



**THE CORPORATION OF THE TOWNSHIP OF JOHNSON
COUNCIL MEETING**

Wednesday, October 16, 2019

5:30 P.M.

**Location: Council Chambers
1 Johnson Drive, Desbarats, ON**

AGENDA

1.0 CALL TO ORDER AND NOTE MEMBERS PRESENT

1.1 Mayor Mersereau

2.0 DECLARATION OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF

3.0 REVIEW OF ADDENDUM & APPROVAL OF AGENDA

3.1 Resolution

4.0 ANNOUNCEMENTS, GIVING OF NOTICE & SCHEDULE OF MEETINGS

4.1 Regular Council Meeting – November 20, 2019

4.2 Shared Services Meeting – October 28, 2019 (JTCC)

4.3 Johnson Township Community Centre Committee – October 29, 2019, 7:00 p.m.;
Council Chambers

5.0 MEETING MINUTES

5.1 Regular Council Meeting – September 18, 2019

5.2 Reeves and Chiefs – June 20, 2019

5.3 ADSAB – Meeting, July 25, 2019

5.4 Johnson Township Community Centre Committee – October 1, 2019



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AGENDA

6.0 PRESENTATIONS & DELEGATIONS

- 6.1 Algoma Public Health – Dr. Marlene Spruyt (Medical Officer of Health) and Dr. Jennifer Loo (Associate Medical Officer of Health); Information & Septic Inspections (Discussion)
- 6.2 Gordon Lake Social Committee -Repairs to South Wall of the Gordon Lake Hall

7.0 PUBLIC MEETINGS – PLANNING ACT R.S.O.

- 7.1 None

8.0 STAFF, COUNCIL & COMMITTEE INFORMATIONAL REPORTS

- 8.1 OPP Reports – August 2019
- 8.2 WRAY-2019-011 – Monthly Update
- 8.3 Identified Improvements Plan (Update & Discussion)
- 8.4 Resolution’s Report (Update)

9.0 UNFINISHED BUSINESS

- 9.1 Diamond Lake Rd – Drainage Issue (Update)

10.0 NEW BUSINESS

- 10.1 Notes of Thanks; Recreation Activities (Information)
- 10.2 Permit Fees; Building Permits (Discussion)
- 10.3 Township Property Maps; Updated (Discussion)
- 10.4 Operational Planning (Discussion)
- 10.5 HNCEA – Township of Johnson Representation (Resolution)



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AGENDA

10.6 Hire New Seasonal Employee (Resolution)

10.7 Confirm Vacancy Application Process (Resolution)

11.0 NOTICE OF MOTION

12.0 CONSIDERATION OF BYLAWS

12.1 Bylaw 2019-941-Vulnerable Persons Registry; accessing Data and Accepting Applications

12.2 Bylaw 2019-942-Site Plan Agreement; Palchak

12.3 Bylaw 2019-943 – Site Plan Agreement – Kettles

12.4 Bylaw 2019-944 – Municipal Planning Services

12.5 Bylaw 2019-945 - Procedural Bylaw

12.6 Bylaw 2019-946 – Municipal Delegations Process

12.7 Bylaw 2019-947 - Committee and Board Appointments

12.8 Bylaw 2019-948 – Electronic Meetings

12.9 Bylaw 2019-949 - Confirm the Proceedings of the Council Meeting, October 16, 2019

12.10 Bylaw 2019-950 - Confirm the Proceedings of the Special Council Meeting, October 7, 2019

12.11 Bylaw 2019-951 – Sales Agreement; Ferrovial Services



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AGENDA

13.0 CLOSED MEETING (IN-CAMERA SESSION)

- 13.1 Moving into Closed Session (Resolution)
- 13.2 Land Matter - a proposed or pending acquisition or disposition of land by the municipality or local board; Municipal act, c.25, s.239 (2) (c)
- 13.3 Employment Issue - Personal matters about an identifiable individual, including municipal or local board employees; Municipal act, c.25, s.239 (2) (b))

14.0 CLOSED MEETING REPORTS

- 14.1 Resolution

15.0 CLOSE OF MEETING

- 15.1 Resolution



THE CORPORATION OF THE TOWNSHIP OF JOHNSON
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Wednesday, September 18, 2019

5:30 P.M.

Location: Council Chambers
1 Johnson Drive, Desbarats, ON

MINUTES

1.0 CALL TO ORDER AND NOTE MEMBERS PRESENT

1.1 Mayor Mersereau

The meeting was called to order at 5:35 pm and, Mayor Mersereau welcomed everyone to the meeting.

PRESENT

Mayor: Blaine Mersereau

Councillors: Gavin Grant
Reg McKinnon
Jason Kern

Staff: Chris Wray – Clerk
Paula Spurway – Treasurer
Frieda Labelle – Administrative Assistant

2.0 DECLARATION OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF

3.0 REVIEW OF ADDENDUM & APPROVAL OF AGENDA

3.1 Resolution

Moved by: Jason Kern **Seconded by:** Gavin Grant R2019-226

BE IT RESOLVED THAT the Agenda for the Regular Meeting of the Council of the Township of Johnson scheduled for Wednesday, September 18, 2019, be approved as presented.

CARRIED

4.0 ANNOUNCEMENTS, GIVING OF NOTICE & SCHEDULE OF MEETINGS

4.1 East Algoma Chiefs, Mayors & Reeves – Thursday, September 19, 2019 (Bruce Mines)

4.2 Algoma District Municipal Assoc. Mtg – Saturday, September 28, 2019 (Bruce Mines)



THE CORPORATION OF THE TOWNSHIP OF JOHNSON
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Wednesday, September 18, 2019
5:30 P.M.

Location: Council Chambers
1 Johnson Drive, Desbarats, ON

MINUTES

4.3 Regular Council Meeting – Wednesday, October 16, 2019

4.4 Algoma Public Health @ Regular Council – Wednesday, October 16, 2019

5.0 MEETING MINUTES

5.1 Regular Council Meeting – August 28, 2019

5.2 Special Council Meeting – August 30, 2019

Moved by: Gavin Grant **Seconded by:** Jason Kern R2019-227

BE IT RESOLVED THAT the following Minutes of the Regular Meeting of the Council of the Township of Johnson be adopted as presented;

1. Minutes of a Regular Meeting of Council held on Wednesday, August 28, 2019
2. Minutes of a Special Meeting of Council held on Wednesday, August 30, 2019

CARRIED

Action

The Clerk to ensure Minutes are signed and filed,

5.3 Johnson Township Community Centre Committee – August 27, 2019

Moved by: Gavin Grant **Seconded by:** Jason Kern R2019-228

RESOLVED THAT the following Minutes be received by the Council of the Township of Johnson

1. Johnson Township Community Centre Committee; Minutes of August 27, 2019

CARRIED

Action

The Clerk to ensure that the Minutes are filed.



THE CORPORATION OF THE TOWNSHIP OF JOHNSON
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5:30 P.M.

Location: Council Chambers
1 Johnson Drive, Desbarats, ON

MINUTES

6.0 PRESENTATIONS & DELEGATIONS

7.0 PUBLIC MEETINGS – PLANNING ACT R.S.O.

7.1 Minor Variance – Kettles A-04-2019

Moved by: Gavin Grant **Seconded by:** Reg McKinnon R2019-229

BE IT RESOLVED THAT we adjourn this meeting at 5:44 to hold a Public Meeting under the Planning Act.

CARRIED

Moved by: Gavin Grant **Seconded by:** Jason Kern R2019-230

BE IT RESOLVED THAT we reconvene this meeting at 6:27.

CARRIED

8.0 STAFF, COUNCIL & COMMITTEE INFORMATIONAL REPORTS

8.1 OPP – Calls for Service Billing Report – July 2019 (For Information)

8.2 WRAY-2019-010 - Clerk Monthly Report

8.3 WRAY-2019-008 - Off-Street & On-Street LED Lights Proposal by Realterm Energy

8.4 WRAY-2019-009 - Replace Council Vacancy

Moved by: Gavin Grant **Seconded by:** Reg McKinnon R2019-231

BE IT RESOLVED THAT the Council of the Township of Johnson receives the following staff reports:

1. WRAY-2019-010 – Clerks Monthly Report
2. WRAY-2019-008 – Off-Street & On-Street LED Lights Proposal
3. WRAY-2019-009 – Replace Council Vacancy



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MINUTES

CARRIED

Action

The Clerk to ensure that the reports are filed.

Moved by: Gavin Grant **Seconded by:** Jason Kern R2019-232

WHEREAS the Township of Johnson explored the option of replacing all on-street and off-street fixtures with LED technology.

WHEREAS staff received and evaluated a proposal from Realterm Energy Corp.

WHEREAS proceeding ahead with the subject project will generate much needed savings for the Township

THEREFORE BE IT RESOLVED that the Council of the Township of Johnson does hereby accept the recommendation of Option 2 in the report WRAY-2019-08

FURTHER that the Clerk be authorized to enter into a Binding Letter of Intent with Realterm Energy Corp for the purposes of the Investment Grade Audit and negotiation of the DUT Agreement.

FURTHER that once completed, the DUT Agreement will be executed by bylaw.

TABLED

Moved by: Reg McKinnon **Seconded by:** Gavin Grant R2019-233

WHEREAS the Township of Johnson explored the option of replacing all on street and off street fixtures with LED Technology.

THEREFORE BE IT RESOLVED that the Council of the Township of Johnson direct staff to explore by letter of invitation to various local contracts to provide the replacement of existing on street and off street light fixtures and to bring quotes and proposals to the next Council Meeting in October.



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MINUTES

CARRIED

Action

The Clerk to draft letter and report back to Council

Moved by: Reg McKinnon **Seconded by:** Gavin Grant R2019-234

WHEREAS the Council of the Township of Johnson accepted the resignation of Councillor Jim Carter with regrets

WHEREAS the Council of the Township of Johnson declared the seat formerly held by Jim Carter as vacant according to the Municipal Act, Section 262(1) on August 28, 2019

WHEREAS Council directed staff to prepare a report on the options available for the replacement of the subject vacancy

THEREFORE BE IT RESOLVED THAT the Council of the Township of Johnson accept Option 2 in Staff Report, WRAY-2019-009 and direct staff to do the following:

1. Advertise for qualified applicants to fill the vacant Council seat, with such advertisements being placed on the Township website and in the North Shore Sentinel
2. Finalize the procedure that will be used to select a new Councillor from the list of qualified applicants and present this to Council for adoption at the next Council Meeting
3. Once finalized, communicate the selection process to all eligible candidates

CARRIED

Action

The Clerk to proceed with process

9.0 UNFINISHED BUSINESS

9.1 Diamond Lake Rd – Drainage Issue (Update)



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MINUTES

10.0 NEW BUSINESS

- 10.1 Reserves and Cash Balances (Discussion)
- 10.2 Long Term Debt (Discussion)
- 10.3 Capital Projects – Future (Discussion)
- 10.4 Recreational Programs – Operational Statement (Discussion)

11.0 NOTICE OF MOTION

12.0 CONSIDERATION OF BYLAWS

- 12.1 Bylaw 2019-933 - Confirm the Proceedings of the Council Meeting, August 30, 2019
- 12.2 Bylaw 2019-934 - Confirm the Proceedings of the Council Meeting, September 18, 2019
- 12.3 Bylaw 2019-935 – To Establish and Approve a Strategic Asset Management Policy
- 12.4 Bylaw 2019-936 – To Execute a Site Plan Agreement (Martin)
- 12.5 Bylaw 2019-937 – To Execute a Site Plan Agreement (Weber)
- 12.6 Bylaw 2019-938 – To Execute a Site Plan Agreement (Kresin)
- 12.7 Bylaw 2019-939 – To Amend Bylaw No. 91-2019, amended (Martin)
- 12.8 Bylaw 2019-940 – To Amend Bylaw No. 91-2019, amended (Trustees of East Johnson Orthodox Mennonite Church)



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MINUTES

Moved by: Gavin Grant **Seconded by:** Jason Kern R2019-235

RESOLVED THAT the following by-laws be introduced and read a first, second and third time and finally passed and that the Mayor and Clerk do sign and seal the same, any rule of this Council to the contrary notwithstanding:

- a) **Bylaw 2019 – 933** – to confirm the proceedings of Council at its meeting held on the 30th day of August, 2019.
- b) **Bylaw 2019 – 934** – to confirm the proceedings of Council at its meeting held on the 18th day of September, 2019
- c) **Bylaw 2019-935** – To establish and approve a Strategic Asset Management Policy
- d) **Bylaw 2019-936** – To execute a site plan agreement (Martin)
- e) **Bylaw 2019-937** – To execute a site plan agreement (Trustees of East Johnson Orthodox Mennonite Church))
- f) **Bylaw 2019-938** – To execute a site plan agreement (Kresin)
- g) **Bylaw 2019-939** – To amend Bylaw No. 91-219 (Martin)
- h) **Bylaw 2019-940** – To amend Bylaw No. 91-219 (Trustees of East Johnson Orthodox Mennonite Church)

CARRIED

Action

The Clerk to ensure that all bylaws are signed and filed. Planning related bylaws are subject to further action of Notice of Decision and Property Registration; Clerk to execute.



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MINUTES

13.0 CLOSED MEETING (IN-CAMERA SESSION)

- 13.1 Moving into Closed Session (Resolution)
- 13.2 Legal Matter - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (Municipal act, c.25, s.239 (2) (f))
- 13.3 Land Matter - a proposed or pending acquisition or disposition of land by the municipality or local board; Municipal act, c.25, s.239 (2) (c))
- 13.4 Employment Issues (2 items) - Personal matters about an identifiable individual, including municipal or local board employees; Municipal act, c.25, s.239 (2) (b))

Moved by: Reg McKinnon **Seconded by:** Gavin Grant R2019-236

RESOLVED THAT the Council of the Corporation of the Township of Johnson proceed In-Camera at 8:19 p.m. in order to address the following matters pertaining to:

Item Number	Legislative Reference
13.2 Legal Matter	Legal Matter - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (Municipal act, c.25, s.239 (2) (f))
13.3 Land Matter	Land Matter - A proposed or pending acquisition or disposition of land by the municipality or local board; Municipal act, c.25, s.239 (2) (c))
13.4 Employment Issues	Employment Issues (2 items) - Personal matters about an identifiable individual, including municipal or local board employees; Municipal act, c.25, s.239 (2) (b))

CARRIED



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MINUTES

14.0 CLOSED MEETING REPORTS

Moved by: Jason Kern **Seconded by:** Reg McKinnon R2019-237

BE IT RESOLVED THAT the Council of the Corporation of the Township of Johnson does hereby approve of all direction provided at the Closed Meeting (In-Camera) of Wednesday, September 18, 2019.

CARRIED

Action

Clerk to follow up on Closed Session directions.

15.0 CLOSE OF MEETING

15.1 Resolution

Moved by: Reg McKinnon **Seconded by:** Gavin Grant R2019-238

BE IT RESOLVED THAT this meeting close at 8:55 P.M.

CARRIED

Chris Wray, Clerk

Blaine Mersereau, Mayor

East Algoma Chiefs, Mayors and Reeves Council
Thursday, June 20, 2019
Bruce Mines Council Chambers
7:00 pm

Present:

Dale Wedgewood	Huron Shores
Les Gamble	Sables-Spanish River
Randi Condie	North Shore
Lory Patteri	Bruce Mines
Blaine Mersereau	Johnson Township
Bill Rosenberg	Thessalon
Sally Hagman	Blind River
Jocelyne Bishop	Spanish

Secretary/Treasurer: Mary Lynn Duguay, North Shore

Randi Condie called the meeting to order at 7:00.

Terms of Reference was discussed and changes were made to be approved at the next meeting. Randi Condie was elected Chair and Blaine Mersereau was elected Vice-Chair.

Area Reports

Meeting adjourned at 8:10 pm.

Lory- Bruce Mines – The Great Lakes Waterfront Trail tour will be coming to Bruce Mines on July 29th. Bikes have been painted and displayed throughout the town. Ontario Trap Rock is expanding and a new business will be opening up soon.

Jocelyne – Spanish – Motocross races will be held in Spanish. Mike Mantha would like an invitation to this Council meeting.

Les- Sables-Spanish River – Municipality has taken over the Farmers Market. The Municipality has obtained a “seniors designation”. They have an Economic Development person who they share with Sagamok First Nations. They will be working on joint projects with the First Nations which will benefit the area.

Dale – Huron Shores- They are building an industrial area outside of Thessalon. The Economic Development Committee attends trade shows in Chicago and Toronto. They are going to continue to concentrate on Southern Ontario. They will showcase any brochures that any Townships would like to send with them. They are working on a viewing area at Dean Lake Bridge for Bald Eagles. Richardson Docks is a new business in town.

Blaine – Johnson – Chris Wray has been hired as the administrator. They are 2 years behind on their financials and are currently working on budget. They have water, arena and 80 km of road in their township with 4 staff. The school in Desbarats is being turned into a care home.

Bill- Thessalon – They have road construction going on. New billboards and signs being purchased. Working on wayfinding settings.

Sally – Blind River – They are in the 1st stages of their Strategic Plan. They are revamping their Business Expansion and Retention plan. KPMG is working on their Service Delivery Plan where they will decide what services to continue and what to discontinue. They are working on an organizational review. July will see Community days and concerts by the river. The museum is moved to the marina where it is more accessible. The New Wave Café is also open there. The art gallery is changing. Bikes will be stationed at the Marina for boaters to get to the downtown area. Blind River is short 2 doctors and working on Doctor recruitment. Twice a year they are holding public information sessions where questions are sent to council ahead of time so correct answers can be formulated. Their taxes increased 3.5%.

Randi – North Shore – Completed Pronto Water Treatment project. Looking at changing pipes at Serpent River WTP. Our landfill which was ordered to be closed, has a 60 year life expectancy after recent capping and upgrades. Our waterfront properties are growing. A Quarry is proposed on crown land and the municipality needs to consider rezoning to accommodate. Project Lifesaver has been launched from Iron Bridge to Spanish and communities in between, including Missisauga and Serpent River First Nations. Ribfest is June 15, 2019 at Lauzon Beach.

Municipal Waste has been taken over by GFL. Currently Johnson & Tarbutt send their garbage to the US on a 6 month pilot program.

Sally discussed the 20 Clues to Creating and Maintaining a Vibrant Community and how they are incorporating them in Blind River. The schools have planted 1200 trees. They are planning graffiti art around town. She suggested using this list of Clues as a benchmark moving forward.

Broadband was discussed. The Bruce Mines clinic cannot do video conferences because of the poor service. North Shore is sending out surveys in the tax bills this summer in order to identify the areas of deficiencies in their Township to prepare to work with HNCEA on fighting for reliable, affordable internet service in our area.

What did this Council concentrate on the last time they were meeting? What can this Council offer? Support for delegations when each community applies, helpful conversations, guidance and discussion for new mayors. Everyone has unique issues but lots are similar as well. We should be able to work towards changing legislation that works against us ie. Regulations surrounding severences, as there are miles of road and large parcels of land. What can we do to work together? We might share an IT person. Suggestions were made for utilizing DSAB's IT person. One idea was for each community to put 5% of their Municipal Modernization Fund money aside to have a study done on ways to accomplish regional savings.

The next two meeting dates will be Sept. 19, 2019 and November 21, 2019.
The meeting was adjourned at 8:50 pm.



Minutes – Regular Board Meeting

July 25, 2019

Head Office, Main Board Room, Little Rapids

Board Members in attendance:

Norman Mann – Chair
Blair MacKinnon
Lorraine Aelick
Chris Patrie
Sally Hagman
Dan Marchisella
Luc Cyr
Ron Rody
Belinda Kistemaker
Gabriel Tremblay
Jocelyne Bishop

Board Members absent with regrets and required notice:

Lynn Watson

1. Opening of Meeting

The Board Chair, Norman Mann opened the meeting and welcomed Board Members and staff.

2. Opportunity for Declaration of Pecuniary Interest

The Board Chair declared 'Declaration of Pecuniary Interest' for agenda item number 6.3., Canada-Ontario Community Housing Initiative Funding (COCHI) Plan and Ontario Priorities Housing Initiative (OPHI) Plan for 2019/20

In the absence of Board Vice Chair, Board Member, Lorraine Aelick agreed to chair this item.

3. Minutes

By Resolution, the Board approved the minutes of the June 27, 2019, Regular Board Meeting as distributed.

4. Approval of Agenda

By Resolution, the Board approved the agenda for the July 25, 2019 Regular Board Meeting, as amended.

Amended as follows:

8.2 Personnel Issues - Removed

5. Correspondence

5.1 MMAH – Service Level Standards for Service Managers

The CAO informed the Board correspondence was received from the Ministry of Municipal Affairs and Housing advising ADSAB requires 84 HIL and 36 high needs tenants to meet the required service level standards. The CAO provided options available to meet the targets. The Director of Housing Services is preparing the Service Level Standard Action Plan to submit to the Ministry by November 29, 2019.

6. Other Business

6.1 Children's Services – Update

The Director of Children's Services and Early Learning and the CAO had opportunity to meet with and discuss issues with the Early Year's Advisor with positive results.

The Ministry of Education is nearing completion of the Early Development Instrument (EDI) data. The Memorandum of Understanding will be reviewed, signed and sent in within two weeks.

The Ministry of Education has announced the launch of the Capital Priorities Program. This program provides school boards, with the support of a CMSM or DSSAB, to request capital for creation of child care space. A joint submission and business case will be required.

ADSAB has received notice there may be opportunity for spaces through the French Language School Board.

The Echo Bay project has now been deferred until Spring 2020.

Central Algoma approval has not yet been received.

The CAO and Director will be participating in discussion with the Ministry regarding the child care funding formula. The CAO provided an overview.

Comments were received from the Board.

6.2 Housing Services – Update

Under the present end of mortgage funding formula model ADSAB subsidizes the Non Profit's rent-geared-to-income (RGI), property taxes and operating expenses. Benchmark market rent revenue is increasingly becoming greater than benchmark expenses resulting in a negative operating surplus. Under the present funding model ADSAB would continue to be required to provide property tax and

RGI subsidy when there is a surplus. The gap will become greater when the Non Profit mortgage is paid off. The Ministry released notification, negative total subsidy should be interpreted as \$0 subsidy.

ADSAB would like to advocate for flexibility to determine a subsidy formula that meets the needs of our area. All subsidies provided to Non Profits will be on the municipal levy once mortgages end.

6.3 Canada-Ontario Community Housing Initiative Funding (COCHI) Plan and Ontario Priorities Housing Initiative (OPHI) Plan for 2019/20

The Director of Housing Services revisited the direction from the June meeting where, by resolution, approval was received to use a portion of the OPHI Plan funding toward the Richards Landing build. Approval was requested for the balance of the OPHI funding be used to retrofit 19 & 35 Beckett buildings, as per the consultant's recommendations.

The Director requested the COCHI funding be placed under capital for repairs for housing providers nearing the end of operating agreements. The funding to be allocated utilizing the number of Rent Geared to Income Units.

By Resolution the Board approved the Canada-Ontario Community Housing Initiative Funding (COCHI) Plan and Ontario Priorities Housing Initiative (OPHI) Plan for 2019/20 as presented.

6.4 Social Assistance – Update

The CAO informed the Board the Ministry of Training, Colleges and Universities (MTCU) new employment regions have been announced as part of Social Assistance Reform. Peel Region, Muskoka-Kawarths and Hamilton-Niagara have been selected as the three pilot sites and will transition by fall 2019. The full provincial roll out is expected to begin in 2022. NOSDA is awaiting a response to their request for a meeting regarding a proposal for the North.

6.5 Paramedic Services – Update

ADPS – Call Volume Report – January to June 2019

In the absence of Chief of Paramedic Services, the Deputy Chief provided an updated report. Calls are up by 423 across the District. Targets are being met or exceeded on all calls.

6.6 AFMO Conference – Attendees

The Board Chair announced the opportunity for 2 members of the French Language Services committee to attend the 2019 AFMO Conference. Interested members should make their interest known within one week.

7. Open Question and Answer

None

8. In Camera Session

8.1 ADSAB – Proposed Budget Adjustments and Revised Staffing Plan - Update

9. Adjournment

By Resolution, the Regular Board Meeting of July 25, 2019 was adjourned.

The next Regular Board Meeting is scheduled for September 26, 2019 at 5:00 p.m. in the Main Board Room, at Head Office, Little Rapids.

Resolutions

1	<p>Moved by: Dan Marchisella Seconded by: Sally Hagman</p> <p>Resolve that: the Board approve the draft minutes of the June 27, 2019 Regular Board Meeting as distributed.</p> <p>Carried</p>
2	<p>Moved by: Ron Rody Seconded by: Luc Cyr</p> <p>Resolve that: the Board approve the agenda for the June 27, 2019 Regular Board Meeting, as amended.</p> <p>Amended as follows:</p> <p>8.2 Personnel Issues - Removed</p> <p>Carried</p>
3	<p>Moved by: Chris Patrie Seconded by: Luc Cyr</p> <p>Resolve that: The Board approve the Canada-Ontario Community Housing Initiative Funding (COCHI) and Ontario Priorities Housing Initiative (OPHI) Plan for 2019/20 as presented.</p> <p>Carried</p>

4	<p>Moved by: Lorraine Aelick Seconded by: Jocelyne Bishop</p> <p>Resolve that: the Board move the meeting in-camera for the discussion of Personnel / Property matters.</p> <p>Carried</p>
5	<p>Moved by: Luc Cyr Seconded by: Dan Marchisella</p> <p>Resolve that: the Board return to an open session.</p> <p>Carried</p>
6	<p>Moved by: Jocelyne Bishop Seconded by: Sally Hagman</p> <p>Resolve that: the Regular Board meeting of July 25, 2019 be adjourned.</p> <p>Carried</p>

**JOHNSON TOWNSHIP COMMUNITY CENTRE
COMMITTEE MEETING**

OCTOBER 1, 2019

Location: Portable @ Township Office

The following minutes are comprised of resolutions and the Chairperson's interpretation of the intent of the committee members.

Present: Councillors - J. Kern
 Members at large - Janet Maguire, Peter McClelland, Jim Carter
 Absent - members at large - Zahida Croskery, Teri Winter

A) CALL TO ORDER: The Meeting was called to order at 7:04P.M.

B) DECLARATION OF PECUNIARY INTEREST: None declared

C) MINUTES: The Minutes of the August 27, 2019 Meeting were approved

D) DELEGATION: None

E) COMMITTEE MEMBER REPORTS

1. remote monitoring of alarm system - ATS has been contacted for a quote, that will be forwarded on to staff as information. (J. Kern)

2. Advertising for businesses - a) Committee recommends B. Crowle as one potential supplier of signs.

b) list of potential advertising businesses to be provided to the township office (J. Kern)

c) discussed the potential for Johnson Township logo on front of Zamboni or Rent Me sign.

d) Letters to potential new customers i) staff to provide any base info required in letter, ii) Committee secretary to draft letter, iii) draft letter to be sent to staff for their review as well as review and approval by Council

e) Letters to existing advertisers i) staff to provide any base info required including details of removal of existing signs if applicable, ii) Committee secretary to draft letter, iii) draft letter to be sent to staff for their review as well as review and approval by Council.

Background - Council Item G2, Res. 117 on April 17, 2019 - approved promoting advertising signs as per Item E4, Res. A006 of the April 9, 2019 JTCC Committee Meeting as follows: fee for a calendar year - 4X8 - \$180, 4X4 - \$150, Zamboni - \$180 for each side. Notes: advertiser is responsible for full cost of the advertisement, existing advertisers have first right to replace their advertising.

3. Condenser - J. Kern to request letter from firm that declined to quote to complete the file.

4. Flyers by CASS - CASS declined this request.

5. Promo Code - details to be discussed with staff (J. Kern)

Background - Council Item G2, Res. 114 on April 17, 2019 re: Committee Item H4, Res. A004 of Committee Meeting on March 26, 2019 as follows: Promo Code to be advertised in Sootoday or other, \$20 discount on Prime Rate for the first hour of ice time for new customers only.

F) CORRESPONDENCE/INFORMATION

1. dedicated phone line for the Arena by June 30 - the office is considering a new phone system with extensions to each location including an Arena extension number. update is expected shortly.

2. Contracts status for ice rentals(2019-2020) - (5) contracts have been signed to date. The ice is scheduled to go in on Oct. 15/19.
3. OTF Application - the office has not had any status update from OTF. (J. Maguire)

G) OLD BUSINESS: see E) and F) above

H) NEW BUSINESS

1. New Committee members and how to better inform the public of Meetings - to be discussed further after the new Mandate is received from the office.
2. Funding Announcement - Investing in Canada Infrastructure Program (CIP) announced by Province on Sept. 3, 2019 with deadline of Nov. 12, 2019. Identified as opportunity for Community Centres per Council Agenda on September 18, 2019 Item 8.2 Monthly Report. Details of program are included as attachment to the Agenda (office)(J. Maguire)
4. Next meeting scheduled for October 29, 2019 @ 7:00P.M. @ the portable @ township office

I) ADJOURNMENT

The meeting was adjourned at 7:51P.M.

