMMUNITIES GRANT

The Rural Communities Grant recognizes the unique challenges of rural municipalities and particularly those of rural farming communities.

The Rural Communities Grant provides funding to single- and lower-tier municipalities across the province based on the proportion of their population residing in rural areas and/or small communities, as measured by the Rural and Small Community Measure (RSCM).

Funding provided through the Rural Communities Grant totals \$150 million in 2020. This includes \$15 million of targeted support to rural municipalities with the highest levels of farm land (i.e., where more than 70 per cent of land area is comprised of farm land). See the next section on the following page for details.

Municipalities with an RSCM of 75 per cent or more receive \$131 per household. Municipalities with an RSCM between 25 per cent and 75 per cent receive a portion of this funding on a sliding scale. For additional information on the RSCM, see Appendix A.

Every 5 percentage point increase in the RSCM between 25 per cent and 75 per cent results in an additional \$13.10 per household:

Rural Communities Grant*											
RSCM (%)	25	30	35	40	45	50	55	60	65	70	75+
Per-household amount (\$)	0.00	13.10	26.20	39.30	52.40	65.50	78.60	91.70	104.80	117.90	131.00

*Note: The per-household amounts above are for municipalities where 70 per cent or less of municipal land area is comprised of farm land.

Example 3.1

Municipality A:

- RSCM: 80%
- Number of households: 3,000

Grant Amount: 3,000 x \$131 = \$393,000

Municipality B:

- RSCM: 55%
- Number of households: 3,000

Grant Amount: 3,000 x \$78.60 = \$235,800

Rural municipalities where farm land represents more than 70 per cent of their land area

Per-household funding provided through the Rural Communities Grant includes an enhancement for municipalities with the highest levels of farm land (i.e., where farm land represents more than 70 per cent of municipal land area), in recognition of their particular challenges.

The Farm Area Measure (FAM) reflects the percentage of a municipality's land area comprised of farm land (See Appendix B for further information on the FAM).

Single- and lower-tier rural municipalities with a FAM of more than 70 per cent and an RSCM of 75 per cent or greater, receive funding according to the table outlined below.

Every 2 percentage point increase in the FAM between 70 per cent and 90 per cent results in an additional \$9 per household:

Rural Communities Grant for Municipalities with a FAM of more than 70 Per Cent											
FAM (%)	70	72	74	76	78	80	82	84	86	88	90+
Per-household amount (\$)	131	140	149	158	167	176	185	194	203	212	221

Example 3.2

Municipality A (FAM < 70%):

- RSCM: 100%
- FAM: 50%
- Number of households: 3,000

Grant Amount: 3,000 x \$131 = \$393,000

Municipality B (FAM > 70%):

- RSCM: 100%
- FAM: 80%
- Number of households: 3,000

Grant Amount: 3,000 x \$176 = \$528,000

Municipality C (FAM > 90%):

- RSCM: 100%
- FAM: 93%
- Number of households: 3,000

Grant Amount: 3,000 x \$221 = \$663,000

Rural municipalities with an RSCM between 25 and 75 per cent

Single- and lower-tier rural municipalities with a FAM of more than 70 per cent and an RSCM between 25 per cent and 75 per cent receive a portion of the funding according to their RSCM.

The following table provides the per-household funding for a municipality with an RSCM of 50 per cent (see Appendix C for a summary of Rural Communities Grant parameters based on the RSCM and FAM).

Rural Communities Grant for Municipalities with an RSCM of 50 Per Cent and a FAM of more than 70 Per Cent											
FAM (%)	70	72	74	76	78	80	82	84	86	88	90+
Per-household amount (\$)	65.50	70.00	74.50	79.00	83.50	88.00	92.50	97.00	101.50	106.00	110.50

Example 3.3

Municipality A:

- RSCM: 50%
- FAM: 80%
- Number of households: 3,000

Grant Amount: 3,000 x \$88.00 = \$264,000

IV. NORTHERN AND RURAL FISCAL CIRCUMSTANCES GRANT

This grant is provided to municipalities eligible for funding through the Northern Communities Grant and/or Rural Communities Grant, both of which provide a fixed per-household funding amount to northern as well as single- and lower-tier rural municipalities. In addition to these fixed per-household amounts, the Northern and Rural Fiscal Circumstances Grant provides targeted support in recognition that not all northern and rural municipalities have the same fiscal circumstances.

The Northern and Rural Fiscal Circumstances Grant provides targeted funding to eligible municipalities based on their relative fiscal circumstances, as measured by the Northern and Rural Municipal Fiscal Circumstances Index (MFCI). For additional details on the Northern and Rural MFCI, see Appendix D.

See Appendix E for additional information on the Northern and Rural Fiscal Circumstances Grant parameters.

Northern and rural municipalities with an RSCM of 75 per cent or greater

Northern municipalities, as well as single- and lower-tier rural municipalities with an RSCM of 75 per cent or greater, receive funding according to their MFCI as outlined in the table below.

Northern and Rural Fiscal Circumstances Grant											
	Relatively positive circumstances						Relatively challenging circumstances				
	0	1	2	3	4	5	6	7	8	9	10
MFCI	0	1	2	3	4	5	6	7	8	9	10
Per-household amount (\$)	0	10	20	30	40	60	90	130	170	220	285

Example 4.1

Municipality A (Northern):

- MFCI: 7
- Number of households: 1,200

Grant Amount: 1,200 x \$130 = \$156,000

Rural municipalities with an RSCM between 25 and 75 per cent

Single- and lower-tier rural municipalities with an RSCM between 25 per cent and 75 per cent receive a portion of the per-household funding according to their RSCM.

Per-Household Funding at MFCI 4					
RSCM (%)	25	35	50	65	75
Per-household amount (\$)	0	8	20	32	40

See Appendix E for more detailed information.

Example 4.2

Municipality A (Rural):

- MFCI: 4
- RSCM: 65%
- Number of households: 1,200

Grant Amount: 1,200 x \$32 = \$38,400

Additional municipality-specific details are provided in the customized *2020 Northern and Rural MFCI Workbooks*.

V. TRANSITIONAL ASSISTANCE

Transitional Assistance is designed to assist municipalities in adjusting to year-over-year funding changes. This funding ensures that municipalities receive a guaranteed level of support based on their previous year's OMPF allocation.

In 2020, minimum funding guarantees have been maintained at 85 per cent for southern Ontario and 90 per cent for northern Ontario. This means that municipalities in southern Ontario will receive at least 85 per cent of their 2019 OMPF allocation and northern municipalities will receive at least 90 per cent of their 2019 OMPF allocation.

These minimum levels of support will continue to be enhanced, up to 100 per cent, for eligible northern and rural municipalities across the province with more challenging fiscal circumstances, as measured by the Northern and Rural MFCI.

2020 Municipal Funding Levels Based on Northern and Rural MFCI											
MFCI	0	1	2	3	4	5	6	7	8	9	10
Northern Ontario (%)	90.0	90.0	90.0	91.5	93.0	94.5	96.0	97.5	99.0	100	100
Southern Ontario (%)	85.0	85.0	85.0	86.0	88.0	90.0	92.5	95.0	97.5	100	100

Example 5.1

Municipality A (Northern):

- 2019 OMPF allocation: \$250,000
- 2020 minimum level of support for northern municipality: 90%
- MFCI: 8
- 2020 enhanced guaranteed level of support for MFCI 8: 99%
- 2020 guaranteed funding amount: \$250,000 x 99% = \$247,500
- Sum of 2020 OMPF grants prior to Transitional Assistance: \$180,000

2020 Transitional Assistance: \$247,500 – \$180,000 = \$67,500

Example 5.2

Municipality B (Southern Rural):

- 2019 OMPF allocation: \$350,000
- 2020 minimum level of support for southern municipality: 85%
- MFCI: 7
- 2020 enhanced guaranteed level of support for MFCI 7: 95%
- 2020 guaranteed funding amount: $\$350,000 \times 95\% = \$332,500$
- Sum of 2020 OMPF grants prior to Transitional Assistance: \$205,000

2020 Transitional Assistance: $\$332,500 - \$205,000 = \$127,500$

Example 5.3

Municipality C (Southern Urban):

- 2019 OMPF allocation: \$250,000
- 2020 minimum level of support for southern municipality: 85%
- MFCI: n/a
- 2020 guaranteed funding amount: $\$250,000 \times 85\% = \$212,500$
- Sum of 2020 OMPF grants prior to Transitional Assistance: \$125,000

2020 Transitional Assistance: $\$212,500 - \$125,000 = \$87,500$

IMPLEMENTATION

The OMPF is the Province's main general assistance grant to municipalities.

The Ministry of Finance calculates OMPF municipal allocations based on a defined set of data elements (see Appendix F).

MUNICIPAL WORKBOOKS

In order to assist municipalities in better understanding the 2020 program, the Ministry of Finance has developed a customized set of municipal workbooks for each municipality. These include:

1. *2020 Ontario Municipal Partnership Fund Workbook*
2. *2020 Northern and Rural Municipal Fiscal Circumstances Index Workbook*

The workbooks provide municipality-specific details and are shared electronically with municipal treasurers and clerk-treasurers.

2020 REPORTING OBLIGATIONS

Municipalities are required to submit their 2019 Financial Information Return (FIR) to the Ministry of Municipal Affairs and Housing (MMAH) by **May 31, 2020**.

Municipalities are also required to submit their 2020 tax rates through the Online Property Tax Analysis (OPTA) system or to MMAH by **September 30, 2020**.

Failure to meet these deadlines will result in the withholding of OMPF payments until these documents have been submitted.

ADDITIONAL INFORMATION

This Technical Guide and other 2020 OMPF supporting materials are posted online at:

www.fin.gov.on.ca/en/budget/ompf/2020

www.fin.gov.on.ca/fr/budget/ompf/2020

For additional information regarding 2020 OMPF allocations or for other general inquiries about the program, email your inquiry and contact information to: info.ompf@ontario.ca

Municipal Services Offices at the Ministry of Municipal Affairs and Housing

Alternatively, municipalities may also contact their local Municipal Services Office of the Ministry of Municipal Affairs and Housing (MMAH) who can assist in directing their inquiry:

Municipal Services Offices: Ministry of Municipal Affairs and Housing	
CENTRAL: 777 Bay Street, 13th Floor Toronto ON M5G 2E5	General Inquiry: (416) 585-6226 Toll Free: 1-800-668-0230 Fax: (416) 585-6882
EASTERN: Rockwood House, 8 Estate Lane Kingston ON K7M 9A8	General Inquiry: (613) 545-2100 Toll Free: 1-800-267-9438 Fax: (613) 548-6822
NORTH (SUDBURY): 159 Cedar Street, Suite 401 Sudbury ON P3E 6A5	General Inquiry: (705) 564-0120 Toll Free: 1-800-461-1193 Fax: (705) 564-6863
NORTH (THUNDER BAY): 435 James St. S., Suite 223 Thunder Bay ON P7E 6S7	General Inquiry: (807) 475-1651 Toll Free: 1-800-465-5027 Fax: (807) 475-1196
WESTERN: 659 Exeter Road, 2nd Floor London ON N6E 1L3	General Inquiry: (519) 873-4020 Toll Free: 1-800-265-4736 Fax: (519) 873-4018

APPENDICES

APPENDIX A: RURAL AND SMALL COMMUNITY MEASURE

The Rural and Small Community Measure (RSCM) represents the proportion of a municipality's population residing in rural areas and/or small communities. This approach recognizes that some municipalities include a mix of rural and non-rural areas.

The measure is based on Statistics Canada data and is calculated as follows:

- 1) Statistics Canada divides municipalities into small geographic areas, typically less than a few hundred residents.
- 2) These areas are classified by Statistics Canada as rural areas or small communities if they meet one of the following conditions:
 - They have a population density of less than 400 per square kilometre;
 - They have a population density of greater than 400 per square kilometre but cannot be grouped with other adjacent areas (each also with a population density of greater than 400 per square kilometre), to produce a total population concentration greater than 1,000; or
 - They are not economically integrated with a population centre of greater than 10,000 (see table below).
- 3) The RSCM is determined by calculating the proportion of a municipality's population residing in areas that are classified as either rural or a small community.

OMPF calculations incorporate a minor adjustment to Statistics Canada's classification of "small community". This adjustment provides a transition between the small community and urban centre classification for areas with a population between 10,000 and 12,500 and is made on a sliding scale:

Percentage of Area Population Included as a Small Community						
Area population	10,000	10,500	11,000	11,500	12,000	12,500
Percentage (%)	100	80	60	40	20	0

APPENDIX B: FARM AREA MEASURE

The Farm Area Measure (FAM) represents the percentage of a municipality’s land area comprised of farm land. The measure was introduced in the 2016 OMPF in response to feedback from some municipalities that the OMPF should recognize the variation in farm land across the province.

The FAM is calculated as follows:

$$\frac{\text{Farm Land Area}}{\text{Municipal Land Area}} = \text{Farm Area Measure}$$

A municipality’s FAM is determined using the following components:

- 1) **Farm Land Area**, which is equal to acres of land for properties in the farm property tax class, as of December 31st, 2018.
 - a. The Ministry of Agriculture, Food and Rural Affairs (OMAFRA) administers the application process for the farm property tax class, and is responsible for reviewing eligibility criteria before a property can be placed in the farm property tax class. These criteria include:
 - The property must be assessed and valued as farm land by the Municipal Property Assessment Corporation (MPAC).
 - The farming business generates at least \$7,000 in Gross Farm Income (GFI) per year.
 - The farming business has a valid Farm Business Registration number from Agricorp or a valid exemption.
 - The property is being used for a farming business by either the owner or tenant farmer or both.
 - b. The acreage of properties in the farm property tax class is determined using the Ontario Parcel database. This database was developed in partnership between the Ministry of Natural Resources and Forestry (MNRF), MPAC and Teranet Enterprises Inc., and provides information on the land area for each individual property or parcel of land in the province.

- 2) **Municipal Land Area**, which represents the number of acres of land in a municipality and reflects municipal boundaries as of January 1st, 2016. This measure is based on the Spatial Data Infrastructure (SDI) from Statistics Canada and excludes bodies of water.

APPENDIX C: SUMMARY OF RURAL COMMUNITIES GRANT PARAMETERS

The following table supports the Rural Communities Grant calculation for single- and lower-tier rural municipalities with an RSCM between 25 and 75 per cent and a FAM of 70 per cent or more.

Rural Communities Grant Funding Levels Based on RSCM and FAM (\$ per household)											
RSCM (%) \ FAM (%)	70	72	74	76	78	80	82	84	86	88	90+
25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
35	26.20	28.00	29.80	31.60	33.40	35.20	37.00	38.80	40.60	42.40	44.20
50	65.50	70.00	74.50	79.00	83.50	88.00	92.50	97.00	101.50	106.00	110.50
65	104.80	112.00	119.20	126.40	133.60	140.80	148.00	155.20	162.40	169.60	176.80
75+	131.00	140.00	149.00	158.00	167.00	176.00	185.00	194.00	203.00	212.00	221.00

APPENDIX D: NORTHERN AND RURAL MUNICIPAL FISCAL CIRCUMSTANCES INDEX

The Northern and Rural Municipal Fiscal Circumstances Index (MFCI) measures a municipality's fiscal circumstances relative to other northern and rural municipalities in the province.