SUMMARY OF ACTION ITEMS

E1, 2, 3, 5, F1 - J. Kern
F3, H2 - J. Maguire
E2 - J. Carter
E1, 2,3, F1, 2, 3, H1, 2 - staff

REQUEST FORM FOR DELEGATION AT A FUTURE COUNCIL MEETING

1. Person/Organization attending: ZAHIDA CROSKERY ON BEHALF OF GORDON LAKE SOCIAL COMMITTEE
Contact Information: _____
zahcroskery@hotmail.com 705-989-5612
2. Date wish to attend: OCT 16/2019
3. Reason for attendance:
TO DISCUSS RECOMMENDATIONS FOR REPAIRS TO SOUTHWALL LETTER DATED SEPT 19, 2018 ADDRESSED TO RANDY SPURWAY.
4. Background for Council:

SEE ATTACHED LETTER & PICTURES

5. Please explain what response you are looking for from Council: example – Decision/resolution, Agreeing/Disagreeing with subject, letter of support, further investigation by Council etc.
RESOLUTION OF THE ISSUE REGARDING RECOMMENDATIONS

Note:

- Delegations will have 15 minutes to present their concern.
- Only one person representing the delegation to present their concern.
- Your time requested will be confirmed by the Clerk.



J. Kelly 2019.09.18



*1 Johnson Drive, Box 160 Desbarats - Ontario - P0R 1E0
Phone (705) 782-6601 Fax (705) 782-6780
johnsontwp@bellnet.ca*

*Mayor
Blaine Mersereau*

*Clerk
Chris Wray*

REQUEST FORM FOR DELEGATION AT A FUTURE COUNCIL MEETING

Please find attached a request form for the attendance as a delegation to a future Council meeting.

- **Regular Council meetings are scheduled for every third Wednesday of each month and special meetings may be called by the Mayor. Any change of the meeting schedule will be posted at the township office and on the township web site.**
- **Please submit a completed form, this may expedite the process and give Council the opportunity to do any research they may require prior to the meeting.**
- **Please note the Council may not be able to accommodate you at your requested date, due to full agenda and the allotted time for delegations.**
- **Your time as a delegate will be confirmed by the Clerk via your contact information.**
- **As a delegation, you will be allotted 15 minutes to present your concerns.**
- **Only one person from a group may represent the delegation party.**



Randy Spurway <publicworksjt@gmail.com>

Gordon Lake Hall

2 messages

Cole Howson <cole.howson@tulloch.ca>

Wed, Sep 19, 2018 at 9:53 AM

To: Randy Spurway <publicworks@johnsontownship.ca>

Cc: Marshall Thompson <marshall.thompson@tulloch.ca>

Randy: Further to our site visit yesterday I will prepare a report on the cracking that occurred recently including any recommendations for repairs.

In the meantime, this will confirm that we consider that the wall is structurally adequate to support the building structure. The wall is not in danger of failing and there is no reason to limit occupancy or use of the building in any way. The basement is considered safe for access for water sampling, and the main floor framing is considered safe for use by the public.

If you have any questions please do not hesitate to contact us.

Thanks

Cole

Cole Howson, P. Eng

Senior Structural Engineer

Cell: 705 254 9174





Randy Spurway <publicworksjt@gmail.com>

Gordon Lake Hall

1 message

Cole Howson <cole.howson@tulloch.ca>

Tue, Sep 25, 2018 at 12:23 PM

To: Randy Spurway <publicworks@johnsontownship.ca>

Cc: Marshall Thompson <marshall.thompson@tulloch.ca>

Randy: Further to our site visit at the Gordon Lake Hall we have reviewed the wall cracking and recommend the following repairs.

1. Remove several of the shifted concrete block and re-set them in a bed of mortar. This work can be done from the interior of the basement without disturbing the waterproofing at the exterior as much as possible.
2. When the concrete block is reinstalled, add one new 1/2" diameter anchor bolt that is placed up through the wall sill plate. The anchor bolt should be fully grouted into the top course of the reinstalled concrete block. The bolt should be long enough to extend from the top of the wood sill down at least 6" into the top course of masonry. This will require a longer bolt that is typically provided as an anchor bolt.
3. The top course of the concrete block should be filled solid with grout up to the underside of the sill plate. The grout will need to be placed fairly dry and packed into the joint.
4. All existing anchor bolts along the length of the wall should be tightened to draw the sill plate and concrete block into tight contact where the existing blocking is provided. Some additional blocking/shims may be needed at some of the anchor bolts.
5. The fill elevation adjacent to the wall should be lowered to about 6" below the top of the concrete block. The remainder of the adjacent site area should be regraded to ensure that the area slopes away from the building.
6. The metal flashings at the base of the wall siding should be repaired or modified as required to suit the grade elevation and protect the wood framing from wetting.

When the repairs are completed we confirm that the wall is considered to be structurally adequate to support the loading of the building. The cracking and movement of the concrete block occurred where the replacement blocks were connected to the remaining blocks, and a wide portion of the wall (about 6 ft.) did not have an anchor bolt connecting the wall to the floor sill structure. In addition, the elevation of fill material was well above the wood floor level, adding lateral pressure against the wall that led to the cracking.

Please let us know if you have any questions regarding the repairs to the foundation wall.

Thanks

Cole

Cole Howson, P. Eng

Senior Structural Engineer

Cell: 705 254 9174



Tel: 705 949 1457

Fax: 705 949 9606

TULLOCH Engineering Inc

71 Black Road – Unit 8, Sault Ste. Marie, ON P6B 0A3

cole.howson@TULLOCH.ca | TULLOCH.ca



Calls For Service (CFS) Billing Summary Report

Johnson August - 2019

Billing Categories <i>(Billing categories below do not match traditional crime groupings)</i>		2019				2018			
		August	Year to Date	Time Standard	Year To Date Weighted Hours	August	Year to Date	Time Standard	Year To Date Weighted Hours
Violent Criminal Code	Assault-Level 1	0	5	15.9	79.5	1	1	15.9	15.9
	Criminal Harassment	0	1	15.9	15.9	0	0		0.0
	Total	0	6	15.9	95.4	1	1	15.9	15.9
Property Crime Violations	Break & Enter	1	3	6.8	20.4	0	1	6.8	6.8
	Theft Over - Boat Motor	0	0		0.0	1	1	6.8	6.8
	Theft under - Trailers	1	1	6.8	6.8	0	0		0.0
	Theft under - Other Theft	0	1	6.8	6.8	0	0		0.0
	Mischief - master code	0	1	6.8	6.8	1	2	6.8	13.6
	Mischief [Graffiti - Non Gang Related]	0	1	6.8	6.8	0	0		0.0
	Total	2	7	6.8	47.6	2	4	6.8	27.2
Other Criminal Code Violations (Excluding traffic)	Bail Violations - Fail To Comply	0	0		0.0	0	1	7.9	7.9
	Indecent acts -Master code	0	0		0.0	0	1	7.9	7.9
	Instruments and literature for illicit drug use	0	0		0.0	0	1	7.9	7.9
	Total	0	0		0.0	0	3	7.9	23.7
Statutes & Acts	Mental Health Act ù Threat of Suicide	1	1	3.3	3.3	0	0		0.0
	Mental Health Act - Voluntary Transport	1	1	3.3	3.3	0	0		0.0
	Trespass To Property Act	1	2	3.3	6.6	0	0		0.0
	Total	3	4	3.3	13.2	0	0		0.0
Operational	Animal - Bear Complaint	0	0		0.0	0	1	3.6	3.6
	Animal Stray	0	0		0.0	0	1	3.6	3.6
	Animal Injured	0	0		0.0	0	1	3.6	3.6
	Animal - Other	0	1	3.6	3.6	0	0		0.0
	Domestic Disturbance	0	1	3.6	3.6	0	3	3.6	10.8
	Suspicious Person	0	2	3.6	7.2	0	1	3.6	3.6
	Phone -Nuisance - No Charges Laid	0	1	3.6	3.6	0	1	3.6	3.6
	Fire - Vehicle	0	1	3.6	3.6	0	0		0.0
	Missing Person Located 12 & older	0	0		0.0	0	1	3.6	3.6
	Found-Personal Accessories	0	0		0.0	0	1	3.6	3.6
	Found-Sporting Goods, Hobby Equip.	0	1	3.6	3.6	0	0		0.0
	Lost Property -Master code	0	0		0.0	0	1	3.6	3.6
	Suspicious Vehicle	0	1	3.6	3.6	0	0		0.0



Calls For Service (CFS) Billing Summary Report

Johnson August - 2019

Billing Categories <i>(Billing categories below do not match traditional crime groupings)</i>		2019				2018			
		August	Year to Date	Time Standard	Year To Date Weighted Hours	August	Year to Date	Time Standard	Year To Date Weighted Hours
Operational	Trouble with Youth	0	8	3.6	28.8	0	2	3.6	7.2
	Neighbour Dispute	0	1	3.6	3.6	0	1	3.6	3.6
	Assist Fire Department	0	0		0.0	0	1	3.6	3.6
	Assist Public	0	0		0.0	0	3	3.6	10.8
	Family Dispute	0	4	3.6	14.4	0	1	3.6	3.6
	Total	0	21	3.6	75.6	0	19	3.6	68.4
Operational2	False Alarm-Malfunction	0	5	1.3	6.5	0	3	1.3	3.9
	False Holdup Alarm-Accidental Trip	0	1	1.3	1.3	0	0		0.0
	False Alarm -Others	0	3	1.3	3.9	0	1	1.3	1.3
	False Alarm -Cancelled	0	1	1.3	1.3	0	1	1.3	1.3
	Keep the Peace	0	1	1.3	1.3	0	0		0.0
	911 call / 911 hang up	0	7	1.3	9.1	0	7	1.3	9.1
	911 hang up - Pocket Dial	0	3	1.3	3.9	0	1	1.3	1.3
	Total	0	21	1.3	27.3	0	13	1.3	16.9
Traffic	MVC - Personal Injury (MOTOR VEHICLE COLLISION)	0	2	3.4	6.8	0	0		0.0
	MVC - Prop. Dam. Non Reportable	0	1	3.4	3.4	0	4	3.4	13.6
	MVC - Prop. Dam. Reportable (MOTOR VEHICLE COLLISION)	0	1	3.4	3.4	0	0		0.0
	Total	0	4	3.4	13.6	0	4	3.4	13.6
Total	5	63		272.7	3	44		165.7	

Note to Detachment Commanders:

- The content of each report is to be shared by the Detachment Commander only with the municipality for which it was generated. The municipality may treat this as a public document and distribute it as they wish.
- All data is sourced from the Niche RMS application. Included are 'reported' occurrences (actuals and unfounded occurrences) for 'billable' occurrences ONLY. Data is refreshed on a weekly basis.
- The Traffic category includes motor vehicle collision (MVC) occurrences entered into Niche (UCR code 8521). MVCs are NOT sourced from the eCRS application for this report.
- Only the primary violation is counted within an occurrence.
- Time standards displayed are for the 2017 billing period.

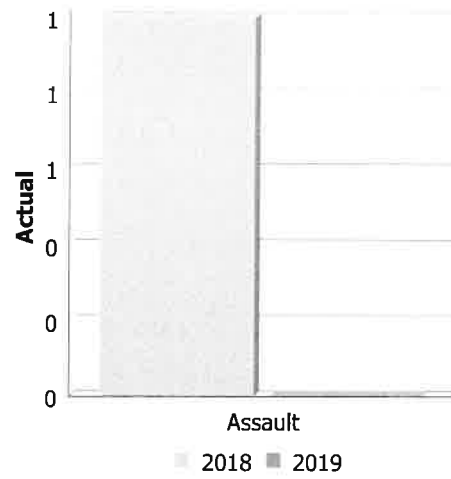
Note to Municipalities:

- Data contained within this report is dynamic in nature and numbers will change over time as the Ontario Provincial Police continues to investigate and solve crime.
- This report is NOT to be used for crime trend analysis as not all occurrences are included.
- Data groupings within this report do not match traditional crime groupings seen in other public reports such as the OPP Police Services Board reports or Statistics Canada reporting.

**Police Services Board Report for Johnson
Records Management System
August - 2019**

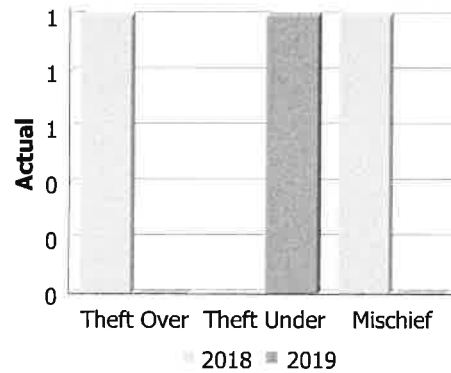
Violent Crime

Actual	August			Year to Date - August		
	2018	2019	% Change	2018	2019	% Change
Murder	0	0	--	0	0	--
Other Offences Causing Death	0	0	--	0	0	--
Attempted Murder	0	0	--	0	0	--
Sexual Assault	0	0	--	0	0	--
Assault	1	0	-100.0%	1	4	300.0%
Abduction	0	0	--	0	0	--
Robbery	0	0	--	0	0	--
Other Crimes Against a Person	0	0	--	0	1	--
Total	1	0	-100.0%	1	5	400.0%



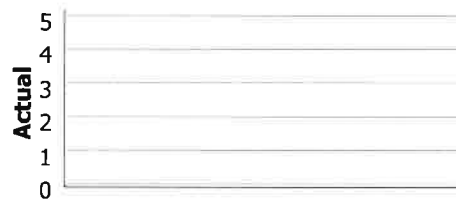
Property Crime

Actual	August			Year to Date - August		
	2018	2019	% Change	2018	2019	% Change
Arson	0	0	--	0	0	--
Break & Enter	0	0	--	1	1	0.0%
Theft Over	1	0	-100.0%	1	0	-100.0%
Theft Under	0	1	--	0	2	--
Have Stolen Goods	0	0	--	0	0	--
Fraud	0	0	--	0	0	--
Mischief	1	0	-100.0%	1	2	100.0%
Total	2	1	-50.0%	3	5	66.7%



Drug Crime

Actual	August			Year to Date - August		
	2018	2019	% Change	2018	2019	% Change
Possession	0	0	--	0	0	--
Trafficking	0	0	--	0	0	--
Importation and Production	0	0	--	0	0	--
Total	0	0	--	0	0	--

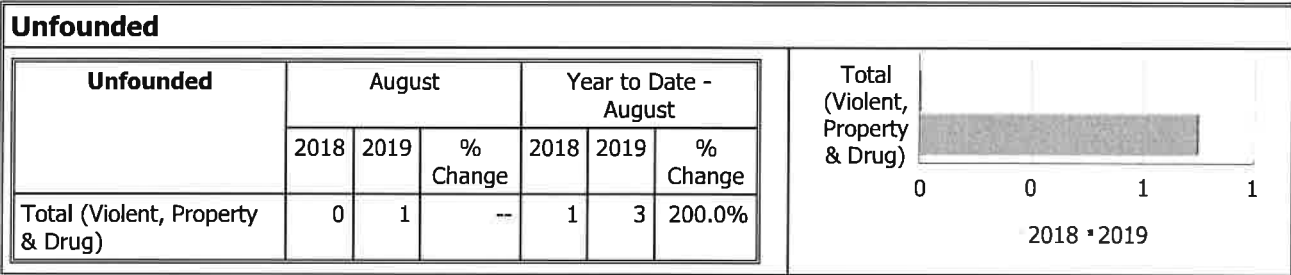
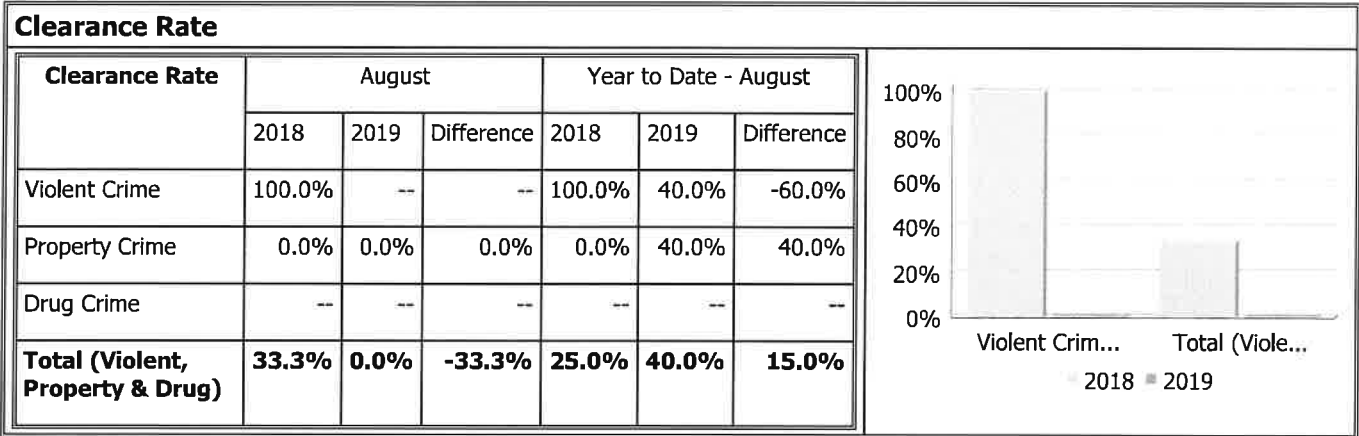


Detachment: 4B - EAST ALGOMA (Blind River)
Location code(s): 4B10 - EAST ALGOMA (Thessalon)
Area code(s): 4011 - Johnson
Data source date: 2019/09/14

Report Generated by:
Bowles, Natalie

Report Generated on:
16-Sep-19 1:21:00 PM
PP-CSC-Operational Planning-4300

**Police Services Board Report for Johnson
Records Management System
August - 2019**



Data contained within this report is dynamic in nature and numbers will change over time as the Ontario Provincial Police continue to investigate and solve crime.

Data Utilized

- Major Crimes
- Niche RMS All Offence Level Business Intelligence Cube

Detachment: 4B - EAST ALGOMA (Blind River)
Location code(s): 4B10 - EAST ALGOMA (Thessalon)
Area code(s): 4011 - Johnson
Data source date: 2019/09/14

Report Generated by:
Bowles, Natalie

Report Generated on:
16-Sep-19 1:21:00 PM
PP-CSC-Operational Planning-4300

Starting Year:	2018
Starting Month:	August
Ending Month:	August

Police Services Board Report for Johnson
Integrated Court Offence Network
 August - 2019

Offence Count	August - 2019			Year to Date - August		
	2018	2019	% Change	2018	2019	% Change
	Highway Traffic Act	53	62	17.0%	600	485
Criminal Code Traffic	0	4		28	14	-50.0%
Criminal Code Non-Traffic	15	1	-88.3%	183	97	-48.4%
Liquor License Act	1	1	0.0%	2	0	-100.0%
Other Violations	0	1		43	49	14.0%
All violations	69	71	2.9%	861	655	-23.9%



Offence Count	Traffic Related Charges			Year to Date - August		
	2018	2019	% Change	2018	2019	% Change
	Speeding	37	47	27.0%	474	368
Seatbelt	0	1		3	3	0.0%
Impaired	0	2		17	11	-35.3%
Distracted	0	0		3	4	33.3%
All violations	37	50	35.1%	497	386	-22.3%



Integrated Court Offence Network data is updated on a monthly basis. Data could be as much as a month and a half behind.

Data Utilised

Ministry of Attorney General, Integrated Court Offence Network
 Integrated Court Offence Network Business Intelligence Cube

Detachment:	4810
Data Source Date:	16-Sep-19
Report Generated On:	16/09/19
Report Generated By:	Bowlin



The Corporation of the Township of Johnson
Monthly Report

Office of Clerk
Chris Wray, A.M.C.T.

Prepared For: Mayor and Council	Report No.: WRAY-2019-011
Agenda Date: October 16, 2019	Period Ended: October 9, 2019

Preamble

The following staff report is a recap and update of some issues affecting the Township of Johnson for the period ending October 11, 2019.

Recommendations / Actions for Council

Council to agree on a date to provide some initial direction on the 2020 Budget.

Council to agree to a legal review of our Site Plan Agreement content

Council to provide an available date for an orientation and tour of the Water and sewer facilities that would occur before the end of October.

Council to provide direction on the submission of Grant Applications to both the Canada Infrastructure Program – Community, Culture and Recreation Program and the Trillium Grow Grant Program.

Administration / Clerk

AMO Board

I attended an AMO Board Meeting on September 26 and 27. There were several items of which Council should be aware.

Broadband

AMO does not yet have a formal position on broadband and cellular connectivity. In addition to recent funding announcements, AMO has received pressure from the media, and resolutions from various members. This has highlighted the need for AMO to discuss a formal position.

As a result, the AMO Board approved the creation of a position on broadband and cellular connectivity based on high-level principles. This is particularly important given the lack of

Respectfully Submitted By:

Chris Wray, A.M.C.T.
Clerk

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service in the Township and surrounding area. As more information becomes valuable, I will report on it in future months.

Paramedic Services

Designated upper-tier and single-tier municipal governments co-fund and deliver this service local using the property tax base. In the north, ambulance services are provided by District Social Service Administration Boards (DDSABs) financed by municipal governments. The Ambulance Act and its regulations and standards governs ambulance services to provide access to rapid prehospital emergency care and safe and effective transportation for "patients" to emergency departments. The Ministry of Health sets service standards and employee qualification requirements, with monitoring to ensure compliance with provincially set standards.

New Models of Care for Select 9-1-1 Patients

The Ministry of Health is planning to enable new care models for select 9-1-1 patients (i.e. low acuity) to provide timely access to definitive care where options other than transport to the emergency department may be done safely and appropriately. The government's stated intent with the new models of care is helped end hallway health care and ensure the delivery of high quality, integrated care.

New models of care include:

1. Transporting patients to destinations other than the emergency department where they can receive appropriate treatment;
2. Treating patients on-scene and referring them to another health care provider;
3. Treating and releasing patients on-scene; and
4. Referral of select low acuity patients during the 911 call to appropriate care in the community.

AMO has generally supported the efforts under the previous government to modernize the Ambulance Act through Bill 160, the Strengthening Quality and Accountability for Patients Act, 2017. The legislation, however, did not go far enough to address all outstanding municipal concerns.

Recommendations for further improvements to the Ambulance Act were outlined in AMO's Health Compendium paper issued in January 2019.

The cornerstone of the legislation was to allow the use of new Patient Care Models. Paramedics will no longer have to take low-acuity patients to the hospital following on-scene assessment. Instead, paramedics can release patients following treatment or refer them to a health facility other than a hospital. AMO supported the use of these new models with some caveats.

While using the new Patient Care Models may result in fewer ambulance transfers to hospitals and address delays associated with offloading, there is expected to be new costs and liabilities for municipal governments. Training paramedics has resource implications. Paramedic Services will also face increased liability given expanded decision-making authority on which model to use in a given situation. The risk is heightened given the current state of Joint and Several Liability. The highest risk is the Treat and Release model.

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Further, the success of new Patient Care Models will be contingent on the health care system's ability to receive, treat, and care for patients (e.g. Urgent Care Centres, Family Health Teams, Mental Health & Addictions Services, etc.). This is especially true for 24/7 facilities across Ontario. Notably, the model may not work in areas where alternative care is not available, notably in northern and rural Ontario. This will become a health equity issue. It is essential that the new models are informed by evidence and align with the needs and capacity in the community.

There is also a risk that paramedic dispatch services may defacto become like the telehealth service as the public begin to realize, and expect, the alternate care options provided by paramedics. This will increase call volumes and add to cost pressures. Proper triage by dispatch operators will be needed. Increased funding and enhanced provision of community paramedicine in more areas of the province could also help offset this.

The proposal includes a model where select low acuity patients may be referred by dispatch as the result of a triage assessment without sending paramedics out on a service call to assess the patient. It is unclear if there could be possible financial and liability exposure to Paramedic Services with this model in practice. It would likely depend on how it is funded. The government did not previously consult on this model when the legislation was introduced. AMO has requested further conversation before this is put into place. Dispatch modernization improvements must be prioritized first to get into a state of readiness for this model.

There is also a barrier that has existed for many years. Electronic Ambulance Call reports are not fully integrated into Ontario's Health Care System. Furthering the goal of one patient, one record will contribute to the success of the new Patient Care Models.

The government is proposing that ambulance fees be increased. These fees go to hospitals (i.e. the destination facility) and the Province, not the municipal paramedic service. This collection of this fund was a trade-off made during the Local Services Realignment work in exchange for 50/50 funding. There is a large amount of collections administrative activity associated with billing. No changes to billing and collections are recommended at this time.

The Ontario Association of Paramedic Chiefs is expected to provide technical advice to the Ministry of Health and identify implementation considerations. AMO's Health Task Force worked with the OAPC to inform the recommendations outlined in this report.

AMO's proposed response to the new regulatory posting should include:

1. The Province must focus on and accelerate dispatch improvements first, including providing real time access to dispatch data to better understand their system performance and to assist with better system planning.
2. The Province should deliver or fund training to all paramedic personnel on the new Patient Care Models based on developed standards and protocols at 100% provincial cost.
3. The Province should provide indemnification to municipal Paramedic Services including amending the Ambulance Act, its regulations, policies, and guidelines to mitigate against increased municipal and paramedic liability given the new models

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of patient care expanding the scope of paramedic practice and accompanying risk involved.

4. The Province should delay the implementation of the model of referral of select low acuity patients during dispatch triage until such time as dispatch improvements are made and further consultation is held with AMO and the Ontario Association of Paramedic Chiefs of Ontario (OAPC).
5. The Province should stagger implementation across Ontario considering the capacity of both the local Paramedic Services and the health care system to support the new models of Patient Care.
6. The Province should expand community paramedicine across Ontario to willing municipal partners and fully fund its implementation, as it is primary care, not emergency medical services.
7. The Province should advance efforts by fully integrating Electronic Ambulance Call reports into Ontario's Health Care system.
8. The Province should help further the success of the new models of patient care by collecting and disseminating best practices to all paramedic services.
9. The Province should work with the new Ontario Health Teams to ensure the full implementation of the new models all across Ontario in an equitable manner by assessing and enhancing the capacity of the health care system's ability to receive, treat, and care for patients outside of hospital emergency rooms.
10. The Province should work with AMO and the Ontario Association of Paramedic Chiefs (OAPC) to evaluate the implementation of the new Models of Patient Care on an ongoing basis to facilitate continuous improvement through further changes to the regulations, policies, and guidelines as warranted to help improve patient outcomes.

Transition Child Benefit

Ontario has announced it will be eliminating the Provincial Transition Child Benefit effective November 2019 as part of social assistance reform. This and other aspects of social assistance reform such as a planned change in the Provincial program definition of 'disability' will also create challenges for recipients and for municipal supports. These will have potential service and cost impacts to the 47 municipal governments and the District Social Service Administration Boards (DSSABs) administering the Ontario Works program.

AMO is now sending a letter to the Minister of Children, Community and Social Services and AMO staff will further engage with the Ministry about Social Assistance Reform about priority concerns in line with the AMO's analysis.

Provincial Policy Statement

For a number of reasons, including the passing of Bill 108, the Ministry of Municipal Affairs and Housing is updating the PPS. Comments are due October 21, 2019.

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AMO is of the opinion that Municipal governments can be generally supportive of the changes in the draft PPS. In many instances Official Plans already contain policies that would satisfy these changes. To implement the PPS, a number of supporting documents are required from the Province. A final agricultural systems guidance document, updated D-Series guidelines, and land needs assessment methodology are needed. As well, guidance on Indigenous Engagement which is reflective of municipal capacity and the Crown's duty is needed.

AMO is of the opinion that it would be helpful if the PPS better acknowledge low growth and non-urban areas. Many parts of the draft read as though development opportunities and growth pressures exist everywhere. Many parts of the Province continue to be static. While the flexibility that facilitates growth in some sections of the PPS are very welcome, it should be stated in the implementation section that where growth is low or very routine, simpler development requirements will be expected. As well, at the last iteration of the PPS, a northern and rural lens guidance document was issued to clarify what scaled back requirements might look like. Similar documents for this iteration would be welcomed by AMO.

Additionally, it would be helpful to see studies which monitored the success of the 2014 version of the PPS to see where policy changes can be most effective in stimulating housing mix at affordable prices. Factors outside of policy and legislation are highly influential in driving the housing market, specifically as demand far exceeds supply. In this type of market, to reach the goals of mix and affordability, a more direct participation of all three orders of government in the development may be required. More information about how market forces should guide housing mix and affordability would be helpful.