The Northern and Rural MFCI is determined based on six indicators. These indicators are classified as either primary or secondary to reflect their relative importance in determining a municipality's fiscal circumstances.

The indicators include:

Primary Indicators

- Weighted Assessment Per Household
- Median Household Income

Secondary Indicators

- Average Annual Change in Assessment (New Construction)
- Employment Rate
- Ratio of Working Age to Dependent Population
- Per Cent of Population Above Low-Income Threshold

A municipality's Northern and Rural MFCI is determined through three steps, as listed below and as described in more detail on the following pages.

- 1) **Indicator Score** — Each primary and secondary indicator is scored based on its relationship to the median for northern and rural municipalities.
- 2) **Average Indicator Score** — An average indicator score is calculated based on the average of both the primary and secondary indicators.
- 3) **Northern and Rural MFCI** — This index reflects a municipality's fiscal circumstances relative to other northern and rural municipalities in the province and is based on the relative results of each municipality's average indicator score. The Northern and Rural MFCI is measured on a scale from 0 to 10.

A lower MFCI corresponds to relatively positive fiscal circumstances, whereas a higher MFCI corresponds to more challenging fiscal circumstances. As a result, an MFCI of 5 corresponds to fiscal circumstances similar to the median for northern and rural municipalities.

Additional municipality-specific details are provided in the *2020 Northern and Rural MFCI Workbook*.

1. Indicator Score

The indicator score has a range from -100 per cent to 100 per cent and reflects how the value of a municipality's indicator compares to the median for northern and rural municipalities.

Indicator Value Above Median

An indicator value that is above the median will have a positive score, which is reflective of relatively positive fiscal circumstances.

The indicator score is calculated based on the position of the municipality's indicator value between the median and highest value for northern and rural municipalities.

Indicator Value Below Median

An indicator value that is below the median will have a negative score, which is reflective of more challenging fiscal circumstances.

The indicator score is calculated based on the position of the municipality's indicator data between the median and lowest value for northern and rural municipalities.

For example, an indicator score of 25 per cent indicates that a data value is one quarter of the distance between the median and highest value, while an indicator score of -25 per cent indicates that a data value is one quarter of the distance between the median and lowest value. An indicator score of 0 per cent reflects the median for northern and rural municipalities.

The following table outlines the median, highest and lowest values for each MFCI indicator. Illustrative examples of indicator score calculations are provided on the following page.

MFCI Indicator Parameters			
Primary Indicators	Lowest	Median	Highest
Weighted Assessment per Household	\$47,000	\$284,000	\$797,000
Median Household Income	\$40,000	\$69,000	\$119,000
Secondary Indicators	Lowest	Median	Highest
Average Annual Change in Assessment (New Construction)	-1.8%	1.0%	4.0%
Employment Rate	30.0%	56.0%	75.0%
Ratio of Working Age to Dependent Population	107.0%	170.0%	300.0%
Per cent of Population Above Low-Income Threshold	66.0%	86.0%	96.0%

Example 1.1**Indicator: Median Household Income**

Lowest Value	Median Value	Highest Value
\$40,000	\$69,000	\$119,000

Example Municipality: Indicator Data Value = \$54,500

A. Difference between Indicator Value and Median: $\$54,500 - \$69,000 = -\$14,500$

Since the indicator value is below the median for northern and rural municipalities, the difference between the median and the lowest value for northern and rural municipalities is calculated.

B. Difference between Median and Lowest Value: $\$69,000 - \$40,000 = \$29,000$ **C. Indicator Score = A / B: $-\$14,500 / \$29,000 = -50\%$** **Example 1.2****Indicator: Ratio of Working Age to Dependent Population**

Lowest Value	Median Value	Highest Value
107%	170%	300%

Example Municipality: Indicator Data Value = 235%

A. Difference between Indicator Value and Median: $235\% - 170\% = 65\%$

Since the indicator value is above the median for northern and rural municipalities, the difference between the median and the highest value for northern and rural municipalities is calculated.

B. Difference between Median and Highest Value: $300\% - 170\% = 130\%$ **C. Indicator Score = A / B: $65\% / 130\% = 50\%$**

2. Average Indicator Score

The average indicator score summarizes a municipality's overall results on all six indicators. A municipality's average indicator score is based on both the primary and secondary indicator average, as shown below.

Calculating Average Indicator Score

$$\text{Average Indicator Score} = (\text{Primary Indicator Average} + \text{Secondary Indicator Average}) / 2$$

$$\text{Primary Indicator Average: } (A + B) / 2$$

- A. Weighted Assessment Per Household indicator score
- B. Median Household Income indicator score

$$\text{Secondary Indicator Average: } (C + D + E + F) / 4$$

- C. Average Annual Change in Assessment (New Construction) indicator score
- D. Employment Rate indicator score
- E. Ratio of Working Age to Dependent Population indicator score
- F. Per Cent of Population Above Low-Income Threshold indicator score

Note: A positive average indicator score reflects relatively positive fiscal circumstances, while a negative average indicator score reflects more challenging fiscal circumstances.

Example 2.1

Average Indicator Score

- A. Weighted Assessment per Household indicator score: 8%
- B. Median Household Income indicator score: -50%

$$\text{Primary Indicator Average: } (8\% + (-50\%)) / 2 = -21\%$$

- C. Average Annual Change in Assessment (New Construction) indicator score: -95%
- D. Employment Rate indicator score: 1%
- E. Ratio of Working Age to Dependent Population indicator score: 50%
- F. Per cent of Population Above Low-Income Threshold indicator score: -88%

$$\text{Secondary Indicator Average: } (-95\% + 1\% + 50\% + (-88\%)) / 4 = -33\%$$

$$\text{Average Indicator Score: } (-21\% + (-33\%)) / 2 = -27\%$$

3. Determination of Northern and Rural MFCI

The Northern and Rural MFCI reflects a municipality's fiscal circumstances relative to other northern and rural municipalities in the province.

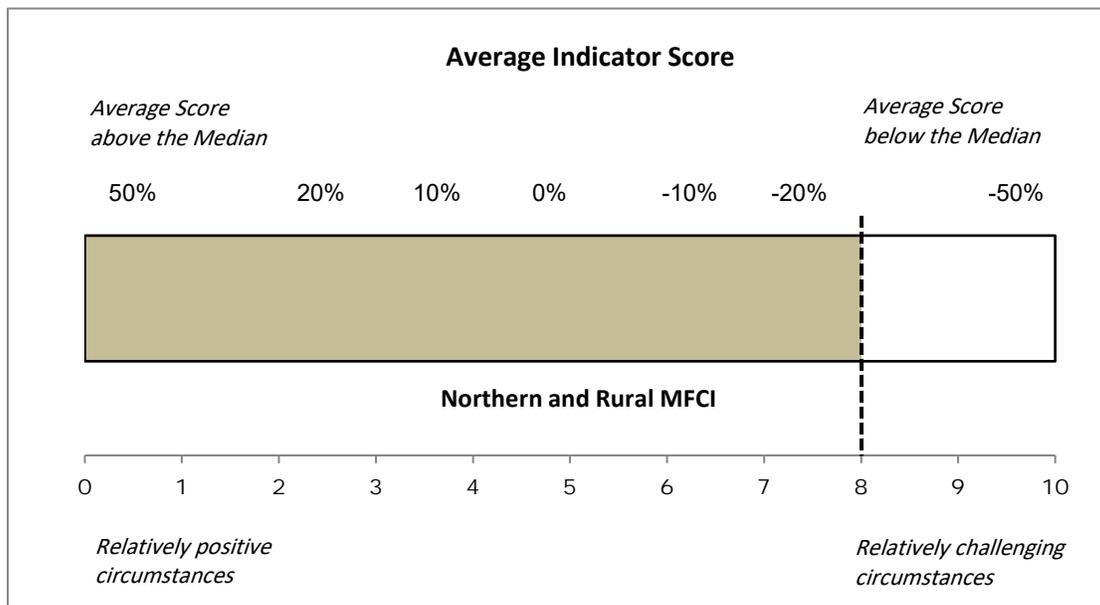
The Northern and Rural MFCI is measured on a scale of 0 to 10. A lower MFCI corresponds to relatively positive fiscal circumstances, while a higher MFCI corresponds to more challenging fiscal circumstances. A Northern and Rural MFCI of 5 corresponds to fiscal circumstances similar to the median for northern and rural municipalities.