The PPS does create greater flexibility with the shift from "shall" to "should" in a number of places. While this is appreciated, it is hoped that the LPAT will recognize that this flexibility represents good planning, even when proposals are denied.

The draft PPS moves a number of elements, expands definitions or provides more detailed information to help clarify exactly what is intended and better align the non-Provincial plan parts of the province with those parts that fall under Provincial plans such as the Growth Plan or Greenbelt. These changes are supported by AMO.

Based on the analysis above, AMO will be corresponding with Minister Clark, the Minister of Municipal Affairs and Housing.

Joint and Several Liability

I had previously reported on the fact that the Province had open discussions on the issue of Joint and Several Liability. AMO has now made a submission¹ to the Province concerning this consultation.

Township Operations²

I have included an updated schedule that highlights what I see as some of our weaknesses within our operation and governance. If you will remember I did write a full report on my initial observations.

¹ AMO – Joint and Several Submission attached.

² The updates and plan are noted as a separate discussion matter on the agenda

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I have now taken this one step further and in addition to an update have included a bit of a plan that highlights several attributes of any of the weaknesses along with some proposed actions that could assist in strengthening our operation.

Committee Mandates

As part of the update of the Township Procedural Bylaw and at the direction of Council, I wrote some simple mandates for the Township Committees. A more fulsome discussion about these Committees and Mandate should occur once this matter comes up on the agenda.

Required Policies

I continue to work on several policies, many of which are required under the *Municipal Act*.

I have a partial draft of a Tree Canopy Policy and have completed my review and draft of our new Procedural Bylaw. These drafts should be available for discussion in November.

A new updated Procedural Bylaw has now been drafted and is now presented at the October Council. This update will ensure that we continue to be compliant with Section 270 of the Municipal Act.

Broadband Project

The Broadband Task Force as appointed by HNCEA has continued its work. The next meeting of the Committee was scheduled for October 15 and will be reported upon at the November Council Meeting.

Investing in Canada Infrastructure Program

On September 3, 2019, the Province announced that it will be taking applications under the Investing in Canada Infrastructure Program – Community, Culture and Recreation Program.

The intake deadline is November 12, 2019.

I have now had an opportunity to review the criteria.³

The most obvious asset that this program applies to is the JTCC. The facility is in dire need of an improvement in order to extend the life. Further to that, the facility is also in need of annual maintenance.

Reading through the guidelines, the following stand out with a sense of how these matters are met:

Guideline	Do we meet; yes / no
Projects should be community oriented and open to the public	Yes
Ontario's Objectives	Yes
Serving Multiple Communities	Yes
Improving access to and increasing quality of the service	Yes
Organizational capacity to implement the project	Unlikely

³ A copy of the guidelines has been attached to this report

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Project readiness	No
Aligned with Asset Management Plan	No
Community Need	Yes
Eligible Facility	Yes
Vulnerable Populations	Possibly
Consistent with Asset Management Plan	No
Operational Financial Plan	Possibly

I believe that there might be a strong case for submitting an application for the JTCC. I am concerned however that we would score very poorly in the areas of project readiness and in the consistency with our present Asset Management Plan.

The lack of a Strategic or Municipal Business Plan is at the root of this. The only reason that we might discuss this project is because the funding became available. In the best case and perhaps required scenario, this project would have been identified in a Strategic Plan supported by a comprehensive Asset Management Plan. In all likelihood this would also have been driven by some type of project readiness plan. Unfortunately, none of these are available. The Asset Management Plan only deals with our core infrastructure and has no comment with respect to municipal buildings. In my opinion, this greatly reduces our chance at success.

If Council would like to move on an application then I would suggest that we immediately retain an engineering firm to at least develop an application with an attempt to strengthen our weaknesses.

The Trillium Foundation

The Trillium Foundation also has a call for applications under its Grow Grant Program. The deadline for this program is November 27, 2019. The amount of Grants varies from \$50,000 to \$250,000 per year for a total of two (2) to three (3) years.

Given the changing environment within the region and the Province, I believe that we could find a project that could be given consideration.

After reviewing the program guidelines, I believe that the following, in no particular order, might be worth of consideration:

1. Build an interactive website and include a digital literacy component for seniors
2. Sustainable, energy efficient heating and cooling system for municipal facility
3. Renovations to the JTCC to increase capacity and longevity.
4. Develop a Township trail system
5. Replace and develop the docks and area on Highway 17
6. Septic Inspection and educational program
7. Aging in Place Project for a Rural Community

Council may also have other ideas.

Shared Services

Due to several conflicts, the Shared Services Meeting has been moved to the end of October (28th or 29th).

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I have prepared a presentation for the group in the hopes that it will result in some creativity on this subject. I have also done some research into other areas in North America where these types of arrangements have been tried.

Staffing

My plan to address our weaknesses and my original report both included mention of our staff resources.

I think that we all have recognized the sufficient backlog of work that built up over the last many months. I hope to have us up to a full staffing level by the end of the month. That however, will not be enough. The Township cannot operate with its former staffing level, that was already at or over capacity and then hope to have those same resources address a large backlog of work. Therefore, I will bring a report to Council with options to address the backlog. This is likely to appear on the November Agenda.

Huron Central Railway⁴

On October 7, 2019, Genesee & Wyoming Canada, through a press release, announced that they would discontinue operating unless they received funding from the senior levels of government.

This is not the first time this has happened and seems to be a repeat of several years ago when funding was provided.

Council may want to consider this announcement and decide if maintaining the railway is worth pursuing. I am not aware that is of any economic benefit to the Township but may very well contribute indirectly to our economy. This may perhaps be an opportunity to lobby jointly with other communities on the future of the rail line.

Treasury

Audit 2018

The municipal auditor has all of the 2018 audit information. Notwithstanding any questions related to the information, we are in good shape to process the FIR and get the audited statements to Council.

Budget 2019

I have now begun, for the first time, to input our budget figures directly into our accounting system. I am hoping to get this done in short order so that I can then provided Council with a picture of our YTD for 2019.

Budget 2020

I am in the process of drafting a new budget policy. Part of the policy will be to discuss the incoming year budget with Council and seek some initial directions on that budget. That discussion should start very soon.

⁴ Background information attached

Financial Reporting

At the last Council Meeting, we had a good discussion about Financial Reporting. While our financial situation is in good shape and our records are improving, I continue to be frustrated with a lack of ability to provide Financial Reporting to Council.

Council has a fiduciary duty, but so do the Officers, including the Clerk and Treasurer. We have addressed our audit requirements, budget requirements and now preparing to claim for incremental expenses associated with the June 2019 flood. While we were back up to four (4) staff in the office (at least for a portion of the week, we are now back down to three (3) with the retirement of one (1) employee. An advertisement did go out and we have had some very good candidates come forward. I anticipate that we will conduct interviews very soon.

Once we are back up to the four (4) staff, we will still be in a deficit with respect to our workload – a deficit that we will not be able to address with the present resources.

Regardless, we have made progress on our Financial Reporting in the past month. I have been able to design and print a year to date report that included amounts for 2017 and 2018. We have now moved on to loading the 2019 Budget into the system and to ensuring that all the actuals are up to date. My timeline is, as soon as possible.

MPAC

The Township will be addressing the Assessment Review Board, October 16 to 18, 2019 cornering five (5) properties. This will be our initial test on our thoughts around assessment issues in the Township.

Over the past couple of months, we have been corresponding regularly with MPAC and based on the number of response and phone calls, we have their attention.

Efficiency Programs

The work on efficiency programs continues.

1. I am in the process of providing the required information to Mosey & Mosey regarding our employee benefits.
2. I have made contact with ONE Investment, which is a program that was created by LAS and MFOA. I am gathering information on our requirements to enter the plan.
3. LAS has just opened up a new program on bulk purchasing. I have provided them with a Letter of Intent and am awaiting more information.

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Building & Enforcement

Building Permit Activity

Year-to-date Building permit activity is as follows:

Number of Permits	Construction Value
17	\$419,700

Animal Control

Month	Calls	Action
July	1	Feral cats trapped
June	1	Unattended dogs. No response from OPP or SSHS
August	1	Dog on the loose

Land Use Planning

General

The bylaw with respect to the appointment as Municipal Planning Services as our planner is now set for the October Meeting.

Official Plan

I communicated with the Planning Board to ask what the status and timeline is for the new Official Plan.

The Planner is trying to arrange a trip for another technical meeting and open house in November; that will depend on his schedule. The Planner also wants to meet with the Planning Board.

Council should remember that the Province is drafting a new PPS that will affect our new Official Plan. Once the new PPS is in effect it will allow the Planner an opportunity to write the initial draft of the OP.

That draft will form the basis of meetings and consultations in the Spring of 2020 and we should be in shape to hold a statutory meeting later in the summer of early fall of next year.

Site Plan Control

Site Plan Control is being used by the Township as an effective way to control development in a reasonable fashion and as a way to control drainage while protecting the environment.

The Site Plan Control Agreement that is being used, appears to have been written by legal counsel in 2008. I found that some of the references to the *Municipal Act* were incorrect as they had been changed.

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This Agreement will need to be reviewed and updated by legal counsel before the end of the year.

Public Works

Flooding

The application to reclaim costs with respect to the June 2019 flooding have now been submitted.

Water & Sewer

I am still waiting for dates from Council when they might be available to tour the water and sewer facilities.

Fire Services & Emergency Management

Nothing to report.

End



Joint and Several Submission

Unapproved Draft – Confidential for Board Consideration

September 2019 DRAFT

Cover Letter/Introduction from AMO President

Municipal governments accept the responsibility to pay their fair share of a loss. Always. Making it right and paying a fair share are the cornerstones of our legal system. Citizens expect nothing less of their local governments.

But what is a challenge for municipalities and property taxpayers alike, is being asked to assume someone else's responsibility for someone else's mistake. Municipal governments should not be the insurer of last resort. For municipalities in Ontario, however, the principle of joint and several liability ensures that they are just that.

Joint and several liability means higher insurance costs. It diverts property tax dollars from delivering public services. It has transformed municipalities into litigation targets while others escape responsibility. It forces municipal government to settle out-of-court for excessive amounts when responsibility is as low as 1%.

There must be a better way. There must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone. There must be a better way to be fair, reasonable, and responsible.

AMO welcomes the government's commitment to review joint and several liability. It is a complex issue that has many dimensions. Issues of fairness, legal principles, "liability chill", insurance failures and high insurance costs are all intertwined. Many other jurisdictions have offered additional protection for municipalities and AMO calls on the Ontario government to do the same.

What follows is a starting point for that discussion. Our paper reasserts key issues from AMO's 2010 paper, AMO's 2011 insurance cost survey, provides more recent examples, and details some possible solutions of which there are many options.

Municipalities are in the business of delivering public services. Municipal governments exist to connect people and to advance the development of a community. It is time to find a reasonable balance to prevent the further scaling back of public services owing to joint and several liability, "liability chill", or excessive insurance costs.

Together with the provincial government, I am confident we can find a better way.

Sincerely,

Jamie McGarvey
AMO President

Executive Summary

AMO's advocacy efforts on joint and several liability in no way intends for aggrieved parties to be denied justice or damages through the courts. Rather, municipal governments seek to highlight the inequity of how much "deep pocket" defendants like municipalities are forced to pay, for both in and out of court settlements.

It is entirely unfair to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimal fault or to assume responsibility for someone else's mistake.

Municipal governments cannot afford to be the insurer of last resort. The principle of joint and several liability is costing municipalities and taxpayers dearly, in the form of rising insurance premiums, service reductions and fewer choices. The *Negligence Act* was never intended to place the burden of insurer of last resort on municipalities.

As public organizations with taxation power and "deep pockets," municipalities have become focal points for litigation when other defendants do not have the means to pay. At the same time, catastrophic claim awards in Ontario have increased considerably. In part, joint and several liability is fueling exorbitant increases in municipal insurance premiums.

The heavy insurance burden and legal environment is unsustainable for Ontario's communities. Despite enormous improvements to safety, including new standards for playgrounds, pool safety, and better risk management practices, municipal insurance premiums and liability claims continue to increase. All municipalities have risk management policies to one degree or another and most large municipalities now employ risk managers precisely to increase health and safety and limit liability exposure in the design of facilities, programs, and insurance coverage. Liability is a top of mind consideration for all municipal councils.

Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault.

Various forms of proportionate liability have now been enacted by all of Ontario's competing Great Lakes states. In total, 38 other states south of the border have adopted proportionate liability in specific circumstances to the benefit of municipalities. Many common law jurisdictions around the world have adopted legal reforms to limit the exposure and restore balance. With other Commonwealth jurisdictions and the majority of state governments in the United States having modified the rule of joint and several liability in favour of some form of proportionate liability, it is time for Ontario to consider various options.

There is precedence in Ontario for joint and several liability reform. The car leasing lobby highlighted a particularly expensive court award made in November of 2004 against a car leasing company by the victim of a drunk driver. The August 1997 accident occurred when the car skidded off a county road near Peterborough, Ontario. It exposed the inequity of joint and several liability for car leasing companies. The leasing companies argued to the government that the settlement had put them at a competitive disadvantage to lenders. They also warned that such liability conditions would likely drive some leasing and rental companies to reduce their business in Ontario. As a result, Bill 18 amended the *Compulsory Automobile Insurance Act*, the *Highway Traffic Act* and the Ontario *Insurance Act* to make renters and lessees vicariously liable for the negligence

of automobile drivers and capped the maximum liability of owners of rental and leased cars at \$1 million. While Bill 18 has eliminated the owners of leased and rented cars as “deep pocket” defendants, no such restrictions have been enacted to assist municipalities.

A 2011 survey conducted by AMO reveals that since 2007, liability premiums have increased by 22.2% and are among the fastest growing municipal costs. Total 2011 Ontario municipal insurance costs were \$155.2 million. Liability premiums made up the majority of these expenses at \$85.5 million. Property taxpayers are paying this price.

These trends are continuing. In August of 2019, it was reported the Town of Bradford West Gwillimbury faces a 59% insurance cost increase for 2019. This is just one example. AMO encourages the municipal insurance industry to provide the government with more recent data and trends to support the industry's own arguments regarding the impact joint and several has on premiums.

Insurance costs disproportionately affect small municipalities. For 2011, the per capita insurance costs for communities with populations under 10,000 were \$37.56. By comparison, per capita costs in large communities with populations over 75,000 were \$7.71. Property taxpayers in one northern community are spending more on insurance than their library. In one southern county, for every \$2 spent on snowplowing roads, another \$1 is spent on insurance.

In 2016, the Ontario Municipal Insurance Exchange (OMEX), a not-for-profit insurer, announced that it was suspending reciprocal underwriting operations. The organization cited, a “low pricing environment, combined with the impact of joint and several liability on municipal claim settlements” as reasons for the decision. Fewer choices fuels premium increases.

Learning from other jurisdictions is important for Ontario. The Province of Saskatchewan has implemented liability reforms to support its municipalities. As a municipal lawyer at the time, Neil Robertson, QC was instrumental in laying out the arguments in support of these changes. Now a Justice of the Court of Queen's Bench for Saskatchewan, AMO was pleased to have Neil Robertson prepare a paper and address AMO conference delegates in 2013. Much of the Saskatchewan municipal experience (which led to reforms) is applicable to the Ontario and the Canadian municipal context. Summarised below and throughout this paper are some of Robertson's key findings.

Robertson found that, regardless of the cause, over the years municipalities in Canada have experienced an accelerating rate of litigation and an increase in amounts of damage awards. He noted these developments challenge municipalities and raise financial, operational and policy issues in the provision of public services.

Robertson describes the current Canadian legal climate as having placed municipalities in the role of involuntary insurer. Courts have assigned municipal liability where liability was traditionally denied and apportioned fault to municipal defendants out of proportion to municipal involvement in the actual wrong.

This increased exposure to liability has had serious ramifications for municipalities, both as a deterrent to providing public services which may give rise to claims and in raising the cost and reducing the availability of insurance. The cost of claims has caused insurers to reconsider not only what to charge for premiums, but whether to continue offering insurance coverage to municipal clients.

Robertson also makes the key point that it is reasonable for municipal leaders to seek appropriate statutory protections. He wrote:

“Since municipalities exist to improve the quality of life for their citizens, the possibility of causing harm to those same citizens is contrary to its fundamental mission. Careful management and wise stewardship of public resources by municipal leaders will reduce the likelihood of such harm, including adherence to good risk management practices in municipal operations. But wise stewardship also involves avoiding the risk of unwarranted costs arising from inevitable claims.”

And, of course, a key consideration is the reality that insurance premiums, self-insurance costs, and legal fees divert municipal funds from other essential municipal services and responsibilities.

It is in this context that AMO appreciated the commitments made by the Premier and the Attorney General to review the principle of joint and several liability, the impact it has on insurance costs, and the influence “liability chill” has on the delivery of public services. Now is the time to deliver provincial public policy solutions which address these issues.

Recommendations

AMO recommends the following measures to address these issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

Insurance Cost Examples

The government has requested detailed information from municipalities regarding their insurance costs, coverage, deductibles, claims history, and out-of-court settlements. Municipalities have been busy responding to a long list of provincial consultations on a wide range of topics. Some of the information being sought is more easily supplied by the insurance industry. AMO's 2011 survey of

insurance costs produced a sample size of 122 municipalities and assessed insurance cost increases over a five-year period. The survey revealed an average premium increase which exceeded 20% over that period.

All of the same forces remain at play in 2019 just as they were in 2011. Below are some key examples.

Ear Falls - The Township of Ear Falls reports that its insurance premiums have increased 30% over five years to \$81,686. With a population of only 995 residents (2016), this represents a per capita cost of \$82.09. This amount is a significant increase from AMO's 2011 Insurance Survey result. At that time, the average per capita insurance cost for a community with a population under 10,000 was \$37.56. While the Township has not been the subject of a liability claim, a claim in a community of this size could have significant and long-lasting financial and service implications. The Township has also had to impose stricter insurance requirements on groups that rent municipal facilities. This has had a negative impact on the clubs and volunteers' groups and as a consequence, many have cut back on the service these groups provide to the community.

Central Huron – For many years the municipality of Central Huron had a deductible of \$5,000. In 2014, the deductible was increased to \$15,000 to help reduce insurance costs. The municipality also increased its liability coverage in 2014 and added cyber security coverage in 2018. The combined impact of these changes represents a premium cost of \$224,774 in 2019, up from \$141,331 in 2010. Per capita costs for insurance alone are now \$29.67.

Huntsville – Since 2010, the Town of Huntsville reports an insurance premium increase of 67%. In 2019 this represented about 3.75% of the town's property tax levy. At the same time, Huntsville's deductible has increased from \$10,000 to \$25,000. The town also reports a reluctance to hold its own events for fear of any claims which may affect its main policy. Additional coverage is purchased for these events and these costs are not included above.

Ottawa - In August 2018, the City began working with its insurance broker, Aon Risk Solutions ("Aon"), to prepare for the anticipated renewal of the Integrated Insurance Program in April 2019. As the cost of the City's insurance premiums had risen by approximately 25% between 2017 and 2018, this early work was intended to ensure that any further increase could be properly accounted for through the 2019 budget process. Early indications of a possible further 10% premium increase prompted the City and Aon in late 2018 to explore options for a revised Program, and to approach alternative markets for the supply of insurance.

On January 11, 2019, an OC Transpo bus collided with a section of the Westboro Station transit shelter, resulting in three fatalities and numerous serious injuries. This was the second major incident involving the City's bus fleet, following approximately five years after the OC Transpo – VIA train collision in September 2013.

The January 2019 incident prompted insurance providers to re-evaluate their willingness to participate in the City Program. Despite Aon's work to secure an alternative provider, only Frank Cowan Company ("Cowan"), the City's existing insurer, was prepared to offer the City an Integrated Insurance Program. Cowan's offer to renew the City's Program was conditional on revised terms and limits and at a significant premium increase of approximately 84%, or nearly \$2.1 million per year. According to Cowan, these changes and increases were attributable to seven principle factors, including Joint and Several Liability:

1. Escalating Costs of Natural Global Disasters;
2. Joint and Several Liability;
3. Claims Trends (in the municipal sector);
4. Increasing Damage Awards;
5. Class Action Lawsuits;
6. New and/or Adverse Claims Development; and,
7. Transit Exposure.

Cowan also indicated that the primary policy limits for the 2019-2020 renewal would be lowered from \$25 million to \$10 million per occurrence, thereby raising the likelihood of increased costs for the City's excess liability policies.

Joint and Several in Action - Recent Examples

The following examples highlight joint and several in action. The following examples have occurred in recent years.

GTA Municipality – A homeowner rented out three separate apartments in a home despite being zoned as a single-family dwelling. After a complaint was received, bylaw inspectors and Fire Prevention Officers visited the property. The landlord was cautioned to undertake renovations to restore the building into a single-family dwelling. After several months of non-compliance, charges under the fire code were laid. The owner was convicted and fined. A subsequent visit by Fire Prevention Officers noted that the required renovations had not taken place. Tragically, a fire occurred which resulted in three fatalities. At mediation, because of joint and several liability, the municipality was assessed with 40% of the responsibility despite having undertaken corrective action against the homeowner. This resulted in a payment of \$504,000.

City of Ottawa - A serious motor vehicle accident occurred between one of the City's buses and an SUV. The collision occurred at an intersection when the inebriated driver of the SUV failed to stop at a red light and was struck by the City bus. This collision resulted in the deaths of the SUV driver and two other occupants, and also seriously injured the primary Plaintiff, the third passenger in the SUV. The secondary action was brought by the family of one of the deceased passengers.

The Court ultimately concluded that the City was 20% liable for the collision, while the SUV driver was 80% at fault. Despite the 80/20 allocation of fault, the City was required to pay all of the approximately \$2.1 million in damages awarded in the primary case and the \$200,000 awarded in the secondary case, bringing the amount paid by the City to a total that was not proportionate to its actual liability. This was due to the application of the principle of joint and several liability, as well as the interplay between the various automobile insurance policies held by the SUV owner and passengers, which is further explained below. Although the City appealed this case, the Ontario Court of Appeal agreed with the findings of the trial judge and dismissed it.

This case was notable for the implications of various factors on the insurance policies held by the respective parties. While most automobile insurance policies in Ontario provide for \$1 million in third party liability coverage, the insurance for the SUV was reduced to the statutory minimum of \$200,000 by virtue of the fact that the driver at the time of the collision had a blood alcohol level nearly three times the legal limit for a fully licensed driver. This was contrary to the requirements of his G2 license, which prohibit driving after the consumption of any alcohol. Further, while the Plaintiff passengers' own respective insurance provided \$1 million in coverage for underinsured motorists (as the SUV driver was at the time), this type of coverage is triggered only where no other

party is in any way liable for the accident. As a result, the primary Plaintiff could only effectively recover the full \$2.1 million in damages if the Court attributed even a small measure of fault to another party with sufficient resources to pay the claim.

In determining that the City was at least partially responsible for the collision, the Court held that the speed of the bus – which according to GPS recordings was approximately 6.5 km/h over the posted limit of 60 kilometres an hour – and momentary inattention were contributing factors to the collision.

To shorten the length of the trial by approximately one week and accordingly reduce the legal costs involved, the parties had earlier reached an agreement on damages and that the findings regarding the primary Plaintiff would apply equally to the other. The amount of the agreement-upon damages took into account any contributory negligence on the part of the respective Plaintiffs, attributable to such things as not wearing a seat belt.

City of Ottawa, 2nd example – A Plaintiff was catastrophically injured when, after disembarking a City bus, he was struck by a third-party motor vehicle. The Plaintiff's injuries included a brain injury while his impairments included incomplete quadriplegia.

As a result of his accident, the Plaintiff brought a claim for damages for an amount in excess of \$7 million against the City and against the owner and driver of the third-party vehicle that struck him. Against the City, the Plaintiff alleged that the roadway was not properly designed and that the bus stop was placed at an unsafe location as it required passengers to cross the road mid-block and not at a controlled intersection.

Following the completion of examinations for discovery, the Plaintiff's claim against the Co-Defendant (the driver of the vehicle which struck the plaintiff) was resolved for \$1,120,000 comprising \$970,000 for damages and \$120,000 for costs. The Co-Defendant's policy limit was \$1 million. The claim against the City was in effect, a "1% rule" case where the City had been added to the case largely because the Co-Defendant's insurance was capped at \$1 million, which was well below the value of the Plaintiff's claim.

On the issue of liability, the pre-trial judge was of the view that the City was exposed to a finding of some liability against it on the theory that, because of the proximity of the bus stop to a home for adults with mental health issues, the City knew or should have known that bus passengers with cognitive and/or physical disabilities would be crossing mid-block at an unmarked crossing. This, according to the judge, could have resulted in a finding being made at trial that the City should either have removed the bus stop or alternatively, should have installed a pedestrian crossing at this location.

The judge assessed the Plaintiff's damages at \$7,241,000 exclusive of costs and disbursements which he then reduced to \$4,602,930 exclusive of costs and disbursements after applying a reduction of 27.5% for contributory negligence and subtracting the \$970,000 payment made by the Co-Defendant's insurer.

Settlement discussions took place and the judge recommended that the matter be resolved for \$3,825,000 plus costs of \$554,750 plus HST plus disbursements.

Joint and Several Liability in Action - Other notable cases

Deering v Scugog - A 19-year-old driver was driving at night in a hurry to make the start time of a movie. She was travelling on a Class 4 rural road that had no centerline markings. The Ontario Traffic Manual does not require this type of road to have such a marking. The driver thought that a vehicle travelling in the opposite direction was headed directly at her. She swerved, over-corrected and ended up in a rock culvert. The Court found the Township of Scugog 66.7% liable. The at-fault driver only carried a \$1M auto insurance policy.

Ferguson v County of Brant - An inexperienced 17-year-old male driver was speeding on a road when he failed to navigate a curve which resulted in him crossing the lane into oncoming traffic, leaving the roadway, and striking a tree. The municipality was found to have posted a winding road sign rather than a sharp curve sign. The municipality was found 55% liable.

Safranyos et al v City of Hamilton - The plaintiff was leaving a drive-in movie theatre with four children in her vehicle at approximately 1 AM. She approached a stop sign with the intention of turning right onto a highway. Although she saw oncoming headlights she entered the intersection where she was struck by a vehicle driven 15 km/h over the posted speed limit by a man who had just left a party and was determined by toxicologists to be impaired. The children in the plaintiff's vehicle suffered significant injuries. The City was determined to be 25% liable because a stop line had not been painted on the road at the intersection.

Mortimer v Cameron - Two men were engaged in horseplay on a stairway and one of them fell backward through an open door at the bottom of a landing. The other man attempted to break the first man's fall and together they fell into an exterior wall that gave way. Both men fell 10 feet onto the ground below, one of whom was left quadriplegic. The trial judge determined both men were negligent, but that their conduct did not correspond to the extent of the plaintiff's injuries. No liability was attached to either man. The building owner was determined to be 20% and the City of London was found to be 80% liable. The Court awarded the plaintiff \$5 M in damages. On appeal, the City's liability was reduced to 40% and building owner was determined to be 60% liable. The City still ended up paying 80% of the overall claim.

2011 Review of Joint and Several Liability – Law Commission of Ontario

In February 2011 the Law Commission of Ontario released a report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"*. This review examined the application of joint and several liability to corporate law and more specifically the relationship between the corporation and its directors, officers, shareholders and stakeholders.

Prior to the report's release, AMO made a submission to the Law Commission of Ontario to seek to expand its review to include municipal implications. The Law Commission did not proceed with a broader review at that time, but the context of its narrower scope remains applicable to municipalities. In fact, many of the same arguments which support reform in the realm of the *Business Corporations Act*, are the same arguments which apply to municipal governments.

Of note, the Law Commission's¹ report highlighted the following in favour of reforms:

¹ Law Commission of Ontario. "Joint and Several Liability Under the Ontario *Business Corporations Act*." Final Report, February 2011 Pages 22-25.

Fairness: “it is argued that it is unfair for a defendant, whose degree of fault is minor when compared to that of other defendants, to have to fully compensate a plaintiff should the other defendants be insolvent or unavailable.”

Deep Pocket Syndrome: “Joint and several liability encourages plaintiffs to unfairly target defendants who are known or perceived to be insured or solvent.”

Rising Costs of Litigation, Insurance, and Damage Awards: “Opponents of the joint and several liability regime are concerned about the rising costs of litigation, insurance, and damage awards.”

Provision of Services: “The Association of Municipalities of Ontario identifies another negative externality of joint and several liability: municipalities are having to delay or otherwise cut back services to limit exposure to liability.”