A municipality's MFCI is determined based on the value of the average indicator score. The example below presents how average indicator scores are used to determine a municipality's MFCI.

Example 3.1

Average Indicator Score: -27%

Northern and Rural MFCI: 8.0



APPENDIX E: NORTHERN AND RURAL FISCAL CIRCUMSTANCES GRANT PARAMETERS

The Northern and Rural MFCI is measured on a scale from 0 to 10. A lower MFCI corresponds to relatively positive fiscal circumstances, while a higher MFCI corresponds to more challenging fiscal circumstances. The following table provides details regarding the 2020 per-household funding levels under the Northern and Rural Fiscal Circumstances Grant.

Northern and Rural Fiscal Circumstances Grant											
	<i>Relatively positive circumstances</i>						<i>Relatively challenging circumstances</i>				
MFCI	0	1	2	3	4	5	6	7	8	9	10
2019 Per-household (\$)	0	10	20	30	40	60	90	130	170	220	285
2020 Per-household (\$)	0	10	20	30	40	60	90	130	170	220	285
Percentage Change (%)	-	-	-	-	-	-	-	-	-	-	-

The following table supports the Northern and Rural Fiscal Circumstances Grant calculation for single- and lower-tier rural municipalities with an RSCM between 25 and 75 per cent. The table illustrates the per-household funding amount associated with a range of RSCM and MFCI values.

Summary of MFCI Funding Levels Based on RSCM (\$ per household)											
MFCI	0	1	2	3	4	5	6	7	8	9	10
RSCM (%)											
25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
35	0.00	2.00	4.00	6.00	8.00	12.00	18.00	26.00	34.00	44.00	57.00
50	0.00	5.00	10.00	15.00	20.00	30.00	45.00	65.00	85.00	110.00	142.50
65	0.00	8.00	16.00	24.00	32.00	48.00	72.00	104.00	136.00	176.00	228.00
75+	0.00	10.00	20.00	30.00	40.00	60.00	90.00	130.00	170.00	220.00	285.00

APPENDIX F: DATA SOURCES

OMPF Data Elements and Sources		
Data	Year	Source(s)
Weighted Assessment	Final 2018 Market Change Profile (MCP) and 2020 starting tax ratios	Municipal Property Assessment Corporation (MPAC) and municipal tax rate bylaws
PIL Weighted Assessment	2017 or 2018	Municipal FIR
Number of Households	2019	MPAC Returned Roll
Median Household Income	2016	Statistics Canada
Rural and Small Community Measure	2016	Statistics Canada
Per Cent of Population Above Low-Income Threshold	2016	Statistics Canada
Ratio of Working Age to Dependent Population	2016	Statistics Canada
Employment Rate	2016	Statistics Canada
Average Annual Change in Assessment (New Construction)	2014–2019	Online Property Tax Analysis System (OPTA)
Municipal Land Area	2016	Statistics Canada
Farm Land Area	2018	MPAC and Ontario Parcel

Note: For municipality-specific details, refer to customized 2020 workbooks developed by the Ministry of Finance.

APPENDIX G: DEFINITIONS

Average Annual Change in Assessment (New Construction)	Measures the five-year (2014 – 2019) average annual change in a municipality’s assessment, for example, as a result of new construction or business property closures, excluding the impact of reassessment.
Average Indicator Score	Summarizes a municipality’s overall results on all six indicators, based on both the primary and secondary indicator average.
Employment Rate	Statistics Canada’s measure of number of employed persons, divided by persons aged 15 and over.
Farm Area Measure (FAM)	Represents the percentage of a municipality’s land area comprised of farm land.
Farm Land Area	Equal to the acres of land for properties in the farm property tax class, as of December 31st, 2018. The acreage of properties in the farm property tax class is determined using the Ontario Parcel database.
Households	Measure of households based on the 2019 returned roll from the Municipal Property Assessment Corporation (MPAC). Includes the following classes: (1) Residential Unit (RU) - Permanent households; (2) Residential Dwelling Unit (RDU) - Seasonal households such as cottages; and (3) Farm Residential Unit (FRU) - Farmlands on which a farm residence exists.
Indicator Score	Reflects the position of a municipality’s indicator data value relative to other municipalities and has a range from -100 per cent to 100 per cent. A positive indicator score is reflective of relatively positive fiscal circumstances, while a negative score is reflective of more challenging fiscal circumstances.
Median Household Income	Statistics Canada’s measure of median income for all private households in 2015.
Municipal Land Area	Equal to the acres of land in a municipality and reflects municipal boundaries, as of January 1st, 2016. This measure is based on the Spatial Data Infrastructure (SDI) from Statistics Canada and excludes bodies of water.

Minimum Funding Guarantee	The 2020 minimum guaranteed level of support based on 2019 OMPF allocations. In 2020, minimum funding guarantees for municipalities in southern Ontario will be at least 85 per cent of their 2019 OMPF allocation. Northern municipalities will receive at least 90 per cent of their 2019 OMPF allocation. These minimum levels of support will be enhanced, up to 100 per cent, for northern and rural municipalities in the province with more challenging fiscal circumstances.
Northern and Rural Municipal Fiscal Circumstances Index (MFCI)	The Northern and Rural MFCI measures a municipality's fiscal circumstances relative to other northern and rural municipalities in the province, and ranges from 0 to 10. A lower MFCI corresponds to relatively positive fiscal circumstances, whereas a higher MFCI corresponds to relatively more challenging fiscal circumstances. An MFCI of 5 corresponds to fiscal circumstances similar to the median for northern and rural municipalities.
Per Cent of Population Above Low-Income Threshold	Reflects the Statistics Canada measure of the population in private households above the low-income threshold for Ontario compared to the total population in private households. The measure is based on after-tax income, and the low-income threshold is based on half the median adjusted household income in 2015.
Primary Indicators	The Northern and Rural MFCI is determined based on six indicators which are classified as either primary or secondary to reflect their relative importance in determining a municipality's fiscal circumstances. The primary indicators are weighted assessment per household and median household income.
Property Tax Revenue	Represents the municipal property tax revenue as reported in municipal Financial Information Return (Schedule 10, Line 0299).
Ratio of Working Age to Dependent Population	Statistics Canada's measure of working age population (aged 15 to 64), divided by youth (aged 14 and under) and senior population (aged 65 and over).
Rural and Small Community Measure (RSCM)	RSCM represents the proportion of a municipality's population residing in rural areas and/or small communities. This approach recognizes that some municipalities include a mix of rural and non-rural areas. The measure is based on Statistics Canada data from the 2016 Census.

Secondary Indicators

The Northern and Rural MFCI is determined based on six indicators, which are classified as either primary or secondary to reflect their relative importance in determining a municipality's fiscal circumstances. The secondary indicators are average annual change in assessment (new construction), employment rate, ratio of working age to dependent population, and per cent of population above low-income threshold.

Weighted Assessment
Per Household

Measures the size of the municipality's tax base. Refers to the total assessment for a municipality weighted by the tax ratio for each class of property (including payments in lieu of property taxes retained by the municipality) divided by the total number of households.