The Law Commission found that the principle of joint and several liability should remain in place although it did not explicitly review the municipal situation.

2014 Resolution by the Ontario Legislature and Review by the Attorney General

Over 200 municipalities supported a motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called for the implementation a comprehensive, long-term solution in 2014. That year, MPPs from all parties supported the Pettapiece motion calling for a reform joint and several liability.

Later that year the Ministry of the Attorney General consulted on three options of possible reform:

1. THE SASKATCHEWAN MODEL OF MODIFIED PROPORTIONATE LIABILITY

Saskatchewan has adopted a modified version of proportionate liability that applies in cases where a plaintiff is contributorily negligent. Under the Saskatchewan rule, where a plaintiff is contributorily negligent and there is an unfunded liability, the cost of the unfunded liability is split among the remaining defendants and the plaintiff in proportion to their fault.

2. PERIPHERAL WRONGDOER RULE FOR ROAD AUTHORITIES

Under this rule, a municipality would never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages.

3. A combination of both of the above.

Ultimately the government decided not to pursue any of the incremental policy options ostensibly because of uncertainty that insurance cost reductions would result. This was a disappointing result for municipalities.

While these reviews did not produce results in Ontario, many other common law jurisdictions have enacted protections for municipalities. What follows are some of the options for a different legal framework.

Options for Reform – The Legal Framework

To gain a full appreciation of the various liability frameworks that could be considered, for comparison, below is a description of the current joint and several liability framework here in Ontario. This description will help to reader to understand the further options which follow.

This description and the alternatives that follow are taken from the Law Commission of Ontario's February 2011 Report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"* as referenced above.²

Understanding the Status Quo and Comparing it to the Alternatives

Where three different defendants are found to have caused a plaintiff's loss, the plaintiff is entitled to seek full payment (100%) from any one of the defendants. The defendant who fully satisfies the judgment has a right of contribution from the other liable parties based on the extent of their responsibility for the plaintiff's loss.

For example, a court may find defendants 1 (D1), 2 (D2) and 3 (D3) responsible for 70%, 20%, and 10% of the plaintiff's \$100,000 loss, respectively. The plaintiff may seek to recover 100% of the loss from D2, who may then seek contribution from D1 and D3 for their 70% and 10% shares of the loss. If D1 and/or D3 is unable to compensate D2 for the amount each owes for whatever reason, such as insolvency or unavailability, D2 will bear the full \$100,000 loss. The plaintiff will be fully compensated for \$100,000, and it is the responsibility of the defendants to apportion the loss fairly between them.

The descriptions that follow are abridged from pages 9-11 of the Law Commission of Ontario's report. These are some of the key alternatives to the status quo.

1. Proportionate Liability

a) Full Proportionate Liability

A system of full proportionate liability limits the liability of each co-defendant to the proportion of the loss for which he or she was found to be responsible. Per the above example, (in which Defendant 1 (D1) is responsible for 70% of loss, Defendant 2 (D2) for 20% and Defendant 3 (D3) for 10%), under this system, D2 will only be responsible for \$20,000 of the \$100,000 total judgement: equal to 20% of their share of the liability. Likewise, D1 and D3 will be responsible for \$70,000 and \$10,000. If D1 and D3 are unable to pay, the plaintiff will only recover \$20,000 from D2.

b) Proportionate Liability where Plaintiff is Contributorily Negligent

This option retains joint and several liability when a blameless plaintiff is involved. This option would cancel or adjust the rule where the plaintiff contributed to their loss. As in the first example, suppose the plaintiff (P) contributed to 20% of their \$100,000 loss. D1, D2 and D3 were responsible for 50%, 20% and 10% of the \$100,000. If D1 and D3 are unavailable, P and D2 will each be responsible for their \$20,000 shares. The plaintiff will remain responsible for the \$60,000 shortfall as a result of the absent co-defendants' non-payment (D1 and D3).

² Ibid. Page 7.

c) Proportionate Liability where Plaintiff is Contributorily Negligent with a Proportionate Reallocation of an Insolvent, Financially Limited or Unavailable Defendant's Share

In this option of proportionate liability, the plaintiff and remaining co-defendants share the risk of a defendant's non-payment. The plaintiff (P) and co-defendants are responsible for any shortfall in proportion to their respective degrees of fault.

Using the above example of the \$100,000 total judgement, with a shortfall payment of \$50,000 from D1 and a shortfall payment \$10,000 from D3, P and D2 must pay for the missing \$60,000. P and D2 have equally-apportioned liability, which causes them to be responsible for half of each shortfall - \$25,000 and \$5,000 from each non-paying defendant. The burden is shared between the plaintiff (if determined to be responsible) and the remaining defendants.

d) Proportionate Liability with a Peripheral Wrongdoer

Under this option, a defendant will be proportionately liable only if their share of the liability falls below a specified percentage, meaning that liability would be joint and several. Using the above example, if the threshold amount of liability is set at 25%, D2 and D3 would only be responsible for 20% and 10%, regardless of whether they are the only available or named defendants. However, D1 may be liable for 100% if it is the only available or named defendant. This system tends to favour defendants responsible for a small portion of the loss, but the determination of the threshold amount between joint and several liability and proportionate liability is arbitrary.

e) Proportionate Liability with a Reallocation of Some or All of an Insolvent or Unavailable Defendant's Share

This option reallocates the liability of a non-paying defendant among the remaining defendants in proportion to their respective degrees of fault. The plaintiff's contributory negligence does not impact the application of this reallocation. Joint and several liability would continue to apply in cases of fraud or where laws were knowingly violated.

f) Court Discretion

Similar to the fraud exception in the option above, this option includes giving the courts discretion to apply different forms of liability depending on the case.

For example, if a particular co-defendant's share of the fault was relatively minor the court would have discretion to limit that defendant's liability to an appropriate portion.

2. Legislative Cap on Liability

Liability concerns could be addressed by introducing a cap on the amount of damages available for claims for economic loss.

3. Hybrid

A number of jurisdictions provide a hybrid system of proportionate liability and caps on damages. Co-defendants are liable for their portion of the damages, but the maximum total amount payable by each co-defendant is capped to a certain limit.

The Saskatchewan Experience

As referenced earlier in this paper, the Province of Saskatchewan responded with a variety of legislative actions to assist municipalities in the early 2000s. Some of those key developments are listed below which are abridged from *"A Question of Balance: Legislative Responses to Judicial Expansion of Municipal Liability – the Saskatchewan Experience."* The paper was written by Neil Robertson, QC and was presented to the annual conference of the Association of Municipalities of Ontario in 2013. Two key reforms are noted below.

1. Reforming joint and several liability by introducing modified proportionate liability: "The Contributory Negligence Act" amendments

The *Contributory Negligence Act* retained joint and several liability, but made adjustments in cases where one or more of the defendants is unable to pay its share of the total amount (judgement). Each of the parties at fault, including the plaintiff if contributorily negligent, will still have to pay a share of the judgement based on their degree of fault. However, if one of the defendants is unable to pay, the other defendants who are able to pay are required to pay only their original share and an additional equivalent share of the defaulting party's share.

The change in law allows municipalities to reach out-of-court settlements, based on an estimate of their degree of fault. This allows municipalities to avoid the cost of protracted litigation.

Neil Robertson provided the following example to illustrate how this works in practise:

"...If the owner of a house sues the builder for negligent construction and the municipality, as building authority, for negligent inspection, and all three are found equally at fault, they would each be apportioned 1/3 or 33.3%. Assume the damages are \$100,000. If the builder has no funds, then the municipality would pay only its share (\$33,333) and a 1/3 share of the builder's defaulting share (1/3 of \$33,333 or \$11,111) for a total of \$44,444 (\$33,333 + \$11,111), instead of the \$66,666 (\$33,333 + \$33,333) it would pay under pure joint and several liability."

This model will be familiar to municipal leaders in Ontario. In 2014, Ontario's Attorney General presented this option (called the Saskatchewan Model of Modified Proportionate Liability) for consideration. At the time, over 200 municipal councils supported the adoption of this option along with the "Peripheral Wrongdoer Rule for Road Authorities" which would have seen a municipality never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages. These two measures, if enacted, would have represented a significant incremental step to address the impact of joint and several to Ontario municipalities.

2. Providing for uniform limitation periods while maintaining a separate limitation period for municipalities: "The Limitations Act"

This act established uniform limitation periods replacing many of the pre-existing limitation periods that had different time periods. The Municipal Acts in Saskatchewan provide a uniform one-year limitation period "from time when the damages were sustained" in absolute terms without a discovery principle which can prolong this period. This helps municipalities to resist "legacy" claims from many years beforehand. This act exempts municipalities from the uniform two-year discoverability limitation period.

Limitation periods set deadlines after which claims cannot be brought as lawsuits in the courts. The legislation intends to balance the opportunity for potential claimants to identify their claims and, if possible, negotiate a settlement out of court before starting legal action with the need for potential defendants to “close the books” on claims from the past.

The reasoning behind these limitations is that public authorities, including municipalities, should not to be punished by the passage of time. Timely notice will promote the timely investigation and disposition of claims in the public interest. After the expiry of a limitation period, municipalities can consider themselves free of the threat of legal action, and continue with financial planning without hurting “the public taxpayer purse”. Municipalities are mandated to balance their budgets and must be able to plan accordingly. Thus, legacy claims can have a very adverse affect on municipal operations.

Here in Ontario, there is a uniform limitations period of two years. Municipalities also benefit from a 10-day notice period which is required for slip and fall cases. More recently, the applicability of this limitation deadline has become variable and subject to judicial discretion. Robertson's paper notes that in Saskatchewan, courts have accepted the one-year limitations period. A further examination of limitations in Ontario may yield additional benefits and could include the one-year example in Saskatchewan and/or the applicability of the 10-day notice period for slip and fall cases.

Other Saskatchewan reforms

Saskatchewan has also implemented other reforms which include greater protections for building inspections, good faith immunity, duty of repair, no fault insurance, permitting class actions, and limiting nuisance actions. Some of these reforms are specific to Saskatchewan and some of these currently apply in Ontario.

Insurance Related Reforms

Government Regulated Insurance Limits

The April 2019 provincial budget included a commitment to increase the catastrophic impairment default benefit limit to \$2 million. Public consultations were led by the Ministry of Finance in September 2019. AMO wrote to the Ministry in support of increasing the limit to \$2 million to ensure more adequate support those who suffer catastrophic impairment.

In 2016, the government lowered this limit as well as third-party liability coverage to \$200,000 from \$1 million. This minimum should also be also be increased to \$2 million to reflect current actual costs. This significant deficiency needs to be addressed.

Insurance Industry Changes

In 1989 the Ontario Municipal Insurance Exchange (OMEX) was established as a non-profit reciprocal insurance provider for Ontario's municipalities. It ceased operations in 2016 citing, “[a] low pricing environment, combined with the impact of joint & several liability on municipal claim settlements has made it difficult to offer sustainable pricing while still addressing the municipalities’

concern about retro assessments.”³ (Retro assessments meant paying additional premiums for retroactive coverage for “long-tail claims” which made municipal budgeting more challenging.)

The demise of OMEX has changed the municipal insurance landscape in Ontario. That joint and several liability is one of the key reasons listed for the collapse of a key municipal insurer should be a cause for significant concern. Fewer choices fuels cost. While there are other successful municipal insurance pools in Ontario, the bulk of the insurance market is dominated by for-profit insurance companies.

Reciprocal non-profit insurers are well represented in other areas across Canada. Municipalities in Saskatchewan, Alberta, British Columbia are all insured by non-profit reciprocals.

The questions for policy makers in Ontario – are there any provincial requirements or regulations which could better support the non-profit reciprocal municipal insurance market? What actions could be taken to better protect municipalities in Ontario in sourcing their insurance needs? How can we drive down insurance costs to better serve the needs of municipal property taxpayers?

Conclusion

This AMO paper has endeavoured to refresh municipal arguments on the need to find a balance to the issues and challenges presented by joint and several liability. It has endeavoured to illustrate that options exist and offer the reassurance that they can be successfully implemented as other jurisdictions have done.

Finding solutions that work will require provincial and municipal commitment. Working together, we can find a better way that is fair, reasonable, and responsible. It is time to find a reasonable balance.

³ Canadian Underwriter, August 11, 2016 <https://www.canadianunderwriter.ca/insurance/ontario-municipal-insurance-exchange-suspends-underwriting-operations-1004098148/>

**Investing in Canada Infrastructure Program – Community, Culture and Recreation
Funding Stream Ontario Program Guidelines**



**INVESTING IN CANADA INFRASTRUCTURE PROGRAM:
Community Culture and Recreation**

Program Guidelines

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1. Overview – Investing in Canada Infrastructure Program

The Investing in Canada Infrastructure Program (ICIP) is a federal program designed to create long-term economic growth, build inclusive, sustainable and resilient communities and support a low-carbon economy.

Through the ICIP, the federal government is providing \$11.8 billion dollars in federal infrastructure funding to cost-share projects under the following four streams:

- Public Transit
- Green Infrastructure
- **Community, Culture and Recreation**
- Rural and Northern Communities

The Province of Ontario is a cost sharing partner in these programs. Under this intake of the Community, Culture and Recreation Funding stream, Ontario is supporting community infrastructure priorities across the province. Community infrastructure is defined as publicly accessible, multi-purpose spaces that bring together a variety of different services, programs and/or social and cultural activities to reflect local community needs.

Approximately \$407 million in federal funding and \$320 million in provincial funding will be available for the Community, Culture and Recreation stream over 10 years starting in 2019-20. At least \$30 million of federal funding must be carved out for off-reserve Indigenous projects.* The following breakdown defines the maximum cost-share percentages of total eligible costs.

	Percentage
Federal Contribution	40.00
Provincial Contribution	33.33
Applicant Contribution	26.67

The following breakdown defines the maximum cost-share percentages of total eligible costs for Indigenous recipients (e.g. First Nations, Indigenous communities and organizations).

	Percentage
Federal Contribution	75.00
Provincial Contribution	18.33
Indigenous Contribution	6.67

** Note: Projects with an Indigenous focus will not be limited to funding from the \$30 million federal carve out for off-reserve Indigenous projects. Indigenous applicants will also be eligible for funding under the broader stream.*

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2. Objectives Community, Culture and Recreation Stream

The Community, Culture and Recreation stream supports projects that improve access to and / or quality of community, cultural, and recreation priority infrastructure projects. Priority is given to projects that are community-oriented, non-commercial and open to the public. Projects must be completed prior to 2027-28.

In addition to federal criteria, **Ontario's objectives** for the current proposed Community, Culture and Recreation stream project intake are noted below. Projects will be assessed based on their alignment with these objectives:

- Meets community and user needs or service gap
- Promotes good asset management planning
- Represents good value for money
- Fosters greater accessibility

See sections 4 and 7 for more details on these assessment criteria.

The intake will include two categories of funding:

- **Multi-Purpose Category**
- **Rehabilitation and Renovation Category**

Note: *The Community, Culture and Recreation intake is a competitive process. Funding approval is not guaranteed. In addition, the Province may contact an applicant to request additional information or for clarification on information provided in the application form or supporting documentation.*

3. Applicant Eligibility

Eligible applicants under Ontario's Community, Culture and Recreation Funding stream are:

- Municipalities
- First Nations
- Other Indigenous communities / organizations
- Broader public sector organizations*
- Non-Profit organizations

* *Broader public sector organizations include, for example, school boards, hospitals, colleges and universities.*

Note: *Joint projects between multiple eligible applicants, particularly those that service multiple communities, are encouraged and will be given additional consideration as part of the assessment process.*

Note: *Education and health care facilities are ineligible for funding, with the exception of those advancing Truth and Reconciliation Commission Calls to Action. However, broader public sector organizations that typically deliver health care and education could apply for projects outside*

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their core mandate as long as they meet federal and provincial criteria. For example, a school board could apply for funding to construct or renovate a community centre attached to a school.

4. Project Eligibility and Conditions

4.1 Eligible Projects

(1) Required Eligibility Criteria:

- a. A project **must** include a capital component. A project may also include pre-construction planning and design work; however, planning and design work are not eligible as stand-alone projects.
- b. A project must meet the outcome of improving access to and/or increasing quality of cultural, recreational and/or community infrastructure for Ontarians. Facilities must be publicly accessible.
- c. A project must meet the following minimum technical requirements:
 - i. Project meets federal criteria and is aligned with provincial objectives and priorities
 - ii. Demonstrated organizational capacity to implement the project
 - iii. Demonstrated ongoing financing to manage operating pressures without creating operating and/or capital cost-pressures for the Province, municipalities, Consolidated Municipal Service Managers and District Social Service Administration Boards, from new infrastructure
 - iv. Demonstrated availability of cost-shared funding to proceed with project
 - v. Demonstrated project readiness
 - vi. Operational plan developed (alignment with asset management plans for municipal projects)
 - vii. Demonstrated community need for proposed project/service (e.g., service delivery gap / lack of access to services)

For more details regarding these minimum criteria for evaluation, refer to Appendix A.

Note: Applicants are permitted to use approved funding from other project-based capital programs to demonstrate ongoing financing and availability of cost-shared funding.

(2) Eligible asset type*:

- recreation facilities (e.g., hockey arenas, multipurpose recreation centres, playing fields)
- cultural facilities (e.g., theatres, libraries, museums, cultural centres, civic squares, performing arts centres)
- community centres / hubs (e.g., multi-purpose spaces that bring together a variety of different services, community centres including recreation facilities)
- education and health facilities advancing Truth and Reconciliation Commission Calls to Action (e.g., funding for new and/or existing Indigenous healing centres, spaces in education facilities for traditional teaching/programming)

Note: applicants are encouraged to reach out to a [Regional Advisor](#) or the ICIP Community, Culture and Recreation team at ICIPculture@ontario.ca or 1-888-222-0174 if they have questions or need clarification.

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(3) Eligible project types:

a. Multi-Purpose Category:

This project category focuses on the principle of integrated service delivery to address identified service gaps. The individual project cap will generally be \$50 million in total project cost, but exceptions may be made in some cases. Eligible projects consist of:

- new build / construction projects
- larger scale renovation
- expansion of existing facilities.

b. Rehabilitation and Renovation Category

This project category focuses on maximizing the funding impact of small-scale projects that would improve the condition of existing facilities. The individual project cap is \$5 million in total project cost. Eligible projects consist of:

- renovation and rehabilitations to address functionality and use of existing facilities
- Small-scale improvements to address accessibility (e.g., hand rails, ramps, accessible doors/parking/elevators, wayfinding and signage etc.)
- Small new build / construction projects of recreation, cultural or community centre infrastructure (e.g., playing fields, tennis courts, small community squares)

Note: broader facilities that include ineligible components (e.g., community centres with a neighbourhood health centre component) can be scoped to apply for only eligible components.

Note: projects that focus on vulnerable populations (e.g., low income persons) and Indigenous people will be given additional consideration as part of the assessment process.

(4) Other requirements:

Projects must meet the following other criteria to be considered eligible:

- ✓ Capital components must be owned by an eligible entity.
- ✓ Projects must be substantially completed by March 31, 2027.
- ✓ Projects must be informed by and consistent with an applicants' asset management plan (municipalities only).
- ✓ Projects components must meet or exceed the requirement of the highest published accessibility standard in Ontario in addition to applicable provincial building codes and relevant municipal by-laws, and any applicable accessible design guidelines.
- ✓ Project components must meet or exceed any applicable energy efficiency standards for buildings outlined in the Pan-Canadian Framework on Clean Growth and Climate Change.

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- ✓ For joint projects with other eligible applicants, all applicants must also secure the endorsement of their projects by their respective municipal, CMSM/DSSAB or First Nation Band Council, board of directors, or governing body and provide the Ministry with evidence of such endorsement in the form of by-laws / resolutions / letters of agreement.
- **Integrated asset types:** Applicants must select only one primary project asset type but may integrate more than one eligible project asset type (e.g., community centre with adjoining hockey arena). Integrated projects must demonstrate that each component of the project for which the applicant is requesting funding meets eligibility requirements.
- **Asset ownership:** Municipalities must attest to owning the infrastructure assets put forward for funding.

4.2 Joint Projects

Joint projects between eligible applicants are encouraged. Joint projects are those where each **co-applicant contributes financially** to the project or to the operation of the facility. The cap may be flexible for joint projects. All applicants must meet the applicant eligibility criteria.

Joint projects may be larger than projects submitted by a single applicant, as joint applicants may combine the grant funding they request. Neighbouring communities are encouraged to work together to assess co-use of facilities to address service level gaps and to achieve economies of scale.

The lead applicant will be required to sign a transfer payment agreement with the province and also enter into a partnership agreement with the other eligible applicant(s) that will be contributing to the project. Funds will only be made available to the lead applicant, who is responsible for the financial management of the project and meeting provincial reporting requirements. Successful joint applicants are encouraged to enter into an agreement clearly setting out the nature of their relationship and key elements of the project in line with the Community, Culture and Recreation stream application and with funding approval described in the projects ICIP transfer payment agreement.

4.3 Other Project Conditions

Projects must comply with the following conditions to be considered eligible:

- (1) **Contract Award Date:** Contracts must be awarded after federal approval of funding. Contracts awarded before approval of funding are not eligible for reimbursement.
- (2) **Energy standards:** Projects must meet or exceed any applicable energy efficiency standards for buildings outlined in the Pan-Canadian Framework on Clean Growth and Climate Change.
- (3) **Accessibility standards:** Projects must meet or exceed the requirements of the highest published accessibility standard in a jurisdiction in addition to applicable provincial building codes and relevant municipal by-laws and accessible design guidelines.

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- (4) **Asset management plans [municipalities only]:** Projects should be informed by an applicant's asset management plan as outlined in Asset Management Planning for Municipal Infrastructure Regulation, O. Reg. 588/17. This means the proposed project was identified based on the plan's prioritized lifecycle activities (e.g., construction, maintenance, renewal, rehabilitation, replacement, etc.) for the applicable asset category (e.g., community, recreation and cultural facilities). For example, if an applicant has identified recreation centre needs as a priority lifecycle activity within its asset management plan, then submission of a recreation centre project would be appropriate. Where a project is not based on an asset management plan, a strong rationale must be provided in the application form.

Note: project prioritization in an asset management plan does not apply in cases where the project assets are not owned by the municipality.

- (5) **Supporting documentation [First Nations only]:** Projects should be identified in, or supported by, a 5-Year Capital Plan; a Comprehensive Community Plan; a Strategic Community Plan; an Asset Conditions Reporting System report; a Feasibility Study or Detailed Design. Where not based on a supporting document, a strong rationale must be provided. The province may request an electronic copy of one or more supporting documents during the project review stage.
- (6) **Financial sustainability:** Projects must have a financial plan in place to operate the assets and not seek senior level government support for ongoing operational funding. First Nations applicants may have operational funding arrangements with the federal government that satisfy this condition.

5. Project Submission Process

5.1 Number of Project Submissions

Eligible applicants can apply for multiple projects.

5.2 Submissions and Funding Approval Steps

Step 1: Applicants must register or login online through the Province of Ontario's online grant portal, [Transfer Payment Ontario](#). Step by step support for working with the online grant portal are found [here](#). For full functionality, the support tool link must be opened in Internet Explorer.

Step 2: Applicants must fully complete one Community, Culture and Recreation funding stream application form and the applicable business case. Completion of **only one business case is required**; the business case must correspond to the funding stream. **The application form and the associated business case are available through the Transfer Payment Ontario online portal.** Please follow the prompts in the application form and business case to respond to each question.

Step 3 [joint projects]: A joint project submitted by multiple applicants must provide supporting documentation by way of an individual partner-member municipal council resolution, a band council resolution or board of directors' resolutions or letter of agreement, clearly stating the project name and applicant / recipient contribution to the project.

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Step 4: The application and required attachments (i.e., business cases, supporting documents, etc.) must be submitted through Transfer Payment Ontario by **11:59 p.m. EDT on November 12, 2019**. A scanned application form will not be accepted. Failure to meet submission requirements will result in an incomplete submission and the submission may be considered ineligible. **If you are unable to submit the application form through the Transfer Payment Ontario, please contact: TPONCC@ontario.ca** or call (416) 325-6691/(855) 216-3090.

Step 5: Once the completed application form has been submitted, an automated acknowledgement of receipt and a file number will be emailed to the applicant.

Step 6: Projects will be assessed by the province and nominated for federal government review and approval. **Provincial project nomination to the federal government does not guarantee funding approval.**

Step 7: Applicants will be notified of both successful and unsuccessful projects. Provincial staff will be available to provide feedback for unsuccessful projects, if requested.

Step 8: The province may request **applicants to provide an attestation** that the recipient share of funding to undertake and complete the project has been secured.

Step 9: Successful municipal applicants will be required to obtain a municipal by-law or council resolution; other applicants will be required to submit a board of directors' resolution or letter of agreement or band council resolution to execute the project level transfer payment agreement with the provincial government.

Step 10: The transfer payment agreement will require procurement to be executed through a value-for-money process. Projects must undertake a competitive pricing or tendering process to demonstrate value-for-money. Applicants may be requested by the province to provide:

- Copies of proposals or bids from three (3) bidders;
- Statement indicating selected bidder; and
- Written explanation if the lowest bid is not chosen.

6. Timelines

- Applications and all supporting documentations must be submitted through Grants Ontario by **11:59 p.m. EDT on November 12, 2019**.

Note: that applications will not be accepted after this time. All supporting documentation must also be submitted by the deadline in order to be considered part of the application. Applicants cannot change the proposed project after the application deadline unless extraordinary circumstances arise (e.g., destruction of an arena) and permission is granted by the province.

- The province will notify applicants if their project has been selected for nomination to the federal government for review and approval in **winter 2020 (estimated)**.
- Applicants will be notified of the federal funding decision in **spring/summer 2020 (estimated)**.
- Projects must be completed by **March 31, 2027**.

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7. Evaluation Process

7.1 Recipient Eligibility and Application Completeness

Recipients must meet Community, Culture and Recreation program eligibility requirements. Additionally, all mandatory fields of the application form must be populated correctly for a submission to be considered validated and complete. For more information, refer to Section 4 above regarding eligibility and to 4.1.4 regarding eligible categories of funding under the program.

7.2 Project Scope Review

Projects must meet federal project eligibility requirements, be technically viable and be achievable within the program timelines.

7.3 Alignment with Provincial Objectives

- a) Applicants must demonstrate that projects meet the following objectives under the Community, Culture and Recreation stream:
 - a. **Meets community and user needs:** identified and demonstrable community-level need or service gap, including barriers to social inclusion and accessibility for Ontarians with disabilities, and underserved small communities;
 - b. **Promotes good asset management:** demonstrates optimization of assets, including through multi-purpose and integrated service delivery; aligns with municipal asset management plans (municipalities only);
 - c. **Represents good value for money:** demonstrated efficiency and value for money. The most cost-effective option for delivering a similar level of service should be sought, maximizing population/communities served;
 - d. **Foster greater accessibility:** commitment to meeting minimum highest level of accessibility standards; use of Universal Design Principles and innovative solutions to increasing accessibility beyond minimum standards.

See Appendix A for details of the technical criteria associated with these objectives.

Note: Please refer to the Community, Culture and Recreation stream Business case on the Grants Ontario website.

7.3.1 Asset Management Planning

Ontario Regulation 588/17- Asset Management Planning for Municipal Infrastructure, or the Asset Management Planning Regulation sets out **new requirements** for undertaking municipal asset management planning. The regulation is being phased in over a 6-year period, with progressive milestone requirements for municipalities with respect to their asset management plans.

For clarity, at the time of application, the asset management plan used to inform the proposed project can be developed according to either the province's 2012 Guide (*Building together: guide for municipal asset management plans*) or the new asset management planning regulation.

As part of project reporting requirements, and to remain eligible for funding, **successful municipal applicants** are required to submit their updated asset management plans in

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accordance with the regulation for the duration of the project. For example, municipalities that have an active project in 2021 will be required to submit asset management plans developed in accordance with the first phase of the regulation. Please refer to the Appendix which summarizes key regulation milestones in 2021, 2023 and 2024 for municipal asset management plans.

For more information about asset management planning, as well as tools and supports available to help municipalities develop and improve their plans, please visit the <http://www.ontario.ca/assetmanagement>.

8. Financial, Contractual and Reporting Requirements

8.1 Maximum Project Costs

Rehabilitation and Renovation Category:

- o The maximum total eligible cost per project for a single applicant is **\$5 million**
- o For projects with multiple applicants (i.e., joint projects), each applicant can submit up to \$5 million of total eligible project costs. For example, a joint project with three eligible co-applicants can submit a project with a maximum total eligible project cost of **\$15 million**.