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Investing in Canada Infrastructure Program: Green Stream

[Log In](#)

Description

The Investing in Canada Infrastructure Program (ICIP) is a cost-shared infrastructure funding program between the federal government, provinces and territories, and municipalities and other recipients. This program will see up to \$30 billion in combined federal, provincial and other partner funding, under four priority areas, including Green infrastructure.

The Green stream outcomes set by the federal government support the reduction of greenhouse gas emissions, enable greater adaptation and resilience to the impacts of climate change and climate-related disaster mitigation and ensure communities can provide clean air and safe drinking water.

This intake of the Green stream will focus on bringing infrastructure investments to small communities across Ontario, focusing on improving water, wastewater and stormwater infrastructure.

Deadline

The completed application and supporting documentation must be submitted to TPON by 4:59:59 p.m. EDT on January 22, 2020. Late applications will not be accepted.

Eligibility Requirements

Eligible municipalities and First Nations with populations under 100,000 and Local Service Boards that own water, wastewater and/or stormwater infrastructure and serve populations under 100,000 are welcome to access the application in the Transfer Payment Ontario system on October 28, 2019.

Conservation Authorities and not-for-profits that own water, wastewater or stormwater infrastructure will be assessed on a case-by-case basis. Please contact 1-877-424-1300 menu option #3 or ICIPGreen@ontario.ca in advance of submitting your application to discuss with Ministry staff.

Please refer to the Investing in Canada Infrastructure Program: Green Stream Program Guidelines for assistance on submitting your application; required documents and other program information.

Note: additional supporting documents can be uploaded in TPON after submitting your application form. In addition, applicants cannot make changes to the application after the deadline. However, as part of the review process, Ontario may seek clarification and supplementary information.

The province will notify applicants if a project has been nominated for federal review. Please note that being nominated for federal approval does not deem a project to be successful for funding. Successful/unsuccessful applicants will be advised as soon as notification of federal approval has been provided to the Ministry.

Program Guidelines

Investing in Canada Infrastructure Program: Green Stream - Program Guide

ICIP Green Stream 2019 Intake – Technical Schedule for Drinking Water

ICIP Green Stream 2019 Intake – Technical Schedule for Wastewater and Stormwater

ICIP Infrastructure Canada - Aboriginal Consultation and Environmental Assessment Smart Form

Contacts

If you have questions, please contact us by telephone at 1-877-424-1300 menu option #3 or by email at ICIPGreen@ontario.ca.

Last updated: October 29, 2019



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Important Notices

LAST MODIFIED: OCTOBER 29, 2019



237897 Inglis Falls Road, R.R.#4, Owen Sound, ON N4K 5N6
Telephone: 519.376.3076 Fax: 519.371.0437
www.greysauble.on.ca

November 1st, 2019

The Honourable Jeff Yurek
Minister of the Environment, Conservation and Parks
5th Floor 777 Bay Street
Toronto, ON M7A 2J3

sent via email: jeff.yurek@pc.ola.org

RE: Grey Sauble Conservation Authority Board of Directors Resolution FA-19-116

Please be advised that the following resolution was passed at the October 23, 2019 meeting of the Grey Sauble Conservation Authority Board of Directors.

Motion No.: FA-19-116

Moved by: Scott Greig

Seconded By: Marion Koepke

Whereas the Grey Sauble Conservation Authority (GSCA) Board of Directors is comprised of elected representatives from the Municipality of Arran-Elderslie, the Township of Chatsworth, the Township of Georgian Bluffs, the Municipality of Grey Highlands, the Town of Meaford, the City of Owen Sound, the Town of South Bruce Peninsula, and the Town of the Blue Mountains; and,

Whereas the Board of Directors determines the policies, priorities, projects, fees and budget of the GSCA; and,

Whereas the GSCA provides important and valued programs and services to the residents of its member municipalities that include recreation, education, water quality monitoring, forestry services, biodiversity preservation, stewardship, as well as protecting life and property through a variety of measures;

Therefore, be it resolved that the publicly elected and municipally appointed GSCA Board of Directors supports the continuation of the programs and services of the GSCA, both mandatory and non-mandatory, and that no programs or services of GSCA be "wound down" at this time; and,

That the Minister of the Environment, Conservation and Parks give clear direction as to what programs and services are considered mandatory and non-mandatory and how those programs will be funded in the future; and,

That the Minister of the Environment, Conservation and Parks utilize the Conservation Authorities Act regulations to ensure that all programs and projects of the Authority that are consistent with the Objects and Powers of an Authority be considered core programs.

1 of 2



Watershed Municipalities
Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains

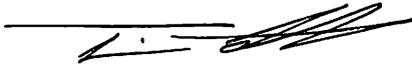
The Honourable Jeff Yurek, MECP
Re: Grey Sauble Conservation Authority Board Support of Authority Programs
November 1st, 2019

That this resolution be forwarded to the Minister of the Environment, Conservation and Parks, Premier Doug Ford, MPP Bill Walker, the Association of Municipalities of Ontario, Conservation Ontario, and all Ontario municipalities.

CARRIED

I look forward to hearing from you.

Regards,



Tim Lanthier
Interim General Manager
Grey Sauble Conservation Authority

cc: Premier Doug Ford
MPP Bill Walker
Association of Municipalities of Ontario
Ontario Municipalities
Conservation Ontario

Deputy Minister, Small Business
and Red Tape Reduction
Ministry of Economic Development,
Job Creation and Trade
56 Wellesley Street West
7th Floor
Toronto ON M7A 2E7
Telephone: 416-325-6927
Email: giles.gherson@ontario.ca

Sous-ministre des Petites Entreprises
et de la Réduction des formalités administratives
Ministère du Développement économique,
de la Création d'emplois et du Commerce
56, rue Wellesley Ouest
7e étage
Toronto ON M7A 2E7
Téléphone : 416 325-6927
Courriel: giles.gherson@ontario.ca

November 13, 2019

Re: Job Site Challenge

The Province of Ontario is pleased to announce the launch of the Job Site Challenge — an exciting new program open to property owners and land developers across the province.

The Job Site Challenge is a *mega site program* modelled on successful large-scale investment attraction opportunities created in a number of US states over the last decade. It is designed to create and showcase shovel-ready sites capable of attracting large-scale manufacturing investment. The government of Ontario will provide value-add services to increase the attractiveness of properties and market the sites to domestic and international investors.

This is an opportunity for municipalities, economic development agencies, real estate developers, industrial property owners and other interested parties to submit proposals to the Province identifying mega site candidates for consideration. With the assistance of an internationally recognized site selector, sites will be evaluated and selected, based on how well they meet a set of site eligibility criteria.

We are searching for sites ranging from 500 to 1,500 acres in size capable of supporting large-scale manufacturing operations. Specifically, sites that are or could be zoned for heavy industrial use and that are serviced or serviceable by utilities, transportation and other infrastructure.

Program participants of selected sites will benefit from:

- Validation and endorsement of their site by an internationally recognized site selector
- Promotion and marketing by both the Province and the site selector to international and domestic investors
- Streamlined approvals review process for applicable provincial licences, permits and environmental approvals required to develop and service a site.

As the first of its kind in Canada, the Job Site Challenge is intended to raise Ontario's profile and improve our attractiveness internationally — so that we can compete with other North American jurisdictions for coveted large-scale investments in automotive and other advanced manufacturing and create good, high-paying jobs for the people of Ontario.

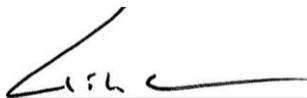
To participate, applicants are asked to submit a detailed proposal for consideration by March 31, 2020. We are asking participants to put forward their “best case” with sites that meet the specified criteria.

All necessary information about the Job Site Challenge, including site eligibility criteria, is available in the program application guide which can be requested by email at burdenreductionteam@ontario.ca.

Should you have any questions about the program or how to apply, please contact the Ministry of Economic Development, Job Creation and Trade — Small Business and Red Tape Reduction at the email noted above. You can also visit the [Job Site Challenge website](#) for additional information.

Thank you for your interest in the Job Site Challenge. We look forward to working with interested program participants.

Regards,

A handwritten signature in black ink, appearing to read "Giles Gherson", written over a thin horizontal line.

Giles Gherson
Deputy Minister

Making Ontario Work Better for People, Smarter for Business

Reducing regulatory burdens to make everyday life easier and remove barriers to job creation and income growth

October 28, 2019 1:35 P.M.

TORONTO — The Ontario government is taking action to make life easier for people and for businesses. Empowering people and getting out of the way of businesses are key to creating good jobs, growing wages and increasing our standard of living.

Today, Prabmeet Sarkaria, Associate Minister of Small Business and Red Tape Reduction, announced a package of over 80 proposed actions to eliminate unnecessary or outdated rules and streamline regulations that need updating. If passed, the *Better for People, Smarter for Business Act*, along with regulatory changes, will simplify and modernize regulations that we need, while eliminating requirements that are outdated or duplicative, making regulatory processes more efficient for business and better for people. These proposed changes will lower the cost of doing business by making it simpler and cheaper to comply with regulations, while also making it easier to interact with government. The proposed changes also specifically support food banks and religious charities, colleges, universities and seniors — and reinforce environmental protections.

"Many regulations are in place for good reasons, like those that protect health, safety and the environment," said Sarkaria. "But at the same time, decades of government regulation have resulted in rules that are duplicative, outdated or unclear, causing businesses to spend time and money complying with rules that simply could be better. We're ensuring that Ontario's regulations are effective, targeted, clear and focused — while maintaining Ontario's high standards."

This thoughtful, targeted approach proposes to reduce regulatory burdens across several sectors, including farming, trucking, construction, health care and restaurants. It will provide direct benefits to people in their everyday lives, while also making it easier to do business, create jobs and grow wages. For example, if passed:

- The government will consult on a separate, tailored regulation to support Ontario's food banks and religious charities involved in food donation and community feeding. Currently, these organizations are required to navigate stringent rules that also apply to fast-food restaurants and institutional cafeterias. New rules would get government out of the way when members of a church, mosque, temple, synagogue or other not-for-profit

want to hand out pre-packaged, ready-to-eat snack foods at after-school programs or in soup kitchens

- Restaurant owners and operators will be allowed to decide for themselves whether to let their customers bring a dog with them on a patio. This will also apply to indoor eating areas at sites where beer, wine, cider or spirits are made, and where only beverages and certain types of low-risk food are served. This proposal will make it easier and more enjoyable for dog owners to have a meal out
- Professional truck drivers and companies will save time and money as the government combines separate inspections for emissions standards and vehicle safety into a single inspection. Both tests are important, but doing them separately makes no sense and takes drivers off the road when they could be delivering goods
- Pit and quarry operators will have more streamlined requirements and improved access to aggregate resources. Construction companies use aggregates such as stone and gravel as key ingredients in the asphalt and concrete used to build the roads and houses needed for Ontario's growing population
- Farmers will benefit from new rules that will make it quicker and easier to obtain or renew crop insurance. They will also benefit from changes that will make the Farm Business Registration Program more farmer-friendly
- Pharmacists and patients will benefit from proposals to align regulations with other provinces and territories and national processes. These proposed changes will speed up patients' access to new and lower-cost drugs and ensure that Ontario is prepared for any future potential drug shortages.

These proposals build on over 100 actions that the government has already taken to reduce regulatory burdens. "Businesses would rather be filling out their order books than filling out government forms," said Sarkaria.

QUOTES

" Ontario is a role model in reducing the regulatory burden on businesses. I am impressed by the government's leadership in making regulation more agile by applying a small business lens and taking a lighter touch to enforcing regulations. We need to take this approach across Canada."

- Dominic Barton

Global Managing Partner Emeritus at management consultancy McKinsey & Company

" The Ontario government is creating the right environment for local businesses to succeed by removing ineffective regulations. They are championing companies like ours by allowing us to make smart, responsible and popular decisions that communities are asking for — like allowing people to bring their dogs with them on patios, and indoors where food isn't being prepared."

- Rob Garrard

Co-Founder/Owner, The Second Wedge Brewing Co., Uxbridge

" Making Ontario open for business and open for jobs includes reducing costs and regulatory burden for our job creators to allow them to do what they do best – create good jobs for Ontario workers. We know there is more work to do, and this legislation is the next step in that effort."

- Vic Fedeli

Minister of Economic Development, Job Creation and Trade

QUICK FACTS

- The government has committed to saving businesses \$400 million in the cost of complying with regulations by 2020.
- Preliminary estimates suggest that by June 2019 it had achieved \$126 million in savings through actions completed by then. The government had also reduced fees, charges and levies on businesses by an additional \$160 million. The Better for People, Smarter for Business Act and regulatory changes are expected to further reduce costs by \$52 million, resulting in an estimated total of \$338 million in savings.
- In January 2019, the Canadian Federation of Independent Business gave Ontario an A- in its 2019 Red Tape Report Card. That was Ontario's highest grade ever, and a big jump from the C+ that the previous government received in 2018.

LEARN MORE

- [Better for People and Smarter for Business](#)
- [Descriptions of the Ontario government's new proposals to reduce regulatory burdens](#)
- [Ontario Open for Business: Resources to help companies do business and invest in Ontario](#)

Ian Allen Director of Communications Office of the Minister of Small Business and Red Tape Reduction
Ian.Allen@ontario.ca

[Available Online](#)
[Disponible en Français](#)

Ministry of Natural Resources
and Forestry

Species Conservation Policy Branch

300 Water Street
5th Floor N
Peterborough ON K9J 3C7

Ministère des Richesses naturelles
et des Forêts

Direction des politiques de conservation des espèces

300, rue Water
5^e étage Nord
Peterborough (Ontario) K9J 3C7

354-2019-1855

October 17, 2019

Mr. Duncan McPhail
Warden
Corporation of the County of Elgin
450 Sunset Drive
St. Thomas ON N5R 5V1

Dear Warden McPhail:

Thank you for your letter of August 14th to Minister Yurek of the Ministry of the Environment, Conservation and Parks regarding your concerns about phragmites. The Minister of Natural Resources and Forestry (MNRF) is the provincial lead on invasive species and I am pleased to respond on his behalf.

MNRF understands the challenges that municipalities and landowners face with battling the spread of invasive phragmites and the limited tools available to address it in aquatic habitats.

To help communities better manage this invasive plant, we are supporting research into the development of tools that will help provide solutions for its control. This includes leading a pilot project involving the use of an overwater herbicide for the control of phragmites in wet areas, as part of an emergency registration granted by Health Canada's Pest Management Regulatory Agency (PMRA). Work on this pilot project has been very positive, and the results have been shared with PMRA to help support their consideration, should the herbicide manufacturer proceed with registration of their product in the future.

MNRF has also supported Agriculture and Agri-food Canada and the University of Toronto in identifying possible biological control agents for phragmites as part of the development of integrated management approaches that do not rely on one single tool.

We also continue to work with the other provincial ministries including Environment, Conservation and Parks; Agriculture, Food and Rural Affairs; and Transportation to

develop best approaches and strategies to address this pernicious plant on road-sides, agricultural lands and natural areas.

I appreciate your offer to assist with the development of solutions for dealing with phragmites and welcome your feedback. Please contact Terese McIntosh, Manager, Biodiversity Section (705) 313-1083, if you have any further questions.

Sincerely,



Christie Curley, A/Director
Species Conservation Policy Branch

Please Note: As part of providing accessible customer service, please let me know if you have any accommodation needs or require communication supports or alternate formats.