Multi-purpose Category:

- o The maximum total eligible cost per project for a single applicant is **\$50 million**. The cap may be flexible for joint projects. Value for money will be a significant funding consideration. If an applicant's project exceeds \$50 million, please contact ICIPculture@ontario.ca or call **1-888-222-0174**.

Note: Projects that have a total eligible cost of more than \$10 million must complete a federal climate lens assessment and report on community employment benefits. See Appendix for more information.

Note: Applicants must pay for all ineligible project costs as well as any cost over-runs experienced on a project. **Cost over-runs reflect any costs that exceed the total project cost submitted at the time of application.**

8.2 Cost Sharing

The following breakdown defines the maximum cost share percentages of the total eligible cost:

Applicant Type	Federal Cost Share (Max %)	Provincial Cost Share (Max %)	Applicant Cost Share (Min %)
Municipality	40%	33.33%	26.67%
Non-Profit	40%	33.33%	26.67%
BPS	40%	33.33%	26.67%
Indigenous Recipient	75%	18.33%	6.67%

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

Note: The cost-sharing breakdown assumes municipal or Indigenous applicants own or have control over the asset being nominated for funding and is subject to change

For instance, this means that:

- An eligible municipality may request up to 73.33% of the total eligible costs.
- Indigenous recipient may request up to 93.33% of the total eligible costs.

8.3 Stacking of Funding

General:

- Applicants may combine funding received through the Community, Culture and Recreation funding stream and funding from another project-based capital program.
- Applicants can apply for a project at the same location as a project already receiving funding from another capital program where the project in question would be ineligible for Community, Culture and Recreation funding, but the applicant must clearly scope out the component that is unique to the Community, Culture and Recreation funding stream application.

Applicants who are not sure how to best combine funding are encouraged to contact a [Regional Advisor](#) or the ICIP Community, Culture and Recreation team at ICIPculture@ontario.ca or call **1-888-222-0174** before submitting an application.

8.4 Eligible Costs

Project **costs are eligible only if they are incurred after federal approval**. Eligible Expenditures will include the following:

- All costs considered by Canada and Ontario to be direct and necessary for the successful implementation of an eligible Project, and which may include third party costs such as project management, capital costs, construction and materials, design / engineering and planning, contingency costs (25% maximum), and costs related to meeting specific Program requirements, including completing climate lens assessments (see Note 2 below) and creating community employment benefit plans;
- The incremental costs of employees of a Recipient may be included as Eligible Expenditures for a Project under the following conditions:
 - The Recipient is able to demonstrate that it is not economically feasible to tender a contract; and
 - The arrangement is approved in advance and in writing by Canada and Ontario.
 - *Note: Applicants submitting for these costs must submit a rationale for the use of own-force labour when the application is submitted.*

Note 1: *Contracts must be awarded after federal approval of funding. Contracts awarded before approval of funding are not eligible for reimbursement.*

Note 2: *Costs associated with completing **climate lens assessments, which are eligible before project approval, but can only be paid if and when a project is approved by Canada for contribution funding under contracts***

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

Note 3: Capital costs are only eligible once the project receives notification that Canada is satisfied that the applicant has met its Duty to Consult and Environmental Assessment requirements. Before this notification is received, no site preparation, vegetation removal or construction may take place.

8.5 Ineligible Costs

When a project meets a federal outcome in the Community, Culture and Recreation Infrastructure stream, it is not eligible for funding if it:

- has a private sector, for-profit Ultimate Recipient;
- is a stand-alone daycare facility, for-profit daycare facility, daycare facility associated with a school board, or a daycare facility funded under Canada's Early Learning and Child Care initiative;
- is a religious site that serves as a place of assembly for religious purposes, which includes among others, a site, church, mosque, synagogue, temple, chapel (e.g., within a convent or seminary), shrine or meeting house; or
- is a professional or semi-professional sport facility that is primarily a commercial operation, such as those that serve major junior hockey leagues.

Other ineligible project costs include:

- Costs incurred *before* federal project approval and all expenditures related to contracts signed prior to federal project approval, *except* for expenditures associated with completing climate lens assessments
- Costs incurred for cancelled projects
- Costs related to health or education functions (except for those advancing *Truth and Reconciliation Commission Calls to Action*)
- Acquisition or leasing of land, buildings and other facilities
- Leasing equipment other than equipment directly related to the construction of the project
- Real estate fees and related costs
- Financing charges
- Legal fees
- Loan interest payments including those related to easements (e.g. surveys)
- Costs of completing the application
- Taxes, regardless of rebate eligibility
- Any goods and services costs which are received through donation or In-kind
- Staff costs, unless *pre-approved* by the federal and provincial governments
- Operating costs and regularly scheduled maintenance work
- Costs related to furnishing and non-fixed assets which are not essential for the operation of the project
- Costs that have not been claimed for reimbursement by March 31 of year following the year in which the costs were incurred (e.g., costs incurred between April 1, 2018 and March 31, 2019 must be submitted for reimbursement no later than March 31, 2020).

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

- All capital costs, including site preparation and construction costs, until Canada has confirmed in writing that environmental assessment and Indigenous consultation obligations have been met and continue to be met.
- All costs related to any component of the project other than the approved scope

A more detailed list of eligible and ineligible expenditure categories will be provided in individual project level contribution agreements.

8.6 Payments

Funding is claims based and will be reimbursed upon review and approval of eligible costs under transfer payment agreements. Reimbursement of claims is based on the cost sharing percentage. The claims process requires Recipients to submit claims for the Ministry's review, approval and submission to Canada and for Canada's review and approval once received from Ontario. The claims format will be outlined in individual contribution agreements.

All costs must be incurred by March 31, 2027. **Recipients are required to keep all receipts/invoices and claims as they are subject to audit by the province or the federal government.**

Note: A holdback of 10% may be applied to payments under the program. The holdback would be released upon successful completion of all reporting requirements following project completion.

8.7 Contractual Obligations

Successful applicants will be required to sign a provincial contribution agreement containing clauses regarding, among other things, items such as insurance, arm's length requirements, communications (including project signage), reporting requirements, and obligations with respect to consultations with Indigenous groups.

Successful applicants will be required to obtain a municipal council resolution or board of director/governing body resolution or letter of agreement to execute the project level contribution agreement with the province. Joint applicants will be required to enter into a joint partnership agreement and must provide a copy of that agreement to Ontario. For cases where the applicant is not the asset owner, the province will provide additional support to coordinate the execution of the transfer payment agreement.

Successful municipalities will also be required to complete an Asset Management Self-Assessment prior to signing their contribution agreement.

8.8 Reporting Requirements

Specific reporting requirements will be outlined in individual transfer payment agreements.

9. Consultations with Indigenous Peoples

The Government of Canada, the Government of Ontario and municipalities may have a duty to consult and, where appropriate, accommodate Indigenous peoples (e.g., First Nation and Métis communities) where an activity is contemplated that may adversely impact an established or asserted Aboriginal or treaty right.

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

Before providing funding to a project, the Government of Ontario will assess whether its duty to consult obligations are engaged. If the duty to consult is triggered, Ontario may delegate the procedural aspects of consultation to project proponents. Therefore, it is important that all applicants recognize that a duty to consult process may be necessary and appropriately plan for this work (e.g., resources, time, etc.) as part of their funding submission. *The application form contains preliminary questions to begin considering the potential that a duty to consult may exist.*

Consultation requirements will vary depending on the size and location of the project in question and the depth and scope of the project's potential adverse impacts on Aboriginal treaty rights. For successful applications, the province will provide further details in writing surrounding specific consultation requirements, including which communities require consultation. Throughout the duration of the project applicants should ensure they are fulfilling the duty to consult requirements delegated to them.

10. Further Information

Please contact a [Regional Advisor](#) or the ICIP Community Culture and Recreation team can be reached by telephone at

1-888-222-0174 or by email at ICIPculture@ontario.ca.

**Investing in Canada Infrastructure Program – Community, Culture and Recreation
Funding Stream Ontario Program Guidelines**

Appendix A – Technical Criteria

The province will assess and prioritize projects for federal nomination and funding based on the following criteria, aligned with provincial objectives:

Provincial Objective A: Meets Community and User Needs

Criterion 1: Community Need

Applications must demonstrate that the proposed project is filling a clearly identified and documented service level gap and that there is a need in the community for the services that will be provided. Applicants should demonstrate that community members are in need of proposed services, and that the project will provide them with access to the required services. This may include both quantitative elements (e.g., demographic data), and qualitative elements (e.g., evidence that the community lacks access to services). Additional consideration will be given to projects focusing on vulnerable populations and/or Indigenous people (First Nations, Métis and Inuit populations).

Criterion 2: Funding Need for Proposed Project

Projects will be assessed according to greater funding need, including the cost of the proposed project per household, median household income and weighted property assessment per household. **Note:** for Indigenous Communities, proxy values may be applied.

In general, applicants with greater funding need (i.e., higher project cost per household, lower median household income, lower weighted property assessment per household) will be more competitive in the evaluation process. However, applicants **must still be able to fund all project costs and potential cost over-runs to be eligible for funding.**

Applicants should clearly note whether user fees or other sources of revenue are collected at the facility.

Provincial Objective B: Promotes Good Asset Management

Criterion 3: Provincial Land-Use Planning

Projects must be aligned and support the expected and required provincial priorities and outcomes, as set out in provincial land use policy, provincial land use plans, and municipal official plans and supported by policy direction in the Provincial Policy Statement (PPS).

Criterion 4: Efficiencies Through Joint Projects

Additional consideration will be given to joint projects for providing benefit to multiple communities and generating efficiencies and community benefits.

Criterion 5: Project Readiness

Applications must demonstrate that planning is underway and that the projects are ready to begin, to ensure completion within federal timelines.

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

Provincial Objective C: Represents Good Value for Money

Criterion 6: Financial Risk Assessment and Due Diligence

The Province will conduct a financial risk assessment to ensure that sufficient resources are available to support project completion, including coverage of any cost overruns. Projects should have a financial plan in place to operate the assets and not seek senior level government support for operational funding. The Province may request additional supporting documentation upon review of the application.

Criterion 7: Organizational Capacity for Implementation

Projects will be evaluated based on organizational capacity. Organizations must demonstrate capacity to carry out capital project and implement the requested project and to manage ongoing costs related to operating the facility. Applicants must demonstrate that organizations (or partners) have sufficient funding to commit to the project (i.e., funding in place for the cost-shared amount, or demonstrated ability to fundraise the required amount).

Criterion 8: Developed Operational Plan

Applicants must demonstrate that there is a strong operational plan in place for the ongoing operation of the facility. This will include alignment with asset management plans for municipalities and may include memoranda of understanding for joint projects/partnerships.

Provincial Objective D: Fosters Greater Accessibility

Criterion 9: Accessibility

Applications must demonstrate that projects will meet the highest published accessibility standards in alignment with the Accessibility for Ontarians with Disabilities Act (AODA) and the Ontario Building Code. Projects will additionally be evaluated based on exceeding minimum standards; use of Universal Design Principles, accessible guidelines and innovative solutions to increasing accessibility.

Appendix B – Federal Program Parameters

In the event of any conflict, contradiction or inconsistency in interpretation, the federal language in the Appendix shall prevail over summaries provided in the body of the guidelines.

I. Eligible Recipients

Eligible recipients for the Community, Culture and Recreation funding stream, subject to the terms and conditions of the Canada-Ontario ICIP Agreement, include:

- a) An Ontario municipal or regional government established by or under provincial statute;
- b) An Ontario's broader public sector organizations (school boards, hospitals, colleges and universities). These entities can apply for funding of projects outside of their regular business. However, core business functions are not eligible (e.g., health and education services).
- c) Non-profit organizations
- d) First Nations and Indigenous Communities

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

II. Procurement

- Successful applicants must award **third-party** contracts in a way that is fair, transparent, competitive and consistent with value-for-money principles, or in a manner otherwise acceptable to Canada, and if applicable, in accordance with the *Canadian Free Trade Agreement* and international trade agreements. Applicants must adopt a value for money procurement approach. Any requests for sole source procurement exemptions will be evaluated on a case-by-case basis and requires **pre-approval** by the federal and provincial governments. **Sole source procurement is not encouraged as approval is not guaranteed.** (Refer to Section 4.5 above)

III. Climate Lens Assessment

Applicants with projects that have a **total eligible cost of \$10 million or more** are required to complete a climate lens assessment using methodologies developed by the federal government after federal government approval of the project. The climate lens assessment consists of two potential assessments for projects being brought forward for funding which include a greenhouse gas (GHG) mitigation assessment and a climate change resilience assessment. Visit Infrastructure Canada's [Climate Lens – General Guidance](#) webpage for information on how to complete the assessment.

Costs associated with completing climate lens assessments are eligible before project approval but can only be paid if and when a project is approved by Canada for contribution funding under this Agreement.

Applicants are permitted to defer the Climate Lens assessment at the time of application, with the rationale that the Climate Lens assessment will be conducted during the detailed design phase of the project.

Applicants can contact the [Climate Services Support Desk](#) to obtain standardized climate lens data that can be used to support the completion of climate lens assessments.

IV. Community Employment Benefits

Applicants with projects that have a **total eligible cost of \$10 million or more** are required to report on community employment benefits provided to at least three federal target groups (apprentices - from traditionally disadvantaged communities, Indigenous peoples, women, persons with disabilities, veterans, youth, new Canadians, or small-medium-sized enterprises and social enterprises). Visit the Community Employment Benefits General Guidance webpage for more information. Additional details on this reporting will be provided to Recipients when applicable.

V. Environmental Assessment

No site preparation, vegetation removal or construction will occur for a Project and Canada and Ontario have no obligation to pay any Eligible Expenditures that are capital costs, as determined

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

by Canada and Ontario, until Canada and Ontario are satisfied that the federal requirements are met and continue to be met:

- Requirements under the *Canadian Environmental Assessment Act, 2012* (CEAA, 2012),
- other applicable federal environmental assessment legislation that is or may come into force during the term of this Agreement, and;
- other applicable agreements between Canada and Indigenous groups (also referred to as Indigenous Peoples).

VI. Indigenous Consultation

No site preparation, vegetation removal or construction will occur for a Project and Canada and Ontario have no obligation to pay any Eligible Expenditures that are capital costs, as determined by Canada and Ontario, until Canada and Ontario is satisfied that any legal duty to consult, and where appropriate, to accommodate Indigenous groups (also referred to as Indigenous Peoples) or other federal consultation requirement has been met and continues to be met. If required, Canada must be satisfied that for each Project:

- a) Indigenous groups have been notified and, if applicable, consulted;
- b) If applicable, a summary of consultation or engagement activities has been provided, including a list of Indigenous groups consulted, concerns raised, and how each of the concerns have been addressed, or if not addressed, an explanation as to why not;
- c) Accommodation measures, where appropriate, are being carried out by Ontario or the Ultimate Recipient and these costs may be considered Eligible; and
- d) Any other information has been provided that Canada may deem appropriate.

Appendix C – Asset Management Regulation Phase-In Schedule [municipalities only]

Asset Management Plan

Ontario Regulation 588/17- Asset Management Planning for Municipal Infrastructure, or the Asset Management Regulation sets out new requirements for undertaking asset management planning. The regulation will be phased in over a 6-year period, with progressive requirements for municipalities with respect to their asset management plans.

Asset Management Phase-in Schedule

Date	Milestone
July 1, 2019	Date for municipalities to have a finalized strategic asset management policy that promotes best practices and links asset management planning with budgeting, operations, maintenance and other municipal planning activities.
July 1, 2021	Date for municipalities to have an approved asset management plan for core assets (roads, bridges and culverts, water, wastewater and stormwater management systems, arenas, theatres) that identifies current levels of service and the cost of maintaining those levels of service.
July 1, 2023	Date for municipalities to have an approved asset management plan for all municipal infrastructure assets that identifies current levels of service and the cost of maintaining those levels of service.
July 1, 2024	Date for municipalities to have an approved asset management plan for all municipal infrastructure assets that builds upon the requirements set out in 2023. This includes an identification of proposed levels of service, what activities will be required to meet proposed levels of service, and a strategy to fund these activities.

Recipients will also be required to complete an Asset Management Self-Assessment prior to signing their TPA.

For more information about asset management planning, as well as tools and supports available to help municipalities develop and improve their plans, please visit the <http://www.ontario.ca/assetmanagement>.

Huron Central Railway ready to call it quits again unless government comes through with funding

a day ago By: SooToday Staff



The company has set an end date of 'early' next year. File photo

NEWS RELEASE

GENESEE & WYOMING CANADA

Today, Genesee & Wyoming Canada Inc. (GWCI), the parent company of Huron Central Railway Inc. (HCRY), issued the following statement on the future of the rail line: "For the last few years, we have worked diligently with elected officials in Toronto and Ottawa and a dedicated team of local leaders to develop a long-term strategy to sustain HCRY," said Louis Gravel, GWCI President.

"While both the provincial and federal governments made commitments to support our long-term plan, the only recent funding received has been a modest investment from the province to temporally sustain operations. This funding allowed us to complete the minimum level of emergency repairs needed to sustain the safe operation of the line while we pursued the longer-term solution.

The team’s work to secure sufficient capital investment from the government is in recognition that this transportation corridor is critical to the region’s industries and future development of Northern Ontario, and our plan includes a cost-sharing model between HCRY and both levels of government.

The current state of the railway requires approximately \$40 million in capital investment over a five-year period to rehabilitate the line and sustain its safe operation. Since freight volumes do not provide an economic rationale for GWCI to make this investment, we have made the difficult decision to cease service on the line in early 2020. Until then, we will continue to work with the governments of Ontario and Canada, should they be prepared to fulfill their commitments to preserve this vital regional strategic asset. While they recently announced substantial investments to help some of HCRY’s main customers, the railway that supports their supply chains and access to global markets hangs in the balance.

We have never been in the business of closing railways and do not take this decision lightly, as we recognize how important HCRY is to our valued employees and the communities and businesses served since we began operating the line in 1997. The need for this capital investment predates that time, but we remain hopeful that it can still be secured prior to our cessation of service.”

Related Local Links

Huron Central Railway
Details >

How did this story make you feel?

[view results >](#)

Rail not the only way to do business, Algoma Steel says

about 22 hours ago By: [Darren Taylor](#)



FILE PHOTO: Algoma Steel. Kenneth Armstrong/Village Media

While rail transportation is vitally important for companies such as Algoma Steel to move its product to market, the steelmaker says it is not the only way to do business.

As reported earlier Genesee & Wyoming Canada Inc. (GWCI), the parent company of Huron Central Railway Inc. (HCRY), which ships out Algoma Steel's goods, announced "we have made the difficult decision to cease service on the line in early 2020," citing the need for approximately \$40 million in capital investment funding from the federal and provincial governments over a five-year period to rehabilitate the line and safely sustain its operations.

However, in an email sent to SooToday Monday, Brenda Stenta, Algoma Steel communications manager, while acknowledging rail's importance to Algoma, stated the steelmaker may still get its steel to market by truck.

"Rail is the preferred method of transport for the commodities that we ship as opposed to truck. The provision of this important mode of transport is of vital importance to Algoma Steel. While we have alternative means to get our product to market, reliably, and on-time, the loss of the Genesee-Wyoming connection between the Sault and Sudbury would impact our freight costs and could result in more trucks on the roads," Stenta wrote.

"While both the provincial and federal governments made commitments to support our long-term plan, the only recent funding received has been a modest investment from the province to temporarily sustain operations. This funding allowed us to complete the minimum level of emergency repairs needed to sustain the safe operation of the line while we pursued the longer-term solution," wrote Louis Gravel, GWCI president, in a news release.

"This transportation corridor is critical to the region's industries and future development of northern Ontario, and our plan includes a cost-sharing model between HCRY and both levels of government...while they (the senior levels of government) recently announced substantial investments to help some of HCRY's main customers, the railway that supports their supply chains and access to global markets hangs in the balance," GWCI wrote.

Genesee & Wyoming Canada Inc. has operated the Huron Central line since 1997.

"The need for this capital investment predates that time, but we remain hopeful that it can still be secured prior to our cessation of service," GWCI wrote.

Stenta stated "CP is a valued supplier to Algoma Steel and we remain optimistic that they will achieve a resolution that ensures their continued service to Algoma Steel and other regional customers. We remain committed to working with all stakeholders towards the continued viability of Huron Central Railway."

"I believe in the long-term viability of this project. The railway is important to Sault Ste. Marie's economy, particularly to Algoma Steel. That's why I have been working with the Huron Central Railway Taskforce, Huron Central executives, and officials in Ottawa to make sure that they have the support they need," replied Sault MP Terry Sheehan in an email to SooToday late Monday afternoon.

How did this story make you feel?

[view results >](#)



Happy



Amused



Afraid



Don't Care



Sad



Frustrated



Angry

Comments (12)

71. Advancing Canadian Competitiveness Using Short Line Rail

Motion 1: Insert the words "using low interest loans" after the words "funding program" in Recommendation 1

Proposed by P Chamber of Commerce

71. Advancing Canadian Competitiveness Using Short Line Rail

DESCRIPTION

The timely movement of goods and economic competitiveness of Canada is restricted by the underutilization of an important infrastructure asset – short line rail. Creating programs that encourage development and investment in this infrastructure asset will improve Canadian competitiveness and further regional economic development across the country.

BACKGROUND

For many communities, the arrival of rail infrastructure in the late 1800's and early 1900's opened up economic potential where there were previously limited opportunities. Strategic investment in the short line railways of today could have the same impact. Canada currently has 53 short line railways. These railways are critical links in the country's transportation system with one in five car loads originating on Canadian railways originating on a short line. Operators of short line rail contribute 7 percent of the rail sector revenue and support 3,000 direct jobs.

According to Transport Canada, short line railways are a fundamental component of the country's rail network, feeding and delivering traffic to and from mainline railways, originating more than 20% of all CN and CPR's freight carload traffic, and moving billions of tonne-kilometres back and forth from Class 1 railways.

The Railway Association of Canada (RAC) in its submission to the Canada Transportation Act Review goes on to identify supply chain connectivity, employment, regional economic competitiveness, and reduction of negative externalities associated with road transport, including emissions, road wear and congestion as further reasons for ensuring short line operations. Given the economic and environmental benefits the document recommends increased access to capital funding and a tax credit program.

The main challenge for short line rail companies is access to capital funding to address accumulated deferred maintenance. On average about 12 percent of revenue generated by these companies is reinvested in capital expenditure projects. Companies running Class 1 railways, by comparison, must invest approximately 20 percent of their revenues in capital projects. Programs that encourage more capital investment in short line rail will improve the infrastructure needed to get Canadian goods to regional and international markets.

One example from Ontario is a 100 mile section of track where the classification is short line Class 1 Slow 10 mph. For a freight train to travel that length of track it takes 12 hours and this is happening 3 times a week. The freight consumers on this track have indicated that they would be willing to take advantage of an upgraded railway.

In Atlantic Canada, there is an opportunity for maintenance and expansion of short line services to significantly increase economic activity. There is a need for short line rail to provide critical infrastructure to two proposed container terminals. These terminals will be located on Atlantic marine routes and would allow container freight to access rail connections to eastern and central businesses a full day earlier. The ability to connect these terminals to short line services is essential as alternative increase in truck traffic is not feasible.

Without rail connectivity infrastructure projects such as these will die; export opportunities will evaporate and valuable products and resources may never get to market. Canada's ability to produce wealth is diminished without these key linkages.

Canada's response to the needs of short line railways also falls behind the number of national and state programs that are available in the US. The US government is poised to make permanent the Railroad Track Maintenance Credit demonstrating the importance of the short line railways to the overall railway system. The credit provides a 50-percent business tax credit for qualified railroad track maintenance expenditures paid or incurred by an eligible taxpayer.

Increased capital investments in short line rail infrastructure also have the potential to increase safety and lessen environmental impact.

In the RAC submission to the Canada Transportation Act, a short line representative says "The lack of investment opportunity translates into lost revenues for short lines and the customers they serve. If the resources were there, they could grow their business."

The Canadian Chamber of Commerce 10 Ways to Build a Canada that Wins calls on the government to "allocate more of its 10 year infrastructure plan for investments to modernization and improvement of Canada's trade infrastructure This infrastructure support needs to include short line rail, which Transport Canada also views as a key component to regional economic development.

228 229 230 231

RECOMMENDATIONS

That the federal government:

1. Create a dedicated short line capital funding program that is accessible to all short line companies.
2. Establish a tax credit program to assist short line rail companies in making capital investments.

Submitted By: Cape Breton Chamber of Commerce

Co-sponsored By: Greater Peterborough Chamber of Commerce, Regina Chamber of Commerce

THE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE SUPPORTS THIS RESOLUTION.

²²⁸ Roy and Ludlow. (2015). CPCS for Railway Association of Canada. Review of Canadian Short Line Funding Needs and Opportunities. Retrieved April 11, 2016 from http://www.railcan.ca/assets/images/CTA_Review/Submission_2/Appendix_E_-_Canadian_Shortline_Rail_Funding_Needs_and_Opportunities.pdf

²²⁹ Transport Canada. (2012). Transportation in Canada 2011: Rail Transportation. Retrieved April 11, 2016 from <https://www.tc.gc.ca/eng/policy/anre-menu-3020.htm>

²³⁰ Retrieved May 21, 2019 Railway Age., (February 15, 2019) <https://www.railwayage.com/freight/short-lines-regionals/45g-permanence-inches-closer/>

²³¹ Retrieved April 11, 2016 <https://www.railcan.ca/news/rac-repeats-calls-for-programs-to-help-shortlines-invest-in-infrastructure/>



TOWNSHIP OF JOHNSON

Identified Improvements Plan

October 2017

A plan that contains suggested improvements that may benefit the Township and lead to a more efficient organization and better services

Chris Wray
Version 1.0



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Office Contacts	All	1
Correction Difficulty	\$ Required	Start Date	Target Completion
1	No	2019	2019

Notes

1. There are three areas where Office Contact Information should be available; the municipal website, the regular newsletter and in or at the office itself.
2. Such information must be accurate and readily available. The Township currently has various pieces of information available, but it is not the same in all locations.

Actions

Suggested

Completed / In Process

1. Creating a list of staff with contact information is a good way of having something available within the office. This list would be comprehensive and updated on a quarterly basis.
2. The above noted list could be duplicated for the Township website.
3. The list could also be used as a basis for providing information that can be used in the community newsletter.

1. None



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Treasury	Key Policies	Township, Council & Staff	1
Correction Difficulty	\$ Required	Start Date	Target Completion
1	No	2019	2020

Notes

1. The Township does not have policies on Reserves, Investment and Debt. These policies will assist in appropriately managing Township funds and in preparing the annual budget.
2. These policies are key policies in the Treasury area. The importance of financial policies cannot be overstated as it is the finances that allow the Township to deliver services to its ratepayers.
3. There is also an obligation placed upon Council to not just manage the finances of the Township in an appropriate fashion but to be transparent about that management.

Actions

Suggested

Completed / In Process

1. Appropriate actions to complete this matter are drafting and presenting to Council for approval, policies on:
 - a. Investments
 - b. Reserves
 - c. Debt
- 1. None**



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Cemeteries	Municipality, Council & Public	1
Correction Difficulty	\$ Required	Start Date	Target Completion
2	No	2020	2020

Notes

1. It appears that the cemetery bylaw is out of compliance with recent legislative changes. This needs to be reviewed.
2. The Township has two cemeteries, and each has its own Committee and its own way to operate. This is not efficient and should be standardized.

Actions

Suggested

Completed / In Process

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Further investigation is required to fully understand the current situation. This should result in a plan to make the necessary changes. 2. Any required change to the cemetery bylaw should be made in consultation with the Committee's. 3. A review of the cemetery fees in also required to ensure they are regularly updated. | <ol style="list-style-type: none"> 1. None |
|---|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Phone System	All	1
Correction Difficulty	\$ Required	Start Date	Target Completion
2	\$15,000	2019	2020

Notes

1. The current phone system is old and malfunctions regularly resulting in dropped calls and a regular inability to call out. The functionality also leaves something to be desired.
2. Currently, the system does not connect all municipal facilities resulting in calls between faculties by calling other phone numbers.
3. There is no record of the current arrangements with Bell on the system and lines. The Township uses several numbers for the contact of municipal officials and should have one phone number.

Actions

Suggested

1. The identified deficiencies should be the subject of a full review.

Completed / In Process

1. The phone hardware and system are currently being discussed with Bell.
2. Telecom Enterprises has been contacted with the target of reviewing all phone system arrangements for cost efficiencies.



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Policy Manual	All	1
Correction Difficulty	\$ Required	Start Date	Target Completion
2	No	2019	2023

Notes

1. The Policy Manual is very out of date and appears to be inaccurate and incomplete. Could lead to errors and liability. Some legislated policies do not appear to have been written.
2. There is no set format or numbering nomenclature.
3. The Polices not communicated to staff or Council and in the case of those affecting the public, are not posted on the website.
4. There also appear to be several “policies” that have been set verbally, providing no guidance.

Actions

Suggested

1. Review the entire policy manual
2. Set a new format and numbering nomenclature.
3. Establish action plan that will guide the priority of policy review.
4. Complete all legislatively required policies
5. Ensure that all policies are reviewed by Council and passed by bylaw.

Completed / In Process

1. A new policy format has been adopted and a new nomenclature is in process.
2. Currently reviewing the legislatively required policies to ensure compliance.



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Contact Database	Municipality, Council & Staff	1
Correction Difficulty	\$ Required	Start Date	Target Completion
2	No	2019	2020 Ongoing

Notes

1. The Township has no know database of contacts; either local, regional or otherwise. This results in time used to search when needed.
2. For those who maintain a database of such information, it cannot be accessed from their mobile devices as the Township does not have its own exchange server. This also limits use of Outlook Calendar for coordination purposes.

Actions

Suggested

Completed / In Process

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. The Township should build a database of contact through Outlook. Such a database can be built as information is obtained. 2. Staff and Council should be encouraged to build their own databases through Outlook 3. As an IT strategy is rolled out, it should include consideration of an exchange server for the Township | <ol style="list-style-type: none"> 1. None |
|--|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Office Equipment	All	1
Correction Difficulty	\$ Required	Start Date	Target Completion
2	\$7,500	2019	2020

Notes

1. There is a lack of efficiencies in office equipment in that some is outdated while others are non-existent.
2. The desktop scanners are old, there is no paper shredder, no desktop label printers and a lack of second monitors where required. All of these can create efficiencies in the office.

Actions

Suggested

Completed / In Process

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. It will be important to do an environmental scan of what the Township has and its status (age and condition). 2. Once the scan is done, we will be able to determine what needs to be updated and what is lacking. This will result in a final action plan. 3. It might be necessary to adopt a policy or procedure for regular review. Perhaps contained within a technology strategy. | <ol style="list-style-type: none"> 1. None |
|--|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Sewer & Water Policy	Municipality & Council	1
Correction Difficulty	\$ Required	Start Date	Target Completion
3	No	2020	2020

Notes

1. The Township sewer and water policy are very old and there is no confidence that it is being followed.
2. There is a need to review the sewer / water system and the policy to establish a more efficient system.
3. There is a possibility that the system is not recovering enough funds to sustain itself.
4. There are infrastructure problems that will need to be addressed
5. The role of PUC not obvious
6. The arrears not addressed in an appropriate fashion.

Actions

Suggested

Completed / In Process

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. It will be important to review all of the above and report back to Council on these issues. This will clearly identify the problem. 2. In order to provide a much better system of billing and collection, a policy on equal billing should be established. | <ol style="list-style-type: none"> 1. None |
|---|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Efficiencies	All	1
Correction Difficulty	\$ Required	Start Date	Target Completion
3	No	2019	2020

Notes

1. There has been no real effort to reduce costs based on available programs and “out-of-the-box thinking.
2. Quite often, reducing costs in a reasonable way is not first thought.
3. The Township has no measurement tools or metrics for this
4. It should be noted that efficiencies do not always result in cost reductions and does have its limits
5. The Township staff is the party that recommends but Council has the final decision

Actions

Suggested

1. We should review external programs when they become available.
2. The KPMG Report should be reviewed for possible action items.
3. Development of an internal process for reviewing programming for efficiencies.

Completed / In Process

1. Contact has been made with LAS in an effort to participate in their program that will reduce costs.
2. Telecom has been contacted about reviewing the phone system for cost reductions.
3. A report on streetlights was presented to Council and staff as asked to approach other local contractors.



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Treasury	Tax Payments	Municipality & Public	1
Correction Difficulty	\$ Required	Start Date	Target Completion
3	\$1,500	2020	2021

Notes

1. The Township currently has few options for ratepayers to make any type of payment for taxes or other services. Few options are given to make payments to Township. Options are limited to mail or over the counter. There has been no effort made to consider other available options.
2. Revenue and cash flow are a major component that enable the Township to deliver its mandated services to its ratepayers. There are more option that increase the efficiency of payments while increasing cash flow. These options are readily employed by most municipalities. The Township should not be limited in these options due to its size.
3. The Township also has no formal arrears policy that can be distributed to the public for information. Lack of such a policy and lack of payment options can contribute to tax arrears. The more options, the more likely ratepayers are to pay on time.

Actions

Suggested

Completed / In Process

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. It is important to develop a new tax arrears policy. This will provide guidance to staff and ratepayers. 2. It will also be important to develop a policy on the methods of payment. This can include cash, mail, debit card and bank or wire transfer. These methods can also be applied to other type of municipal charges. 3. It will be important to also implement an equal billing plan. This is user friendly and again provides an almost predictable cash flow. | <ol style="list-style-type: none"> 1. None |
|---|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Council / Staff Roles	All	2
Correction Difficulty	\$ Required	Start Date	Target Completion
3	\$2,000	2019	2022

Notes

1. There is or has been a role misunderstanding that has caused extra work and confusion. This does not appear to be something that has just materialized; it appears to be a part of the “culture”
2. This has and can continue to create significant contempt and a poor work culture. Quite often this can create a significant liability.
3. A misunderstanding of roles can create Code of Conduct issues for both staff and Council. There has been some direction of staff by Council in the past.

Actions

Suggested

Completed / In Process

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Council training as continuing education with perhaps a refresher at the half way point of each term. 2. Staff need clear, well thought out job descriptions. 3. Staff reports provide an opportunity to educate other staff and Council on role matters. | <ol style="list-style-type: none"> 1. Internal and external training with Council |
|--|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Police Services Board	Council, PSB & the Community	2
Correction Difficulty	\$ Required	Start Date	Target Completion
3	\$3,000 Anually	2019	2020

Notes

1. It would appear that at one time, the Police Services Board was joint with Bruce Mines. That has now been dissolved but the Township appears to have little in the way of records.
2. We are also unsure of the status of the Provincial and Community Appointees.

Actions

Suggested

Completed / In Process

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. The situation is such that a staff report should be prepared for Council's information and direction. | <ol style="list-style-type: none"> 1. None |
|--|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Staffing	Council, Staff & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
1	\$60,000	2019	2020

Notes

1. Staff have been limited to two (2) or sometimes three (3) over the past year. This has caused a work deficit that will not be completed unless extra help is obtained. This is not as easy of simply having a staff of four (4) on board.
2. The replacement for the fourth staff position should be completed soon. It is not obvious if an office of 4 will be able to keep pace with the normal work.
3. At least one additional resource will be required for up to a year in order to resolve the work deficit.

Actions

Suggested

1. Report to Council to recommend resolution of situation

Completed / In Process

1. Have advertised for the Admin Assistant job and will be conducting interviews.



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Council & Committee Agendas / Minutes	Municipality, Public & Council	3
Correction Difficulty	\$ Required	Start Date	Target Completion
2	\$20,000	2019	2020

Notes

1. Minutes from some Meetings prior to May 2019 might not have been completed yet.
2. Minutes are generated on regular paper and kept in ordinary binders (require acid free paper) properly bound
3. Producing agendas and minutes manually is very time consuming and expensive; creates a very inefficient system
4. No external board minutes are being received
5. Unsure of Committee Minutes
6. Committees appear to be operating are not following procedural bylaw

Actions

Suggested

Completed / In Process

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Staff report to be produced indicating all issues and potential solutions. 2. Ensure that all External Board Minutes are received by the Township 3. All Committees must be told that they must follow procedural bylaw | <ol style="list-style-type: none"> 1. Revised Procedural bylaw has been completed 2. Changed agenda, report, resolution format (done) 3. Related policies to be considered by Council |
|--|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Legislation	Staff & Council	3
Correction Difficulty	\$ Required	Start Date	Target Completion
2	\$5,000	2019	2021

Notes

1. Not well prepared or suited to more complicated legislative changes
2. Need to be better versed in legislation

Actions

Suggested

1. Staff training; part of training plans

Completed / In Process

1. **Reporting to Council**



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
All	Improve Profile	Municipality, Staff & Council	3
Correction Difficulty	\$ Required	Start Date	Target Completion
2	\$7,500	2019	2022

Notes

1. Improve community appearance.
2. Show pride
3. Changing of Cultural issue
4. Community Clean up needed
5. No bylaw enforcement

Actions

Suggested

Completed / In Process

1. Strategic Plan and Business Plan
2. Identifying shirts or clothing for Conferences and events
3. Business cards
4. Paint Municipal Office
5. Improve Council Chamber
6. Cleaner work areas

1. None



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Treasury	Annual Budget	Council, Staff, Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
2	No	2019	2020

Notes

1. No formal budget policy
2. Leads to confusion
3. Accounting System not used

Actions

Suggested

1. Formal Budget Policy

Completed / In Process

1. **None**



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Human Resources	Council & Staff	3
Correction Difficulty	\$ Required	Start Date	Target Completion
2	No	2020	2020

Notes

1. Human Resources policies have not been updated and need to be modernized.
2. There is no Personnel Manual
3. No succession plan
4. Staff unaware or unsure
5. No real conduit for employee feedback
6. Pay Equity out of date
7. Job Descriptions unknown

Actions

Suggested

Completed / In Process

1. Update policies
2. Compile a Personnel Manual
3. Succession Plan
4. Employee Training Plans
5. Employee Performance Appraisals
6. Employee Code of Conduct
7. Become a desired employer
8. Update pay equity
9. Update job descriptions

1. None



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Land Use Planning	Municipality & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
3	\$5,000	2019	2021

Notes

1. There is no flowchart or direction on how planning applications or items are handled.
2. Maps and historical information have not been historically safeguarded.
3. Herman has been assisting when possible, but this is not efficient in the long run.
4. Lack of capacity that may be a result of lack of organization.
5. No real knowledge of LUP
6. Forms are bad
7. Cannabis Polices
8. Site Plan Agreement written in 2018 needs to be reviewed
9. Need citizen guidance
10. Insist on complete applications
11. Not using GIS

Actions

Suggested

Completed / In Process

1. OP & ZBL is underway.
2. There are many planning applications to deal with



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Ratepayer Communication	Council, Staff & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
3	\$2,000	2019	2021

Notes

1. Answering emails and other questions is very time consuming and takes away from other matters
2. Lack of any kind of 311 system
3. Negative comments regularly
4. No conduct expectations for those attending Council Meetings

Actions

Suggested

1. We have no process to answer inquiries or take questions
2. Nothing is ever tracked
3. No priority setting exercise
4. Post Council Meeting Code

Completed / In Process

1. **Mayors Letters**
2. **Continue Newsletter**



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Contracts & Forms	Council, Staff & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
3	\$4,000	2019	2020

Notes

1. Some contracts may not be enforceable.
2. Forms are generic and need to be "Johnsonized".
3. Don't reflect proper fee
4. No staff direction

Actions

Suggested

Completed / In Process

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Review, change and modernize all forms and contracts 2. Some need legal review | <ol style="list-style-type: none"> 1. None |
|--|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Fees & Charges	Council, Staff & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
3	No	2019	2020

Notes

1. Some fees are almost 20 years old
2. No evidence of regular renewal
3. Some fees that should exist do not (e.g. Compliance letters)
4. Confusing for staff
5. Losing revenue

Actions

Suggested

1. Review Fees
2. Fee schedule and bylaw
3. Adopt annually with budget

Completed / In Process

1. None



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Infrastructure Services	Landfill Operation	Staff, Council	3
Correction Difficulty	\$ Required	Start Date	Target Completion
3	No	2019	2020

Notes

1. Committee process is not working
2. Confusion at operation
3. Apathy at operational level

Actions

Suggested

1. Review joint bylaw with Tarbutt
2. Look at site for deficiencies
3. Council Report

Completed / In Process

1. **None**



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Treasury	Government Reporting	Municipality, Staff & Council	3
Correction Difficulty	\$ Required	Start Date	Target Completion
3	No	2019	2020

Notes

1. Late reports affect funding applications
2. Many depend on year end results
3. Reputational Risk
4. No annual list to refer to

Actions

Suggested

1. OCIF, CWWF and FIR outstanding
2. ODRAP Audit & MDRAP Outstanding
3. Cemetery Report overdue
4. Not sure about our 5 Year Energy Conservation & Demand Management Plan update
5. Inventory Reports

Completed / In Process

1. Gas Tax Report completed
2. Main Street Funding Report completed
3. Library Report done



The Township of Johnson
Identified Deficiencies Action

Department	Function	Who Affected	Liability
Administration	Emergency Planning	Council, Staff & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
4	\$3,000	2020	2020

Notes

1. Question of who has had training?
2. In case of an emergency the last thing that should be in question is “who does what”
3. Plan out of date?
4. Compliance 2019 / 2020?
5. Digitize plan

Actions

Suggested

1. Change CEMC

Completed / In Process

1. Meet with Fire Chief to discuss



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Health & Safety	Staff, Council & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
4	\$10,000	2019	2020

Notes

1. The H&S situation is unknown. A JHSC will not be required but should be reviewed.
2. A H&S Rep is required.
3. What training has been done? Records?
4. Cannabis Policies
5. Workplace has significant H&S issues that need to be properly identified and addressed.
6. Deficiencies could draw civil and criminal liability
7. Urgent to address the front office entrance way – it may not be safe

Actions

Suggested

1. Staff Report to Council is necessary.
2. Staff can start discussing issues and possible corrections immediately
3. Plan to correct deficiencies
4. Form Committee

Completed / In Process

1. **None**



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Confidentiality	Staff, Council & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
4	TBD	2020	2022

Notes

1. Small office and no privacy at all
2. Can hear phone calls and confidential discussions
3. Makes for bad working environment
4. Cemetery purchases

Actions

Suggested

1. Policies and Statements
2. Educational awareness
3. Private work areas

Completed / In Process

1. None



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Risk Management	Staff, Council & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
4	\$1,000	2020	2022

Notes

1. There appears to be lots of risk around community in operations.
2. Signing of hazard areas around washouts etc. is non-existent.
3. Many appear to be complacent
4. Level crossings
5. Apathy from some

Actions

Suggested

1. Discuss risk audit with insurer
2. Develop and present process and Risk Management Plan

Completed / In Process

1. None



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Planning	Staff, Council, Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
4	TBD	2019	2023

Notes

1. No Strategic Plan, Business Plan, Energy Plan, Winter Control, Summer Control etc.

Actions

Suggested

1. New OP underway
2. Need ZBA Update
3. Council lead

Completed / In Process

1. **None**



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Treasury	Procedures	Staff	3
Correction Difficulty	\$ Required	Start Date	Target Completion
4	No	2020	2022

Notes

1. The completion and application of payroll timesheets is an issue that affects cost distribution.
2. Lack of finance procedures
3. No audit listing
4. Lack of financial reporting and system to complete same

Actions

Suggested

1. Note procedures needed
2. Staff to teamwork on this matter

Completed / In Process

1. None



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Treasury	MPAC Assessment Issues	Council, Staff & Public	3
Correction Difficulty	\$ Required	Start Date	Target Completion
4	TBD Contract with Consultant	2019	2024

Notes

1. Conservancy lands are an issue
2. Mix of assessment is too high in residential, farm, managed forests
3. Commercial & Industrial very low despite ongoing industrial operations
4. Lack of cooperation from MPAA

Actions

Suggested

1. There are a number of things we can do like strengthening information on building permits
2. We need a system to track these matters
3. Build ongoing relationship with MPAC

Completed / In Process

1. Consultant is working on various property matters.
2. Five (5) going to the ARB in October
3. Met with Ministry of Finance at AMO



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Records	Staff & Municipality	3
Correction Difficulty	\$ Required	Start Date	Target Completion
5	TBD	2020	2024

Notes

1. Records Retention Bylaw is old and needs to be updated to reflect all records.
2. Record storage is not clear and certainly not easily accessible
3. Carries significant liability
4. All records are manual and should be electronic
5. The storage or bylaws and minutes are particularly disturbing
6. Not safe from fire

Actions

Suggested

Completed / In Process

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Should be considered with IT area for electronic records 2. Develop area for legacy records | <ol style="list-style-type: none"> 1. None |
|---|--|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Technology & Website	All	3
Correction Difficulty	\$ Required	Start Date	Target Completion
5	\$20,000	2019	2022

Notes

1. The system is a complete liability.
2. Passwords are not organized and kept in a book!
3. Some passwords are missing and held by one employee
4. Backups not followed up on
5. Unsure of the role of Unique (Contract)
6. Could be hacked which brings significant liability.
7. No security on accounting system
8. Various versions of software being used
9. Hardware outdated
10. No VPN
11. Not using GIS

Actions

Suggested

Completed / In Process

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Really needs an analysis form a third party from which we could issue an RFP. 2. Website needs a major update, better content and more functionality | <ol style="list-style-type: none"> 1. Regional cooperative approach |
|--|---|



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Infrastructure Deficiencies	All	3
Correction Difficulty	\$ Required	Start Date	Target Completion
5	TBD	2020	2023

Notes

1. Finances will be a big issue.
2. Tax base is limiting
3. Shows lack of planning
4. Affects community pride
5. Lack of funds from Ontario & Canada
6. How big is the deficit?

Actions

Suggested

1. Plan for Regulation compliance
2. Research available Asset Management Software
3. Review for cooperative

Completed / In Process

1. AMP Policy is done



**The Township of Johnson
Identified Deficiencies Action**

Department	Function	Who Affected	Liability
Administration	Municipal Building	Staff & Council	4
Correction Difficulty	\$ Required	Start Date	Target Completion
5	\$250,000	2020	2023

Notes

1. Does not meet compliance with AODA or OHSA
2. Offices too small
3. Washrooms not appropriate
4. Air system – mold?
5. Does not have look and feel of professionalism
6. Does not make for a comfortable work environment – affecting productivity
7. Other buildings on site are also insufficient

Actions

Suggested

1. Test office air for mold
2. Consider in Asset Management Plan
3. Building study with recommendations

Completed / In Process

1. **None**

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
Administration	Office Contacts	All	1	1	No	2019	2019	<ul style="list-style-type: none"> Prepare staff list with contact information including email and phone Website corrections 	<ul style="list-style-type: none"> Need better information Website is incorrect in some areas
Treasury	Key Policies	Municipality Council Staff	1	1	No	2019	2020	<ul style="list-style-type: none"> Reserve Policy Investment Policy Policy on Debt 	<ul style="list-style-type: none"> No policies on investment or reserves No Policy on Debt
Administration	Cemeteries	Municipality Council Public	1	2	No	2020	2020	<ul style="list-style-type: none"> Need to do further investigation 	<ul style="list-style-type: none"> Review cemetery bylaw to ensure it is compliant with new legislation. 2 Committees in place. How do they operate and report to Council?
Administration	Phone System	All	1	2	\$15,000	2019	2020	<ul style="list-style-type: none"> Hardware being discussed with Bell This should be the subject of complete review Contacted Telcom Enterprises for bill review 	<ul style="list-style-type: none"> Phone system is old and malfunctions regularly. System does not connect all municipal facilities. Unsure of the type of arrangements have been made with Bell on actual phone lines. Township should have one phone line.
Administration	Policy Manual	All	1	2	No	2019	2023	<ul style="list-style-type: none"> Review policy manual Establish action plan Consider new legislated policies New policy nomenclature Consider as a work in progress Build database through Outlook 	<ul style="list-style-type: none"> Policy Manual is very out of date and perhaps inaccurate. Could lead to errors and liability No format or nomenclature Policies not communicated
Administration	No database of contacts	Municipality Council Staff	1	2	No	2019	2020 Ongoing	<ul style="list-style-type: none"> Review and develop a list of equipment needed 	<ul style="list-style-type: none"> Need access to an Exchange Server so that information can port to mobile devices
Administration	Office Equipment	All	1	2	\$7,500	2019	2020	<ul style="list-style-type: none"> Council Report Establish Equal Billing Plan 	<ul style="list-style-type: none"> Proper office equipment may create efficiencies Label printers. Paper shredder
Administration	Sewer & Water Policy	Municipality Council	1	3	No	2020	2020		<ul style="list-style-type: none"> The sewer and water policy are very old and there is no reliance that it is

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
		Users							being followed. There is a need to review the sewer / water system and the policy to establish a more efficient system. There is a possibility that the system is not recovering enough funds to sustain itself. <ul style="list-style-type: none"> There are infrastructure problems that will need to be addressed Role of PUC not obvious Arrears not really addressed
Administration	Efficiencies	All	1	3	No	2019	2020	<ul style="list-style-type: none"> Have contacted LAS Have contacted Telecom Presented report on streetlights Review KPMG Report 	<ul style="list-style-type: none"> No effort to reduce costs based on available programs and "out-of-the-box thinking." Not first thought No measurement tools Has its limits Staff may recommend but Council has the decision
Treasury	Tax Payments	Municipality Public	1	3	\$1,500	2020	2021	<ul style="list-style-type: none"> Council Report Develop necessary policies 	<ul style="list-style-type: none"> Few options are given to make payments to Township. At counter or mail. There is no debit machine. There are many more options that will make it easier to pay and increase cash flow for the Township. Establish Monthly Payment process. This could help avoid tax arrears No formal arrears policy
Administration	Council / Staff Roles	Municipality Council Staff Public	2	3	\$2,000	2019	2022	<ul style="list-style-type: none"> Internal and external training with Council (completed) Council training is continuing education 	<ul style="list-style-type: none"> Role misunderstanding causes extra work and confusion. Creates a significant liability. Can create significant contempt and poor work culture

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
Administration	Police Services Board	Community	2	3	\$3,000 Annually	2019	2020	<ul style="list-style-type: none"> Obtain correct information and report to Council 	<ul style="list-style-type: none"> Can create Code of Conduct issues Need to review new code of conduct and staff / council relation policies Council directing staff What is the status of the PSB? OPP Costs? Provincial appointee What about the Community Safety & Well Being Plan (Required)
Administration	Staffing	Municipality Council Public	3	1	\$60,000	2019	2020	<ul style="list-style-type: none"> Report to Council to recommend resolution of situation 	<ul style="list-style-type: none"> One open office position It is not obvious if an office of 4 will be able to keep pace Large backup of work due to long term absences of staff and Council requests Not resolving will lead to a worse situation
Administration	Council & Committee Agendas / Minutes	Municipality Public Council	3	2	\$20,000	2019	2020	<ul style="list-style-type: none"> Staff report to be produced indicating all issues and potential solutions. Revised Procedural bylaw has been completed Changed agenda, report, resolution format (done) Related policies to be considered by Council Ensure that all External Board Minutes are received by the Township All Committees must be told that they must follow procedural bylaw 	<ul style="list-style-type: none"> Minutes are behind. Minutes are generated on regular paper and kept in ordinary binders (require acid free paper) properly bound Producing agendas and minutes manually is very time consuming and expensive Lack of efficiency No external board minutes are being received Unsure of Committee Minutes Committees that appear to be operating are not following procedural bylaw

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
Administration	Legislation	Staff Council	3	2	\$5,000	2019	2021	<ul style="list-style-type: none"> Staff training Reporting to Council 	<ul style="list-style-type: none"> Not well prepared or suited to more complicated legislative changes Need to be better versed in legislation
All	Improve Profile	All	3	2	\$7,500	2019	2022	<ul style="list-style-type: none"> Strategic Plan and Business Plan Identifying shirts or clothing for Conferences and events Business cards Paint Municipal Office Improve Council Chamber Cleaner work areas 	<ul style="list-style-type: none"> There is no pride in the community appearance. Lack of pride in some staff Cultural issue Community Clean up needed No bylaw enforcement
Treasury	Annual Budget	All	3	2	No	2019	2020	<ul style="list-style-type: none"> Formal Budget Policy 	<ul style="list-style-type: none"> No formal budget policy Leads to confusion Accounting System not used
Administration	Human Resources	Municipality Council Staff	3	2	No	2020	2020	<ul style="list-style-type: none"> Update policies Compile a Personnel Manual Succession Plan Employee Training Plans Employee Performance Appraisals Employee Code of Conduct Become a desired employer Update pay equity Update job descriptions 	<ul style="list-style-type: none"> Human Resources policies have not been updated and need to be modernized. There is no Personnel Manual No succession plan Staff unaware or unsure No real conduit for employee feedback Pay Equity out of date Job Descriptions unknown
Administration	Land Use Planning	Municipality & Public	3	3	\$5,000	2019	2021	<ul style="list-style-type: none"> OP & ZBL is underway. There are many planning applications to deal with 	<ul style="list-style-type: none"> There is no flowchart or direction on how planning applications or items are handled. Maps and historical information have not been historically safeguarded. Herman has been assisting when possible, but this is not efficient in the long run.