- c. Honorable Jeff Yurek, Minister, Ministry of the Environment, Conservation, and Parks

Ministry of the Attorney General

Director of Crown Operations
(West Region)
Criminal Law Division

150 Dufferin Avenue
Suite 202
London ON N6A 5N6
Tel.: 519/660-2400
Fax: 519/661-2887

Ministry of the Attorney General

Director of Crown Operations
(West Region)
Criminal Law Division

150 Dufferin Avenue
Suite 202
London ON N6A 5N6
Tel.: 519/660-2400
Fax: 519/661-2887

November 19, 2019

Julie Gonyou
County of Elgin
CAO@elgin.ca

Ms. Gonyou,

As a follow-up to my last communication of January 22, 2018, I am writing to provide an update and reengagement with respect to the transfer of the prosecution of Part III matters under the *Provincial Offences Act* (POA) to municipalities. As part of the reengagement we are looking for interested municipalities to work with us towards finalizing the legal components of the transfer agreement, as well as providing feedback on the education/training information.

You will recall that the enabling legislation, passed on December 14, 2017, permits the Attorney General to enter into agreements with municipalities to transfer responsibility for certain prosecutions currently prosecuted by the Ministry's Criminal Law Division under Part III of the *Provincial Offences Act*. The Ministry will continue to prosecute certain Part III POA cases, including those in which a criminal charge is also laid, charges involving Ontario's sex offender registry and Young Persons, and a review of POA fatalities will be conducted on a case-by-case basis to determine if the Crown Attorney or municipality will prosecute.

The Ministry is continuing to plan for a phased approach to the transfer of this Part III work and the timing of individual transfers will be informed by local site readiness and capacity to assume this important responsibility.

As you are aware, in the Fall of 2018, Ontario's cannabis laws changed and have generated a new type of POA prosecution work that has become the responsibility of both the municipalities for Part I and the Ministry for Part III. The transfer of POA Part III offences will include offences under the Cannabis Control Act which came into force on October 17, 2018.

An amending legal agreement will be required to affect the transfer, consisting of an amending Memorandum of Understanding and amending Local Side Agreement which specifically address the transfer of the Part III prosecution only. The Ministry is looking

for a cross-section of interested municipal representatives to work with us in the development and finalization of these legal agreements to achieve the transfer.

In addition, The Ministry is looking for interested municipal representatives to provide feedback on the education and training information designed to facilitate the transfer of the POA Part III prosecutions.

To resume discussions about the transfer and local planning in greater detail, the local Crown Lisa Defoe @ 519-631-4810 will be contacting the prosecution program representative in your area within the next two weeks.

In the meantime, if you are interested in being part of the reference group for the legal agreement or education/training, please let me know.

Thank you for your continued support and participation in this important initiative.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Hunking', with a long, sweeping underline that extends to the right.

Lowell Hunking
Director of Crown Operations

**Ministry of Natural
Resources and Forestry**

Strategic and Indigenous
Policy Branch

Policy Division

300 Water Street
3rd Floor North
Peterborough ON K9J 3C7
Tel: 705-755-1727

**Ministre des Richesses
naturelles et des Forêts**

Direction des politiques relatives aux
stratégies et aux affaires autochtones

Division de la politique

300, rue Water
3e étage Nord
Peterborough (Ontario) K9J 3C7
Tél.: 705-755-1727



October 29, 2019

Re: Environmental Registry notice (019-0732) by the Ministry of Natural Resources and Forestry regarding proposal to amend three statutes and make a new regulation

Greetings,

The Ministry of Natural Resources and Forestry (MNRF) is proposing legislative changes to seven statutes and to make a new regulation under the *Lakes and Rivers Improvement Act*. The legislative changes are part of the proposed *Better for People, Smarter for Business Act, 2019*. If passed, these changes are intended to support the government's commitment to reduce unnecessary red tape and regulatory burden and modernize government to be simpler, faster and more cost-effective, while ensuring the sustainable use of natural resources and public health and safety are not compromised.

A proposal to amend the following three Acts and propose a new regulation is posted on the Environmental Registry.

1. *Crown Forest Sustainability Act, 1994*
2. *Oil, Gas and Salt Resources Act*
3. *Lakes and Rivers Improvement Act* and new Minister's regulation under the Act

The proposed amendments and new regulation are described below:

- Proposed amendments to the *Crown Forest Sustainability Act, 1994*, would if passed:
 - Enable the issuance of a "permit" to allow a person to remove forest resources from a Crown forest for non-forestry purposes.
 - Modernize the requirements for annual work schedules by removing the requirement for MNRF approval.
 - Enable the Minister to extend a Forest Management Plan.

- Proposed amendments to the *Oil, Gas and Salt Resources Act*, would if passed:
 - Allow future regulations to be made, where appropriate, to relieve existing activities from requirements that would apply to new activities.
 - Enable the use of a rules-in-regulation approach, or the mandatory issuance of approvals for more activities, subject to conditions and requirements that would be set out in regulation intended to streamline approvals for the specified activities.
 - Clarify the types of geological evaluation and testing activities captured by the definition of “well”.

- Proposed amendments to the *Lakes and Rivers Improvement Act*, would if passed:
 - Create a new Minister’s regulation-making authority in the Lakes and Rivers Improvement Act to allow the Minister to require some owners of electricity-producing dams to, where necessary, assess, monitor and report on methyl mercury related impacts to water and fish.
 - Amend an existing authority to incorporate guidelines by reference in the regulations.

Regulation Proposal

- If the proposed Lakes and Rivers Improvement Act legislative amendment is passed, the ministry proposes to develop a subsequent Minister’s regulation that if made, would require some dam owners of electricity-producing dams to, where necessary, assess, monitor and report on mercury levels in surface water and/or fish tissue. We are also seeking comments on this proposed regulation via this notice.

Owners of the twelve existing dams that currently have mercury assessment, monitoring and reporting requirements established through Ministry of Environment, Conservation and Parks issued Permits to Take Water, would, if the regulation is made, continue these requirements under the authority of the Lakes and Rivers Improvement Act and reporting would be to the Ministry of Natural Resources and Forestry. Each of these twelve Permits to Take Water were subject to consultation prior to their issuance.

New or significantly redeveloped electricity-producing dams may, if the regulation is made, require assessment, monitoring and reporting of mercury, where there is a new or expanded head pond area and/or where there are identified risks associated with human consumption of fish.

The Ministry of Environment, Conservation and Parks is concurrently consulting on a proposal to amend the Ontario Water Resources Act Permit to Take Water requirements for electricity-producing facilities. For more information, please visit <https://ero.ontario.ca> and enter 019-0545 in the search to view this Environmental Registry notice.

In addition, there are other administrative and housekeeping changes proposed for the *Crown Forest Sustainability Act, 1994* and the *Oil, Gas and Salt Resources Act*.

All proposed changes to MNRF statutes appear in the proposed *Better for People, Smarter for Business Act, 2019*, which can be found through the following link to the Bill on the Legislative Assembly, <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-132> .

MNRF recognizes that this proposal may be of interest to you. To view the Environmental Registry notice, please visit <https://ero.ontario.ca> and enter 019-0732 in the search.

Proposed changes to the *Aggregate Resources Act* are also included in the proposed *Better for People, Smarter for Business Act, 2019* and are the subject of a separate registry proposal posting. For more information, please visit Environmental Registry of Ontario and enter 019-0556 in the search. Please note the posting related to proposed changes to the *Aggregate Resources Act* will close on November 4, 2019.

We invite you to contact Tigist Abebe at 416-314-0961 or SIPB@ontario.ca with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Gierak', written in a cursive style.