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
Administration	Ratepayer Communication	All	3	3	\$2,000	2019	2021	<ul style="list-style-type: none"> We have no process to answer inquiries or take questions Nothing is ever tracked No priority setting exercise Post Council Meeting Code Mayors Letters Continue Newsletter 	<ul style="list-style-type: none"> Lack of capacity that may be a result of lack of organization. No real knowledge of LUP Forms are bad Cannabis Polices Site Plan Agreement written in 2018 needs to be reviewed Need citizen guidance Insist on complete applications Not using GIS
Administration	Contracts & Forms	All / Community	3	3	\$4,000	2019	2020	<ul style="list-style-type: none"> Review, change and modernize all forms and contracts Some need legal review 	<ul style="list-style-type: none"> Some contracts may not be enforceable. Forms are generic and need to be "Johnsonized". Don't reflect proper fee No staff direction
Administration	Fees	All	3	3	No	2019	2020	<ul style="list-style-type: none"> Review Fees Fee schedule and bylaw Adopt annually with budget 	<ul style="list-style-type: none"> Some fees are almost 20 years old No evidence of regular renewal Some fees that should exist do not (e.g. Compliance letters) Confusing for staff Losing revenue
Infrastructure Services	Landfill Operation	All	3	3	No	2019	2020	<ul style="list-style-type: none"> Review joint bylaw with Tarbutt Look at site for deficiencies Council Report 	<ul style="list-style-type: none"> Committee process is not working Confusion at operation Apathy at operational level

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
Treasury	Government Reporting	Municipality Council	3	3	No	2019	2020	<ul style="list-style-type: none"> Gas Tax Report completed OCIF, CWWF and FIR outstanding ODRAP Audit & MDRAP Outstanding Main Street Funding Report completed Cemetery Report overdue Library Report done Not sure about our 5 Year Energy Conservation & Demand Management Plan update Inventory Reports 	<ul style="list-style-type: none"> Late reports affect funding applications Many depend on year end results Reputational Risk No annual list to refer to
Administration	Emergency Planning	All	3	4	\$3,000	2020	2020	<ul style="list-style-type: none"> Meet with Fire Chief to discuss Change CEMC 	<ul style="list-style-type: none"> Question of who has had training? In case of an emergency the last thing that should be in question is "who does what" Plan out of date? Compliance 2019 / 2020? Digitize plan
Administration	Health & Safety	All	3	4	\$10,000	2019	2020	<ul style="list-style-type: none"> Staff Report to Council is necessary. Staff can start discussing issues and possible corrections immediately Plan to correct deficiencies Form Committee 	<ul style="list-style-type: none"> The H&S situation is unknown. A JHSC will not be required but should be reviewed. A H&S Rep is required. What training has been done? Records? Cannabis Policies Workplace has significant H&S issues that need to be properly identified and addressed. Deficiencies could draw civil and criminal liability

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
Administration	Confidentiality	All	3	4	TBD	2020	2022	<ul style="list-style-type: none"> Policies and Statements Educational awareness Private work areas 	<ul style="list-style-type: none"> Urgent to address the front office entrance way – it may not be safe Small office and no privacy at all Can hear phone calls and confidential discussions Makes for bad working environment Cemetery purchases
Administration	Risk Management	All	3	4	\$1,000	2020	2022	<ul style="list-style-type: none"> Discuss risk audit with insurer Develop and present process and Risk Management Plan 	<ul style="list-style-type: none"> There appears to be lots of risk around community in operations. Signing of hazard areas around washouts etc. is non-existent Many appear to be complacent Level crossings Apathy from some
Administration	Planning	All	3	4	TBD	2019	2023	<ul style="list-style-type: none"> New OP underway Need ZBA Update Council lead 	<ul style="list-style-type: none"> No Strategic Plan, Business Plan, Energy Plan, Winter Control, Summer Control etc.
Treasury	Procedures	Municipality Council	3	4	No	2020	2022	<ul style="list-style-type: none"> Note procedures needed Staff to teamwork on this matter 	<ul style="list-style-type: none"> The completion and application of payroll timesheets is an issue that affects cost distribution. Lack of finance procedures No audit listing Lack of financial reporting and system to complete same
Treasury	MPAC Assessment Issues	All	3	4	TBD Contract with Consultant	2019	2024	<ul style="list-style-type: none"> Consultant is working on various property matters. Five (5) going to the ARB in October There are a number of things we can do like strengthening information on building permits 	<ul style="list-style-type: none"> Conservancy lands are an issue Mix of assessment is too high in residential, farm, managed forests Commercial & Industrial very low Despite ongoing industrial operations Lack of cooperation from MPAA

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
Administration	Records	Municipality Public Council	3	5	TBD	2020	2024	<ul style="list-style-type: none"> We need a system to track these matters Build ongoing relationship with MPAC Met with Ministry of Finance at AMO Should be considered with IT area for electronic records Develop area for legacy records 	<ul style="list-style-type: none"> Records Retention Bylaw is old and needs to be updated to reflect all records. Record storage is not clear and certainly not easily accessible Carries significant liability All records are manual and should be electronic The storage or bylaws and minutes are particularly disturbing Not safe from fire
Administration	IT & Website	All	3	5	\$20,000	2019	2022	<ul style="list-style-type: none"> Really needs an analysis form a third party from which we could issue an RFP. Regional cooperative approach Website needs a major update, better content and more functionality 	<ul style="list-style-type: none"> The system is a complete liability. Passwords are not organized and kept in a book! Some passwords are missing and held by one employee Backups not followed up on Unsure of the role of Unique (Contract) Could be hacked which brings significant liability. No security on accounting system Various versions of software being used Hardware outdated No VPN Not using GIS

**The Township of Johnson
Identified Improvements**

** Started or completed

Initiating Department	Function	Who Affected	Liability 1-3	Correction Difficulty 1-5	\$ Required Yes / No Amount	Start Year	Target Completion Date	Possible / Completed Actions	Notes
Administration	Infrastructure Deficiencies	All	3	5	TBD	2020	2023	<ul style="list-style-type: none"> AMP Policy is done Plan for Regulation compliance Research available Asset Management Software Review for cooperative 	<ul style="list-style-type: none"> Finances will be a big issue. Tax base is limiting Shows lack of planning Affects community pride Lack of funds from Ontario & Canada How big is the deficit
Administration	Municipal Building	Municipality Council Staff	4	5	\$250,000	2020	2023	<ul style="list-style-type: none"> Test office air for mold Consider in Asset Management Plan Building study with recommendations 	<ul style="list-style-type: none"> Does not meet compliance with AODA or OHSA Offices too small Washrooms not appropriate Air system – mold? Does not have look and feel of professionalism Does not make for a comfortable work environment – affecting productivity Other buildings on site are also insufficient



OPEN MEETING RESOLUTION ACTION REPORT

Meeting Date:

Resolution No.	Description	Due Date	Responsibility	In Progress	Completion Date
R2019-168	Sign and file Minutes of May 15 & May 22, 2019	30-Jun-2019	Chris	Yes	16-Aug-2019
R2019-170	Contact Telcom and sign agreement for phone system review.	15-Jul-2019	Chris	Yes	
R2019-171	Contact LAS and start the process of promoting SLW in Johnson. Prepare and bring back bylaws as necessary Elise Dostal <edostal@slwofc.ca>	15-Jul-2019	Chris	Yes	
R2019-172	File for Ministerial Delegations; Finance, Infrastructure & Energy, Northern Development & Mines	28-Jun-2019	Chris	Complete	25-Jun-2019
R2019-173	File Resolution with EMO for new Primary CEMC and removed old CEMC	30-Jun-2019	Clerk	Complete	25-Jun-2019
R2019-174	Register Mayor Mersereau and Chris Wray for AMO Conference.	30-Jun-2019	Clerk	Complete	25-Jun-2019
R2019-175	Forward Resolution re J2019-06 to Planning Board	30-Jun-2019	Clerk	Complete	25-Jun-2019
R2019-176	Forward Resolution re Harvest Fest Draw Tickets to Harvest Fest Draw	30-Jun-2019	Clerk	Complete	25-Jun-2019
R2019-177	Forward Resolution to East Algoma CFDC re attendance of Councillors Grant & Kern to Annual Meeting	25-Jun-2019	Clerk	Complete	25-Jun-2019
R2019-178	Signing and file Bylaws 2019-926, 2019-927, 2019-928. Execute Agreement attached to 2019-926. Forward 2019-927 to Registrar General in Thunder Bay	30-Jun-2019	Clerk	Yes	
R2019-011	Draft Budget to Council in January	31-Jan-2019	Treasury	Yes	15-Aug-2019
R2019-012	Budget Direction; Levy \$1.55 Million, \$50,000 contingency to Reserves	31-Jan-2019	Treasury	Yes	15-Aug-2019
R2019-053	Report back to Council on status of AMP and legislated policy	1-Jul-2019	Council	Yes	19-Jul-2019
R2019-092	Complete application for septic tank bed inspection	Unknown	Clerk	No	
R2019-095	Report on Septic Bed inspection program	Unknown	Clerk	No	
R2019-117	Advertising signs onrunk boards at JTCC	Unknown	Clerk	No	
R2019-148	Draft job description and ad for PW Super search	Unknown	Clerk	Yes	Completed
R2019-183	June 19 Minutes - Signatures & File	26-Jul-2019	Clerk	Yes	
R2019-187	File Reports Received	26-Jul-2019	Clerk	No	
R2019-189	Write letter for Mayor to Immigration Minister	26-Jul-2019	Clerk	No	
R2019-190	Process and Policy for Planning Fees	26-Jul-2019	Clerk	No	
R2019-191	Change Council Date and arrange for Special Council	26-Jul-2019	Clerk	Yes	
R2019-192	Bylaw for Asset Regulation	26-Jul-2019	Clerk	Yes	4-Aug-2019
R2019-193	Finalize Draft Budgets	20-Aug-2019	Clerk	Yes	11-Sep-2019
R2019-194	Bylaw 2019-929 to be signed and filed	7-Aug-2019	Clerk / Treasurer	Yes	14-Aug-2019
R2019-196	Complete Closed Meeting directions	26-Jul-2019	Clerk	Yes	
R2019-200	Bylaw 2019-930 to be signed and filed.	26-Jul-2019	Clerk	Yes	
		25-Aug-2019	Clerk	Yes	



OPEN MEETING RESOLUTION ACTION REPORT

Meeting Date:

Resolution No.	Description	Due Date	Responsibility	In Progress	Completion Date
R2019-202	Complete Closed Meeting directions	21-Aug-2019	Clerk	Yes	
R2019-205	Sign and file Minutes of June 17 & August 14	6-Sep-2019	Clerk	Yes	
R2019-209	Send copy of Resolution to Planning Board	29-Aug-2018	Clerk	Complete	29-Aug-2019
R2019-210	Prepare Tax Rate Bylaws for August 30 Special Meeting	29-Aug-2019	Clerk	Complete	29-Aug-2019
R2019-211	Send letter to Jim Carter re resignation	17-Sep-2019	Clerk / Mayor	Yes	10-Sep-2019
R2019-212	Staff Report on replacing vacancy on Council.	18-Sep-2019	Clerk	Yes	11-Sep-2019
R2019-213	Bylaws to change speed on Gordon Lake Rd and letters to change speed on Highway 17 through Desbarats	30-Sep-2019	Clerk	No	
R2019-214	Letters to users of proeprty at Hwy 17 and Lake Huron Drive and staff policy on use.	30-Sep-2019	Clerk	Yes	10-Sep-2019
R2019-215	Copy of Resolution to organizations mentioned and Algoma communities	15-Sep-2019	Clerk	Yes	10-Sep-2019
R2019-216	Copy of Resolution to organizations mentioned and Algoma communities	15-Sep-2019	Clerk	Yes	10-Sep-2019
R2019-217	Correct drainage issue on Diamond Lake Rd.	15-Sep-2019	Clerk / Mayor	Yes	11-Oct-2019
R2019-218	Send \$500 donation to Bruce Mines Agricultural Society	6-Sep-2019	Treasurer	Yes	10-Sep-2019
R2019-219	Sign and file bylaw 2019-931.	30-Sep-2019	Clerk	No	
R2019-224	Sign and file bylaw 2019-932 and Treasurer to produce tax bills.	6-Sep-2019	Clerk / Treasurer	Yes	
R2019-227	Sign and file Minutes of August 28 and August 30, 2019	27-Sep-2019	Clerk	Yes	23-Sep-2019
R2019-228	File Minutes of JTCC August 27, 2019	27-Sep-2019	Clerk	Yes	23-Sep-2019
R2019-231	File Reports - WRAY-2019-008 to 010	27-Sep-2019	Clerk	Yes	23-Sep-2019
R2019-233	Letters to contractors for LED	27-Sep-2019	Clerk	No	



OPEN MEETING RESOLUTION ACTION REPORT

Meeting Date:

Resolution No.	Description	Due Date	Responsibility	In Progress	Completion Date
R2019-234	Start process to replace vacant seat	27-Sep-2019	Clerk	No	8-Oct-2019
R2019-235	Bylaws 2019-933 to 2019-940 Sign, file and complete planning process	27-Sep-2019	Clerk	Yes	

cwray@johnsontownship.ca

From: Patrick O'Gorman (Johnson) <pogorman@johnsontownship.ca>
Sent: Tuesday, September 24, 2019 10:22 AM
To: 'Patrick O'Gorman (Johnson)'; cwray@johnsontownship.ca; MayorMersereau@Johnsontownship.ca; grantcustom6509@gmail.com; manymaplesfarm@gmail.com; Councillorkern@gmail.com
Cc: 'Paula Spurway'; publicworks@johnsontownship.ca; bcvkitchen@gmail.com; reddoorcaterers@gmail.com; music@algotrad.ca; edithorr02@gmail.com
Subject: Another Thank you and more kudos

An excerpt from the thank you email by the GWT projects manager, David Meyer, for your further reading pleasure:

The 2019 Great Waterfront Trail Adventure was a big success! There are some certainly some challenges on the route (gravel came up often), but on the whole the participants loved it. The enthusiasm and hospitality of the communities on the North Channel really blew our participants away. And they loved the lunch in Desbarats! Some of the participants that come back annually thought it was the best lunch in the history of the GWTA. The only complaint we could make is that it sets a high bar for the first timers. :) Here is a link to the survey results and full report for the 2019 GWTA: <https://waterfronttrail.org/gwta-participant-surveys/#toggle-id-1> . The O'Schraves were great by the way. I've been looking forward to hearing some of the music you're involved in since you mentioned it to me a few years ago, and it certainly did not disappoint.

There ya be folks, pats on the back are nice.....

From: Patrick O'Gorman (Johnson) [mailto:pogorman@johnsontownship.ca]
Sent: Tuesday, September 24, 2019 10:05 AM
To: 'cwray@johnsontownship.ca'; MayorMersereau@Johnsontownship.ca'; 'grantcustom6509@gmail.com'; 'manymaplesfarm@gmail.com'; 'Councillorkern@gmail.com'
Cc: 'Paula Spurway'; 'publicworks@johnsontownship.ca'; 'bcvkitchen@gmail.com'; 'reddoorcaterers@gmail.com'; 'music@algotrad.ca'; 'edithorr02@gmail.com'
Subject: FW: Thank you!

Hi, all, just wanted you to see the note of thanks from the organizers of the Great Waterfront Trail Adventure cycling tour. You all helped in some way to make this happen, looks good on the township, note Marlaine says that "Greenbelt lunch in Johnson was one of the very best we have enjoyed in our 13 years." Once I deliver a report to the Rec Committee, Council can see how it all shook out, but in terms of an economic benefit for the twp., app. \$3500 was shared amongst local growers (thru the Farmers' Market), caterers, and musicians, as well as covering fees for the use of the facility and staffing costs to the township. Thanks for all your help in making it happen. Pat

From: Marlaine Koehler [mailto:mk@wrtrust.com]
Sent: Monday, September 23, 2019 5:13 PM
To: Pat O'Gorman; Pat O'Gorman
Subject: Thank you!

Hi Pat;

This thank you is long overdue but no less heartfelt. I think it is fair to say that the Greenbelt lunch in Johnson was one of the very best we have enjoyed in our 13 years. Thank you so much for pulling together Johnson's fantastic community resources to deliver such a fine local culinary and musical experience. As we anticipated many of the participants were pleasantly surprised by all the agriculture on the route.

The testimonials are wonderful and demonstrate that we have created a wonderful group of enthusiastic champions for the Lake Huron North Channel expansion of the Great Lakes Waterfront Trail.

We have a wonderful supply of photographs from our professional photographer, which Johnson, as a partner, is welcome to use to promote the route. All our participants signed photo releases.

Thank you as well to Mayor Blaine Mersereau and Councillor Gavin Grant for welcoming the cyclists and being an important part of the celebrations, and to council for supporting you and your team's successful showcase of Johnson Township on the Great Waterfront Trail Adventure.

Below are links to various things you may wish to share with your team:

GWTA Summary and Participant Survey Results (be sure to download the full report as there are excellent testimonials):

<https://waterfronttrail.org/gwta-participant-surveys/#toggle-id-1>

GWTA slide show: as a partner Johnson has access to any of these photos for its use:

<https://www.dropbox.com/s/8qw7fdxx5hoiojs/GWTA2019.mp4?dl=0>

Lake Huron North Channel Mini-Guide—self guided cycle touring guide for the Lake Huron North Channel:

<https://waterfronttrail.org/trip-ideas/cycle-tours/>

Next Steps:

To move the Lake Huron North Channel expansion to the next level, paving or compacting gravel sections is highly recommended by participants. There are only 40 km of gravel roads and 10 km of trails on the whole Lake Huron North Channel, and not all of it needs priority attention. It may be worthwhile to host a web conference to discuss how as a partnership we can secure funding to prioritize and implement the recommendation. Would Johnson be interested in participating?

Once again thank you, from all of us at the Trust David, Jo and myself!

Marlaine Koehler
Executive Director
Waterfront Regeneration Trust
Protecting, Connecting, Celebrating Canada's Great Lakes and the St. Lawrence River
T: 416-943-8080
M: 416-520-4205
www.waterfronttrail.org



Great Lakes
Waterfront
Trail



Category or Type of Fee	Harmonized Fee Schedule	Bruce Mines	Johnson Township	Plummer Additional Township
Group 'C' - Low Density Residential	\$735 up to 1,200 ft. ² \$0.6125/ft. ² over 1,200 ft. ²	\$735 up to 1,200 ft. ² \$0.6125/ft. ² over 1,200 ft. ²	\$655 up to 1,200 ft. ² \$0.5458/ft. ² over 1,200 ft. ²	\$805 up to 1,200 ft. ² \$0.6708/ft. ² over 1,200 ft. ²
Group 'C' - Multiple Residential	\$710 up to 1,200 ft. ² \$0.5916/ft. ² over 1,200 ft. ² /unit	\$710 up to 1,200 ft. ² \$0.5916/ft. ² over 1,200 ft. ² /unit	\$630 up to 1,200 ft. ² \$0.525/ft. ² over 1,200 ft. ² /unit	\$780 up to 1,200 ft. ² \$0.65/ft. ² over 1,200 ft. ² /unit
Group 'C' - Residential - Major alterations, additions	\$635 \$0.5291/ft. ² for buildings with a floor area over 1,200 ft. ²	\$635 \$0.5291/ft. ² for buildings with a floor area over 1,200 ft. ²	\$555 up to 1,200 ft. ² \$0.4625/ft. ² for buildings with a floor area over 1,200 ft. ²	\$705 up to 1,200 ft. ² \$0.5875/ft. ² for buildings with a floor area over 1,200 ft. ²
Group 'C' - garage, carport, accessory building, deck, minor alterations, demolition	\$170	\$165	\$170	\$175
Group 'A', 'B', 'D', 'E', 'F' - new construction and major additions or alterations	\$760 up to 2,500 ft. ² \$0.304/ft. ² for buildings with a floor area over 2,500 ft. ²	\$760 up to 2,500 ft. ² \$0.304/ft. ² for buildings with a floor area over 2,500 ft. ²	\$680 up to 2,500 ft. ² \$0.272/ft. ² for buildings with a floor area over 2,500 ft. ²	\$830 up to 2,500 ft. ² \$0.332/ft. ² for buildings with a floor area over 2,500 ft. ²
Group 'A', 'B', 'D', 'E', 'F' - demolition	\$170	\$170	\$170	\$175

Table 6 - Suggested Building Permit Fee Structure - Township of Plummer, Additional Town of Bruce Mines, Township of Johnson			
Farm Buildings	\$635 up to 2,500 ft. ² \$0.254/ft. ² for buildings with a floor area over 2,500 ft. ²	\$635 up to 2,500 ft. ² \$0.254/ft. ² for buildings with a floor area over 2,500 ft. ²	\$555.00 up to 2,500 ft. ² \$0.222/ft. ² for buildings with a floor area over 2,500 ft. ²
Farm Buildings - Additions	\$560 up to 2,500 ft. ² \$0.224/ft. ² for buildings with a floor area over 2,500 ft. ²	\$560 up to 2,500 ft. ² \$0.224/ft. ² for buildings with a floor area over 2,500 ft. ²	\$480 up to 2,500 ft. ² \$0.192/ft. ² for buildings with a floor area over 2,500 ft. ²
Other Permits - Conditional - Change of Use - Permit Renewal - Moving Building - Signs - Temporary Structures - Woodstove/fireplace	\$195	\$190	\$200
Plumbing	\$25.00 + \$10/fixture over 5 fixtures	\$25.00 + \$10/fixture over 5 fixtures	\$25.00 + \$10/fixture over 5 fixtures

10. Recommendations

This building permit fee study has determined the Indirect Costs and Direct Costs for Administration and Enforcement based on the criteria set out in the Building Code Act. The Fee Structure set out in Table 6 is recommended to the Township of Plummer Additional, the Town of Bruce Mines and the Township of Johnson as fulfilling the requirements of the Building Code Act. If the Municipalities opt for a harmonized fee

Current ?

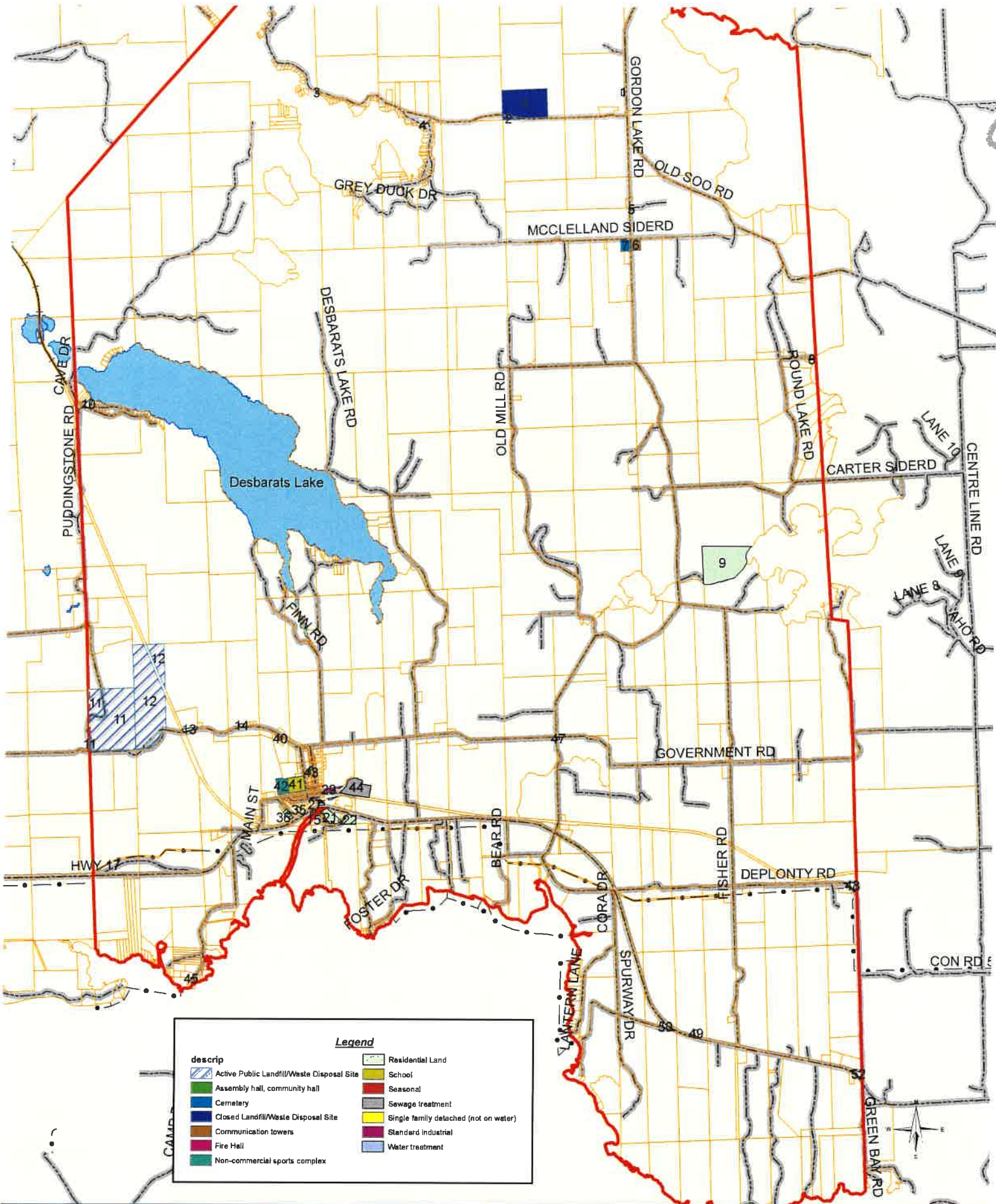
SCHEDULE "A"

TO BY-LAW # 94-J253

1. PROCESSING FEES	
OFFICIAL PLAN AMENDMENT	\$4000.00
ZONING BY-LAW AMENDMENT	2000.00
PLAN OF SUBDIVISION OR PLAN OF CONDOMINIUM	1000.00
SITE PLAN	1000.00
SEVERANCE	100.00
MINOR VARIANCE	250.00
APPEAL TO THE ONTARIO MUNICIPAL BOARD	3500.00 (PER DIEM)

SCHEDULE "B"

Base deposit fee required on any major development.
Base deposit and additional cost may be levied at
discretion of the building inspector.

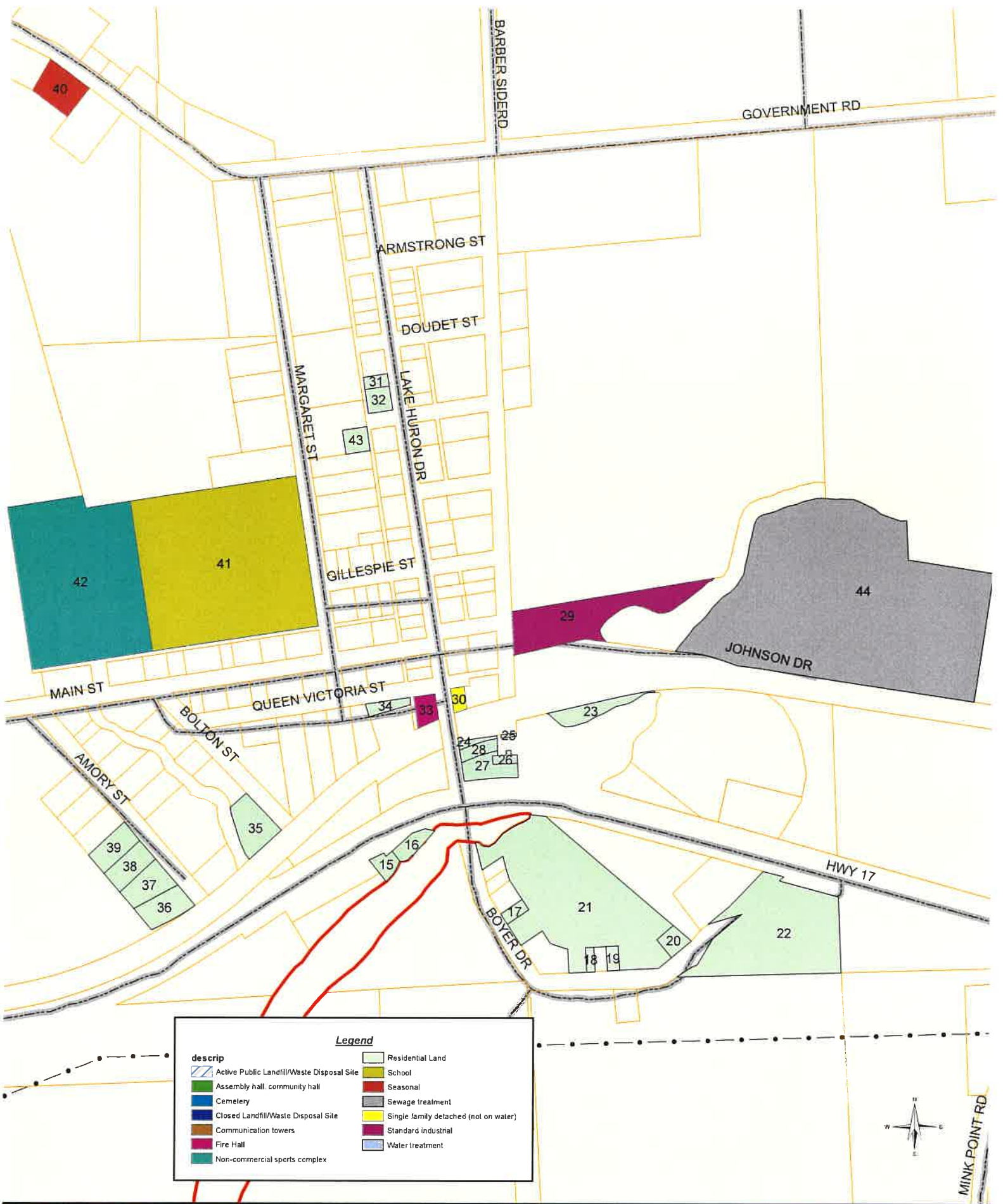


Johnson Township



Maps are provided as a courtesy only and the Municipality of Wawa makes no warranties as to the accuracy of this information. This map is not intended to be used for correspondence, authoritative definition of the legal boundary, or





Legend	
descrip	Residential Land
Active Public Landfill/Waste Disposal Site	School
Assembly hall, community hall	Seasonal
Cemetery	Sewage treatment
Closed Landfill/Waste Disposal Site	Single family detached (not on water)
Communication towers	Standard industrial
Fire Hall	Water treatment
Non-commercial sports complex	

Johnson Township



Roll #	KEY	Roll #	KEY
57160000010070000000	1	57160000041540300000	38
57160000010110100000	2	57160000041540400000	39
57160000010220000000	3	57160000041590300000	40
57160000010570000000	4	57160000041660000000	41
57160000011550000000	5	57160000041670000000	42
57160000020080100000	6	57160000041790000000	43
57160000020090000000	7	57160000050370000000	44
57160000020359900000	8	57160000051900100000	45
57160000020400000000	9	57160000060310000000	46
57160000030180300000	10	57160000060450000000	47
57160000030900000000	11	57160000060770000000	48
57160000030910000000	12	57160000061000000000	49
57160000030940000000	13	57160000061070000000	50
57160000031000000000	14	57160000061320000000	51
57160000040070000000	15	57160000061460000000	52
57160000040090000000	16		
57160000040150000000	17		
57160000040170000000	18		
57160000040190000000	19		
57160000040200000000	20		
57160000040210000000	21		
57160000040220000000	22		
57160000040270000000	23		
57160000040290100000	24		
57160000040290200000	25		
57160000040300000000	26		
57160000040310000000	27		
57160000040320000000	28		
57160000040410100000	29		
57160000040590000000	30		
57160000040910000000	31		
57160000040920000000	32		
57160000041040000000	33		
57160000041060000000	34		
57160000041440000000	35		
57160000041540100000	36		
57160000041540200000	37		



1 Johnson Drive, Box 160 Desbarats - Ontario - P0R 1E0
Phone (705) 782-6601 Fax (705) 782-6780
cwray@johnsontownship.ca

Municipal Councillor Vacancy

The Corporation of the Township of Johnson is seeking applicants to fill a vacancy on Municipal Council. The successful applicant will fulfill the remaining term of Office until November 2022.

Qualifications

- A resident of the Township or a Non-Resident Owner or Tenant of land in the Township or the spouse of such a Non-Resident Owner or Tenant
- A Canadian Citizen
- At least 18 years of age
- Not disqualified by any legislation from holding Municipal Office

Interested parties are encouraged to submit a Letter of Interest expressing:

- Interest in being a Council Member
- Outlining any prior community and / or Council involvement
- Familiarity with municipal government and local issues

Letters of Interest must be received by 4:30 P.M., on Friday, October 18, 2019. It is anticipated that the Township will be in contact with all applicants with further details once the deadline has passed.