Tosh Gierak
A/Director
Strategic and Indigenous Policy Branch
Policy Division



Ontario Santé Health Ontario

Date: November 13, 2019

To: All Staff

From: Bill Hatanaka
Ontario Health Board Chair

Susan Fitzpatrick
Ontario Health Interim CEO

Re: Ontario Health Transitional Regional Leadership

We are writing to provide you with two updates taking place today.

In order to provide ongoing oversight of the 14 LHINs while enabling the continued delivery and coordination of regional care across the health care system, we are aligning the LHINs during this transitional period to five interim and transitional regions. This is not a merger of the LHIN boundaries. Rather, these changes are a means of streamlining the regional oversight as an interim measure as the ministry continues its work to integrate home and community care supports with Ontario Health Teams.

Effective today, 14 LHINs have been clustered into five interim and transitional geographic regions that are to be led by five LHIN CEOs who have been cross-appointed as Transitional Regional Leads and will report to Susan Fitzpatrick, Interim CEO of Ontario Health, in addition to the LHIN boards, to support Ontario Health with transition planning.

The five Transitional Regional Leads are responsible for the ongoing management of operations including:

- Coordinating patients' access to home and community care and long-term care;
- Continuing the day-to-day administrative oversight of health service providers;
- Engaging with patients and families through your patient and family advisory councils;
- Engaging with Indigenous and Francophone peoples, and;
- Leading and managing the LHIN workforces within their region.

Please join us in welcoming the following leaders in their new roles:

- Bruce Lauckner will become the Transitional Regional Lead in western Ontario (and managing Erie St. Clair, Hamilton Niagara Haldimand Brant, South West and Waterloo Wellington).
- Renato Discenza will become the Transitional Regional Lead in eastern Ontario (and managing Champlain, South East and Central East).
- Scott McLeod will become the Transitional Regional Lead in central Ontario (and managing Central, Central West, Mississauga Halton, and North Simcoe Muskoka).
- Tess Romain will become the Transitional Regional Lead in Toronto (and managing Toronto Central).
- Rhonda Crocker Ellacott will become the Transitional Regional Lead in northern Ontario (and managing North East and North West).

As we transition to five Transitional Regional Leads, patient safety and quality care will not be affected, and home and community care services will not be impacted. Your workforces will be well supported in their delivery of critical services on the frontlines.

Together, as a leadership table with the Ontario Health Transition Team, the Transitional Regional Leads will have a view of the big picture across the province, ensuring effective transition planning for LHIN functions.

The Transitional Regional Leads will soon be in touch with staff in their respective regions about next steps.

We also want to share that the Ontario Health Board of Directors express their sincerest and deepest appreciation to the departing CEOs for their tremendous contributions and years of dedicated service. Ontario has greatly benefitted from their leadership, commitment, ongoing professionalism and excellence in ensuring high quality health service planning and delivery in their regions.

And lastly, we want to share with you that transfer orders were issued today by the Honourable Christine Elliott, Deputy Premier and Minister of Health, to Cancer Care Ontario, eHealth Ontario, HealthForceOntario Marking and Recruitment Agency, Health Shared Services Ontario and Ontario Health Quality Council operating as Health Quality Ontario. The transfer orders state that those agencies will be transferred to Ontario Health on December 2, 2019.

Your organizations and the Trillium Gift of Life Network are not transferring into Ontario Health at this time as the ministry and Ontario Health are taking every precaution to ensure the continuity of direct patient care and services are maintained while their detailed planning moves forward, enabling a smooth transition at the right time and in the right way.

Looking Ahead

Since the proclamation of the *Connecting Care Act, 2019* last June, the agencies that will eventually form Ontario Health have been working diligently and cooperatively towards the goal of transferring. We would like to thank all of you for your patience, professionalism, and ongoing commitment to high-quality patient care during this transition. Continuity of patient care will remain a top priority.

This is an exciting time for health care delivery in the province and you are all part of its evolution. We will continue to update you on our progress. In the meantime, we look forward to our continued work together – improving health care delivery for all Ontarians.

Until next time,

Bill and Susan



2297 Highway 12,
PO Box 130
Brechtin, Ontario L0K 1B0
p.705-484-5374
f. 705-484-0441

November 7, 2019

Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Floor
777 Bay St
Toronto, ON M7A 2J3

Re: Conservation Authority Exit Clause

The Council of the Corporation of the Township of Ramara passed the following motion at their regular meeting held October 28, 2019, unanimously by a recorded vote:

WHEREAS the TOWNSHIP OF RAMARA has consistently expressed its view that its watershed conservation authorities are duplicative, financially unaccountable, in conflict with citizens and private property rights;

AND WHEREAS the TOWNSHIP OF RAMARA has encountered the regulatory obstacles to challenge the arbitrary, inefficient, non-transparent, and unsustainable municipal levy forced upon it annually by its watershed conservation authorities;

AND WHEREAS the TOWNSHIP OF RAMARA questions the efficacy and relevance of its watershed conservation authorities' programs and services and their performance in achieving the goals of conservation and environmental stewardship;

AND WHEREAS the TOWNSHIP OF RAMARA finds the current Conservation Authorities Act, 1990, R.S.O. 1990, c. C.27 and its proscribed regulations inconsistent and obsolete;

AND WHEREAS the Minister of Environment, Conservation, and Parks the Honourable Jeff Yurek signaled the province's intent to reconsider and update the Conservation Authorities Act, 1990, R.S.O. 1990, c. C.27 and its proscribed regulations;

THEREFORE BE IT RESOLVED THAT: the TOWNSHIP OF RAMARA support the province's determination that the existing Conservation Authorities Act, 1990, R.S.O. 1990, c. C.27 and its proscribed regulations require review;

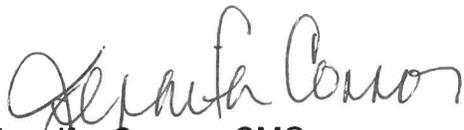
AND THAT the TOWNSHIP OF RAMARA signal to the Ministry of the Environment, Conservation, and Parks of its willingness to participate in all consultations and submissions to the same;

AND THAT further the TOWNSHIP OF RAMARA signal its express desire that an exit clause be provided in any new Conservation Authorities Act to permit municipalities that determine the objects of conservation and environmental stewardship can be provided by alternative governance, programs, and/or services to exist costly and unwarranted conservation authority(ies) jurisdiction(s);

AND THAT this resolution be forwarded the Minister of the Environment, Conservation, and Parks, the Honourable Jeff Yurek, Conservation Ontario, Ontario's thirty-six conservation authorities, and all upper and lower-tier Ontario municipalities.

I trust the above is self-explanatory however if you require further information or clarification, please contact me.

Yours truly,



Jennifer Connor, CMO
Legislative Services Manager/Clerk

JC/cw

c.c. Jill Dunlop, MPP
Conservation Ontario
Ontario Conservation Authorities
Ontario Municipalities

CLOSED MEETING AGENDA

November 26, 2019

Staff Reports:

- 1) Warden – *Municipal Act Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees – CAO Evaluation*
- 2) County Solicitor and Chief Administrative Officer – *Municipal Act Section 239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Fire Training Officer/Community Emergency Management Coordinator Agreement*
- 3) Chief Administrative Officer – *Municipal Act Section 239 (2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board; (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Property Matters*
- 4) Director of Engineering Services – *Municipal Act Section 239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Central Elgin Short Term Lease*
- 5) Chief Administrative Officer – *Municipal Act Section 239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Ambulance Services (to be distributed at meeting)*
- 6) Chief Administrative Officer – *Municipal Act Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees – Western Ontario Wardens Caucus*
- 7) Chief Administrative Officer – *Municipal Act Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees*
- 8) Chief Administrative Officer – *Municipal Act Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees – Organizational Review (to be handed out at meeting)*