Please submit all Letters of Interest to;

Chris Wray, Clerk
The Corporation of the Township of Johnson
1 Johnson Drive
Desbarats, ON
P0R 1E0

Email; cwray@johnsontownship.ca

Please note that all submitted letters will be subject to review and a selection process that will be conducted at a Council Meeting. Please note that the information collected may be subject to the Municipal Freedom of Information and Protection of Privacy Act. The information collected and used in accordance with this advertisement is for the purposes of Councillor section only.



1 Johnson Drive, Box 160 Desbarats - Ontario - P0R 1E0
Phone (705) 782-6601 Fax (705) 782-6780
people@johnsontownship.ca

Purpose and Scope

The purpose of this procedure is to provide for an open, accountable and transparent procedure, consistent with the Municipal Elections Act and Municipal Act, to fill the Council vacancy as declared on August 28, 2019, through Resolution No. R. 2019-211.

Procedure

1. The Municipal Clerk will post a notice on the municipal website and with the local media. The notice will be in the form and notice as determined by the Clerk.
2. No later than fourteen (14) days after the closing of the posting of the notice of vacancy, an information session was to be offered by staff for potential nominees. The purpose of the session is to understand more about the governance of the Township.
3. All nominees will complete and sign a Consent of Nominee form and a Statement of Qualification which was previously provided.
4. The vote to fill the vacancy by appointment shall occur at an open Council Meeting, called according to the Procedural Bylaw of the Township of Johnson.
5. At the open Council Meeting, the following shall take place:
 - a. The Clerk shall provide to the Mayor a list of the names of those nominees (referred to as Candidates) who have completed the Consent of Nomination and Statement of Qualification.
 - b. The Mayor or designate shall call for a Motion from Council in the following form:

“That the following persons who have signified in writing that they are legally qualified to hold the Office of Councillor and consented to accept the Office if they are appointed to fill the vacancy of Councillor, be considered for appointment to fill such vacancy.”
 - c. Each of the candidates shall be afforded the opportunity to address Council for a period of not more than ten (10) minutes (strictly enforced). The order

of speaking shall be determined by lot¹. (The Clerk shall place the names of the candidates in a container and draw the names one at a time). The names drawn shall address Council in the order they are drawn from the container.

- d. Once the speaking order is determined, the remaining candidates will be sequestered in a separate room until it is their turn to speak. Once each nominee has had their opportunity to speak, they may return to the gallery in the Council Meeting.
- e. Once all candidates have completed speaking, they will return to the separate room. In the same order as noted in (d) above, Council will then ask four (4) questions. Such questions were pre-determined by the Clerk through input from Council². No scoring system shall be used in considering the answers to the questions. It is not necessary for any candidate to participate in answering any or all of the questions³. Once each candidate has completed answering the questions, they may return to the gallery in the Council Meeting.
- f. Upon hearing all of the submissions (including the questions noted above) of the candidates, Council will adjourn to a Closed Session for a brief period of time to discuss the representations made by each Candidate.
- g. Upon the completion of the above noted discussion, Council will return to the Regular Council Meeting to conduct the last portion of the selection process which is to receive a recommendation from Committee of the Whole; Closed Session.
 - i. All members of Council shall then vote by way of public vote (show of hands) on the recommendation. This shall be accomplished through Resolution.
- h. Upon conclusion of the voting, the Clerk shall declare to be elected the candidate(s) included on any successful Resolution passed by Council.

¹ For the purposes of this procedure lot shall mean a method of determination by placing the names of the nominees on equal sized pieces of paper and placed in a container with one name being drawn by the Clerk or designate.

² Only the Clerk is to have knowledge of the Questions to be asked.

³ Read rules for presentations and questions



1 Johnson Drive, Box 160 Desbarats - Ontario - P0R 1E0
Phone (705) 782-6601 Fax (705) 782-6780
ewray@johnsontownship.ca

Clerk's Script – Council Vacancy Procedure

Purpose and Scope

The purpose of this procedure is to provide for an open, accountable and transparent procedure, consistent with the Municipal Elections Act and Municipal Act, to fill the Council vacancy as declared on August 28, 2019, through Resolution No. R. 2019-211.

The following procedure was previously approved by Mayor and Council by way of Council Resolution.

Procedure

1. The Municipal Clerk posted a notice on the municipal website and with the local media. The notice was in the form and notice as determined by the Clerk.
2. No later than fourteen (14) days after the closing of the posting of the notice of vacancy, an information session was offered by staff for potential nominees. An offer was made by way of email for individual candidates to meet with the CAO / Clerk-Treasurer.
3. All nominees completed and signed a Consent of Nominee form and a Statement of Qualification which was previously provided.
4. The vote to fill the vacancy by appointment shall occur at this open Council Meeting, called according to the Procedural Bylaw of the Township of Johnson.
5. In keeping with the procedure as adopted by Council, the following shall take place:
 - a. I shall provide to the Mayor a list of the names of those nominees (referred to as Candidates) who have completed the Consent of Nomination and Statement of Qualification.
 - b. The Mayor or designate shall call for a Motion from Council in the following form:

“That the following persons who have signified in writing that they are legally qualified to hold the Office of Councillor and consented to accept the Office

if they are appointed to fill the vacancy of Councillor, be considered for appointment to fill such vacancy.”

- c. Each of the candidates shall be afforded the opportunity to address Council for a period of not more than ten (10) minutes (strictly enforced). The order of speaking shall be determined by lot¹. (I will place the names of the candidates in a container and draw the names one at a time) The names drawn shall address Council in the order they are drawn from the container.
- d. Once the speaking order is determined, the remaining candidates will be sequestered in a separate room until it is their turn to speak. Once each nominee has had their opportunity to speak, they may return to the gallery in the Council Meeting.
- e. Once all candidates have completed speaking, they will return to the separate room. In the same order as noted in (d) above, Council will then ask four (4) questions. Such questions were pre-determined through input from Council. No scoring system shall be used in considering the answers to the questions. It is not necessary for any candidate to participate in answering any or all of the questions². Once each candidate has completed answering the questions, they may return to the gallery in the Council Meeting.
- f. Upon hearing all of the submissions (including the questions noted above) of the candidates, Council will adjourn to a Closed Session for a brief period of time to discuss the representations made by each Candidate.
- g. Upon the completion of the above noted discussion, Council will return to the Regular Council Meeting to conduct the last portion of the selection process which is to receive a recommendation from Committee of the Whole; Closed Session.
 - i. All members of Council shall then vote by way of public vote (show of hands) on the recommendation. This shall be accomplished through Resolution.
- h. Upon conclusion of the voting, I will declare to be elected the candidate included on any successful Resolution passed by Council.

¹ For the purposes of this procedure lot shall mean a method of determination by placing the names of the nominees on equal sized pieces of paper and placed in a container with one name being drawn by the Clerk or designate.

² Read rules for presentations and questions



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

**BY-LAW NO. 2019-941
Vulnerable Persons Registry & Accepting Applications**

WHEREAS Section 8 (1) of the Municipal Act grants that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

AND WHEREAS Section 9 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

AND WHEREAS the Council of the Corporation of the Township of Johnson deems it advisable to receive confidential personal information pertaining to registrants of the Vulnerable Persons Registry (VPR) in order to assist in preparing effective responses during emergencies

AND WHEREAS the Council of the Corporation of the Township of Johnson deems it advisable to agree to become a registration location for the Vulnerable Persons Registry (VPR) to provide an additional means for people to register

AND WHEREAS the Sault Ste Marie Innovation Centre and Acorn Information Solutions have offered to enter into a business relationship to enable the services as described

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Johnson enacts as follows:

1. That the Mayor and Clerk be and are hereby authorized to sign an agreement on the behalf of the Corporation of the Township of Johnson, with the Sault Ste Marie Innovation Centre and Acorn Information Solutions as described above
2. That the aforementioned agreements are attached hereto as Schedule "A" and Schedule "B" forming part of this By-Law.
3. That this By-Law shall come into effect upon the date of passage hereof.



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

BY-LAW NO. 2019-941

Vulnerable Persons Registry & Accepting Applications

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 16th of October, 2019

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



CONFIDENTIALITY AGREEMENT

This Confidentiality Agreement is made as of October 16, 2019:

BETWEEN: **Sault Ste. Marie Innovation Centre**
 Acorn Information Solutions
 99 Foster Drive, Level 6
 Sault Ste. Marie, ON
 P6A 5X6

AND: **Township of Johnson**
 1 Johnson Drive, PO Box 160
 Desbarats, ON
 P0R 1E0

The parties have agreed upon a business relationship with each other, more specifically: Township of Johnson has agreed to be a registration location for the Vulnerable Persons Registry (VPR) to provide an additional means for clients to register. Township of Johnson will have VPR registration kits provided by the Acorn Information Solutions available for clients. Township of Johnson will secure any completed registration and consent forms and will ensure the VPR Coordinator receives them in a secure manner.

To ensure the confidentiality of all VPR applicants, Township of Johnson has agreed to:

- Designate a primary contact and secondary contact (where possible) to secure completed registration and consent forms
- Refrain from making additional copies of the registration and consent forms except when a copy has been requested upon registration by the registrant/legal guardian
- Secure completed registration and consent forms in a locked filing cabinet or drawer
- Ensure the VPR Coordinator receives the completed registration and consent forms
- Abide by the delivery methods mentioned on page two in order to uphold the privacy and confidentiality of registrant information
- Refrain from disclosing personal information pertaining to a VPR registrant to any external publics

This agreement is valid as long as the VPR service is available to potential registrants.

Delivery Methods

To help assure the privacy and confidentiality of VPR registrants, the VPR will limit the transferring of registration and consent forms to the VPR Coordinator to the following:

- Mail
 - Township of Johnson can mail completed registration and consent forms in a sealed envelope and to the attention of the VPR Coordinator as seen below:

VPR Coordinator
Sault Ste. Marie Innovation Centre
Acorn Information Solutions
99 Foster Drive, Level 6
P6A 5X6
 - Completed registration and consent forms should be mailed every two weeks or on an as needed basis
- Personal Delivery
 - Township of Johnson can personally deliver completed registration and consent forms in a sealed envelope to the VPR Coordinator at the address provided above
 - Completed registration and consent forms should be delivered every two weeks or on an as needed basis
- Personal Pick-up
 - The VPR Coordinator can personally pick up completed registration and consent forms from Township of Johnson every two weeks or on an as needed basis
 - Completed registration and consent forms must be in a sealed envelope and addressed to the VPR Coordinator

IN WITNESS WHEREOF, the parties execute this Agreement as of October 16, 2019.
Each person who signs this Agreement below represents that such person is fully authorized to sign this Agreement on behalf of the applicable party.

PARTY-1

By:



Print Name: Gerry Belanger

Title: Privacy Officer

PARTY-2

By: _____

Print Name: Blaine Mersereau

Title: Mayor

PARTY-2

By: _____

Print Name: Chris Wray

Title: Clerk



CONFIDENTIALITY AGREEMENT

This Confidentiality Agreement is made as of **October 16, 2019**:

BETWEEN: **Sault Ste. Marie Innovation Centre**
 Acorn Information Solutions
 99 Foster Drive, Level 6
 Sault Ste. Marie, ON
 P6A 5X6

AND: **Township of Johnson**
 1 Johnson Drive, PO Box 160
 Desbarats, ON
 P0R 1E0

The parties have agreed upon a business relationship with each other, more specifically:

The Township of Johnson has agreed to receive confidential personal information pertaining to registrants of the Vulnerable Persons Registry (VPR) in order to assist in preparing effective responses during emergencies (as that term is later defined).

In the course of discussions regarding the business purpose, Acorn Information Solutions has agreed to the secure disclosure of authorized (as that term is later defined) personal information of VPR registrants on a monthly basis to the Township of Johnson. The Township of Johnson has agreed to update monthly VPR data within 15 days of receiving the email notification from the VPR Coordinator. By virtue of this Agreement, each party wishes to protect the confidentiality of such Confidential Information.

Both parties therefore agree as follows:

1. DEFINITIONS.

- (a) “**Confidential Information**” refers to any personal information, data or materials disclosed by Acorn Information Solutions that pertain to any VPR registrant.
- (b) “**Emergency**” in the case of the VPR refers to the following:
- Isolated situations effecting smaller geographic areas within the Township of Johnson that require emergency response planning (i.e. small scale evacuations)
 - A state of emergency; a condition, declared by a government, in which martial law applies, usually because of civil unrest or natural disaster

(c) **“Authorized Information”** means the limits set by the Acorn Information Solutions as to what information is to be disclosed to the Township of Johnson for the purposes of effectively planning emergency responses

(d) **“Government Authority”** means any governmental authority or court, tribunal, agency, department, commission, arbitrator, board, bureau, or instrumentality of Canada or any other country or territory, or domestic or foreign state, prefecture, province, commonwealth, city, county, municipality, territory, protectorate or possession.

(e) **“Law”** means all Laws, statutes, ordinances, codes, regulations and other pronouncements having the effect of Law of any Government Authority.

2. CONFIDENTIALITY.

(a) Confidential Information Disclosures

In the performance of this Agreement the Township of Johnson may receive the Confidential Information pertaining to the VPR Acorn Information Solutions. Disclosures of Confidential Information made by Acorn Information Solutions (or the "*disclosing party*") to Township of Johnson (or the "*receiving party*"), are pursuant to all terms and conditions of this Agreement. All Confidential Information of the disclosing party will remain the exclusive property of the disclosing party. The terms and conditions of this Agreement are deemed to be Confidential Information of both parties.

(b) Exclusions

Confidential Information does not include information, data or materials that, as proved by written records:

- (i) Public Domain. are or become a part of the public domain through no act or omission on the part of the receiving party and no violation of any obligation of nondisclosure by any third party; or
- (ii) Independently Developed. are independently developed by the receiving party without reference to the disclosing party's Confidential Information, as evidenced through written records created in the normal course of the receiving party's business; or
- (iii) Third Party Source. are disclosed to the receiving party through a third party source or series of sources without any violation of nondisclosure with respect to such information, data or materials by any source(s) in the series (however, such information only becomes Confidential Information once the receiving party is aware of such breach).

(c) Duties

Without limiting any other obligations under this Agreement, the parties agree to the following specified duties:

- (i) Nondisclosure and Uses. The receiving party must use commercially reasonable methods, at least as substantial as the methods it uses to protect its own confidential information, data and materials of a similar nature, to maintain and cause its employees to maintain the confidentiality of the Confidential Information by not copying, publishing, disclosing to third parties or using the Confidential Information; except employees of a receiving party may use the Confidential Information in order to perform the receiving party's obligations or engage in activities contemplated under the Business Purpose. A receiving party may not modify or delete any proprietary rights legend appearing in the disclosing party's Confidential Information. It is further acknowledged and agreed by the parties that the Township of Johnson is bound by provisions of the Municipal Freedom of Information and Protection of Privacy Act.
- (ii) Advise Employees. The receiving party must advise each employee before receiving direct or indirect access to the Confidential Information of the obligations of the receiving party regarding the Confidential Information under this Agreement.
- (iii) Disclosures to Agents and Subcontractors. A receiving party may share Confidential Information with: (a) its counsel under an obligation of confidentiality and nondisclosure no less protective of the disclosing party's Confidential Information than the terms and conditions of this Agreement; and (b) its subcontractors pursuant to a written confidentiality agreement no less protective of the disclosing party's Confidential Information than this Agreement (a "***Subcontractor Confidentiality Agreement***"), provided that in no event may an counsel or subcontractor of a receiving party disclose Confidential Information to any other third party, with the exception of a Government Authority to which a disclosure may be made (for subcontractors, only pursuant to a provision in the Subcontractor Confidentiality Agreement identical to Section 2(d) (Disclosures Required by Law) of this Agreement), except that the counsel or subcontractor must give the prior notice required therein to both the receiving party and the disclosing party. Receiving party agrees to assume all liability and responsibility for such counsels' and subcontractors' compliance with and breach of the terms and conditions of this Agreement as if such counsels' and subcontractors' acts and omissions were receiving party's own.
- (iv) Notice. Upon discovery, receiving party agrees to provide disclosing party immediate telephonic and written notice of a breach of: (a) any obligation of confidentiality and nondisclosure required hereunder prior to a disclosure; and (b) any Subcontractor Confidentiality Agreement.
- (v) Return of Confidential Information. After a request by the disclosing party, and after

termination or expiration of this Agreement, receiving party must within thirty (30) days return or destroy (and certify to such destruction in writing, such certification not to be unreasonably withheld or delayed) all Confidential Information of the disclosing party, including, without limitation: (a) all tangible and electronic documents, drawings, materials, hardware, disks, tapes; and (b) all copies, notes, summaries and excerpts of any of the foregoing; and (c) all Confidential Information in the possession of any third parties to whom receiving party disclosed Confidential Information pursuant to this Agreement. Notwithstanding the foregoing, receiving party may retain Confidential Information as required by applicable Laws or orders of a Government Authority with jurisdiction over receiving party (the "**Retention Requirements**"), and any such uses or disclosures of Confidential Information by the receiving party will be limited to only those uses and disclosures mandated by the Retention Requirements.

(d) Disclosures Required by Law

In the event any Confidential Information is required to be disclosed by Law or order of any Government Authority having jurisdiction over the receiving party (including as necessary for a party to assert a claim in a court of competent jurisdiction), before any such disclosure the receiving party will make reasonable efforts to provide notice to the disclosing party reasonably sufficient to allow the disclosing party the opportunity to apply for a protective order or other restriction regarding such disclosure. In the event such Confidential Information is disclosed in such circumstances, such Confidential Information shall continue to constitute Confidential Information in all other circumstances pursuant to this Agreement.

3. TERM AND SURVIVAL.

(a) Term

The term of this Agreement (together with any renewals, the "**Term**") begins on October 16, 2019 and will continue as long as the VPR remains a service. Any changes to this agreement shall be mutually agreed to by the parties in writing.

(b) Survival

The following captioned sections survive any termination, expiration or non-renewal of this Agreement: "Nondisclosure and Uses" (only for purposes of complying with the "Return of Confidential Information" provision) and only for thirty (30) days or such longer period as necessary to comply with the Retention Requirements, also, if any personnel of a receiving party retains in their memory any specific contents of a disclosing party's Confidential Information, such specific contents may not ever be disclosed to any third parties except under "Disclosures Required by Law"), "Return of Confidential Information", "Survival" and "General".

(c) Termination for Insolvency

If either party is adjudged insolvent or bankrupt, or upon the institution of any proceedings by it seeking relief, reorganization or arrangement under any Laws relating to insolvency, or if an involuntary petition in bankruptcy is filed against a party and the petition is not discharged within sixty (60) days after filing, or upon any assignment for the benefit of a party's creditors, or upon the appointment of a receiver, liquidator or trustee of any of a party's assets, or upon the liquidation, dissolution or winding up of its business (each, an "***Event of Bankruptcy***"), then the party affected by any Event of Bankruptcy must immediately give notice of the Event of Bankruptcy to the other party, and the other party may terminate this Agreement by notice to the affected party.

(d) Termination for Breach

If either party breaches any provision contained in this Agreement, and the breach is not cured within thirty (30) days after the breaching party receives notice of the breach from the non-breaching party, the non-breaching party may then deliver a second notice to the breaching party immediately terminating this Agreement.

4. GENERAL

Entire Agreement and Amendments. This Agreement is the entire agreement between the parties and supersedes all earlier and simultaneous agreements regarding the subject matter, including, without limitation, any invoices, business forms, purchase orders, proposals or quotations. This Agreement may be amended only in a written document, signed by both parties.

Independent Contractors, Third Party Beneficiaries, and Subcontractors. The parties acknowledge that they are independent contractors under this Agreement, and except if expressly stated otherwise, none of the parties, nor any of their employees or agents, has the power or authority to bind or obligate another party. Except if expressly stated, no third party is a beneficiary of this Agreement. Party-1 may not subcontract any obligation under this Agreement without Party-2's prior written consent. Party-2 can subcontract without Party-1's consent. Each party is responsible for its subcontractors' compliance with and breach of this Agreement as if the subcontractors' acts and omissions were the party's own.

Assignment. This Agreement binds and inures to the benefit of the parties' successors. This Agreement is not assignable, delegable, sub-licenseable or otherwise transferable by any party in whole or in part without the prior written consent of the other party (or parties). Any transfer, assignment, delegation or sublicense by a party without such prior written consent is invalid. However, any party may assign this Agreement to a third party purchasing: (a) majority control of the party's equity shares; or (b) all or substantially all of either (i) a party's assets or (ii) the assets of the party's relevant business unit under this Agreement.

No Waivers, Cumulative Remedies. A party's failure to insist upon strict performance of any provision of this Agreement is not a waiver of any of its rights under this Agreement. Except if expressly stated otherwise, all remedies under this Agreement, at Law or in equity, are cumulative and nonexclusive.


Severability. If any portion of this Agreement is held to be unenforceable, the unenforceable portion must be construed as nearly as possible to reflect the original intent of the parties, the remaining portions remain in full force and effect, and the unenforceable portion remains enforceable in all other contexts and jurisdictions.

Notices. All notices, including notices of address changes, under this Agreement must be sent by registered or certified mail, by overnight commercial delivery or by email to the address set forth in this Agreement by each party or by electronic mail.

Captions and Plural Terms. All captions are for purposes of convenience only and are not to be used in interpretation or enforcement of this Agreement. Terms defined in the singular have the same meaning in the plural and vice versa.

IN WITNESS WHEREOF, the parties execute this Agreement as of October 16, 2019. Each person who signs this Agreement below represents that such person is fully authorized to sign this Agreement on behalf of the applicable party.

PARTY-1

By: 
Print Name: Gerry Belanger
Title: Privacy Officer
Organization: Sault Ste. Marie Innovation Centre

PARTY-2

Mayor _____
Print Name: Blaine Mersereau
Organization: The Township of Johnson

Clerk: _____
Print Name: Chris Wray
Organization: The Township of Johnson



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

BY-LAW NO. 2019-942

A By-law to Execute a Site Plan Agreement - Palchak

WHEREAS authority is granted under Section 41 (7) (c) of the Planning Act, R.S.O. 1990 C.P. 13 to enter into an agreement for the purposes of imposing site plan control;

AND WHEREAS an agreement is required for development on the property known as CON 5 LOT 9NPT PCL 1431 ACS;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Johnson enacts as follows:

That the site plan agreement for lands described as **CON 5 LOT 9NPT PCL 1431 ACS**, Township of Johnson, District of Algoma is hereby attached as Schedule 'A' and forming part of this By-law.

That the Clerk is hereby authorized to register the said Agreement against the lands to which it applies pursuant to the authority of Section 41 (10) of the Planning Act, R.S.O. 1990 C.P. 13.

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 16th of October, 2019

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



Site Plan Agreement By-law 2019-942

THIS AGREEMENT made this 16th day of October, 2019

BETWEEN

THE CORPORATION OF THE TOWNSHIP OF JOHNSON

(Hereinafter called "the Township")

OF THE FIRST PART

-AND-

ARG Capital LLC

(Hereinafter called "the Owner(s)")

OF THE SECOND PART

WHEREAS the Owner(s) has applied for site plan approval for a site plan, which is attached as Schedule "E" of this Agreement;

AND WHEREAS authority is granted pursuant to Section 41(7) (c) of the Planning Act to enter into agreements imposed as a condition to the approval of development;

AND WHEREAS the Owner(s) warrants that he/she is the Owner(s) of the lands described in Schedule "A" of this Agreement;

AND WHEREAS the Parties hereto have agreed that the specific provisions as set forth herein shall be met by the Owner(s) as a condition to the approval of the development of the subject lands;

NOW THIS AGREEMENT WITNESSETH upon payment of two dollars (\$2.00) of the lawful money of Canada now paid by each of the parties to the other, (the receipt of which is hereby acknowledged), that in consideration of the mutual covenants and conditions herein set forth the Parties, hereto agree as follows:



Site Plan Agreement

By-law 2019-942

1. DEFINITIONS

In this Agreement:

Chief Building Official shall mean the Chief Building Official of the Township of Johnson as appointed under the Building Code Act;

Clerk shall mean the clerk of the Township of Johnson;

Council shall mean the (elected) Council of the Township of Johnson;

Owner(s) includes an individual, an association, a partnership or a corporation or contractor carrying out any works for the Owner(s);

Township shall mean the Corporation of the Township of Johnson.

2. LANDS AFFECTED

The lands affected by this Agreement are located on **CON 5 LOT 9NPT PCL 1431 ACS**, in the Township of Johnson, District of Algoma as shown on Schedule "A" attached hereto and forming part of this Agreement. (hereinafter referred to as the "subject property")

3. SITE PLAN DRAWING

The Owner agrees to construct, install, maintain, reinstate, restore or retain all buildings, structures, other works and landscaping in compliance with the site plan drawing as set out in Schedule "E" to this Agreement. It is understood and agreed that if the proposed building(s) has/have not commenced within three (3) years of the date of approval of the said site plan, the approved site plan becomes null and void and a new site plan must be submitted.

A copy of the site plan agreement shall be kept on the construction site at all times.



Site Plan Agreement

By-law 2019-942

4. SCOPE OF WORK:

The Owner(s) covenants and agrees to construct and install all of the works, or maintain the lands in their natural state, as the case may be and as more particularly set out in this Agreement. The said works shall be completed at the sole expense of the Owner(s) and in good and workmanlike manner in accordance with the specifications in this Agreement, all legal requirements and to the satisfaction of the Township.

If the Owner(s) improperly performs the work or abandons any part of the work before its completion, or unreasonably delays the work so that the conditions of this Agreement are being violated, or fails to carry out maintenance or repairs required by this Agreement, then in any such case the Clerk shall promptly notify' the Owner(s) in writing of such default, failure, delay or neglect, and if such default, failure, delay or neglect continues for fifteen (15) clear days after such notice then in that case the Township shall thereupon have full authority and power to immediately complete the work in accordance with good engineering or landscaping practice at the Owner(s)' expense; and to add the cost thereof to the Collector's Roll for the said lands and to collect the said costs, with interest, in like manner as municipal taxes.

5. FINANCIAL SECURITY

Before this Agreement is executed by the Township, the Owner shall deposit with the Township a sufficient sum in cash, certified cheque or an irrevocable letter of credit or other financial security acceptable to the Council and herein referred to as the "financial security" to meet the financial requirements of this Agreement as set out in Schedule "B". If such letters of credit or other financial security contains an expiry or termination date, then, until the final acceptance of the works by Council, the Owner shall continue to redeposit new irrevocable letters of credit or financial security in the same manner as provided in the preamble of this clause until the final acceptance of the works by Council.

The said financial guarantee is intended to ensure compliance and completion of all of the works and improvements required to be done under the terms and conditions of this Agreement. Such works and improvements shall include off-site works to be undertaken by the developer's contractor, landscaping, fencing, retaining walls, paving and storm drainage, but shall not include the building or structure to be placed on the subject property.



Site Plan Agreement By-law 2019-942

If the financial guarantee submitted by the Owner is in the form of letter of credit, it shall contain a clause acknowledging that it is the responsibility of the financial institution to send to the Township and the Owner a written notice of expiry or cancellation by registered mail at least thirty (30) days prior to this noted expiry or subsequent cancellation date. This notification shall be applicable to any subsequent renewals of the letter of credit, either in its original amount or in any subsequent authorized reduced amounts. A failure to renew prior to the thirty (30) day period shall constitute a default on the terms of this Agreement on the part of the Owner.

In the event that the improvements have not been carried out or the financial guarantee has not been renewed in accordance with the terms and conditions of this Agreement, as to which the Chief Building Official shall be the sole judge, the financial guarantee shall not be refunded but rather shall become the property of the Township. The Township may take whatever steps are necessary to seize and realize upon the said financial guarantee. Seizure and realization herein by the Township of the financial guarantee shall not obligate the Township to complete the works set out herein. However, should the Township desire to complete the said works using the proceeds of the financial guarantee any entry upon the subject property by the Township shall not constitute an act of trespass on the property by the Township, its servants or agents. Should the amount of the financial guarantee not cover the cost of the work done by the Township, the Township may recover the costs either by action or the same may be recovered in like manner as taxes in accordance with Section 446 of the Municipal Act 2001, S.O. 2001, Chapter 25.

In the event that the Owner, as identified in this Agreement, conveys his/her interest in the subject property prior to the release of the financial guarantee, the Township shall be entitled to retain the financial guarantee posted by the Owner identified in this Agreement until either the new Owner has provided the necessary financial guarantee or until the Chief Building Official certifies that the works agreed to have been completed, whichever event occurs first.

Upon approval of the required works by the Township, the Township agrees to release the financial security. The approval of such works or part thereof shall be dated as of the date of the Owner's application for approval thereof or following the inspection of same by the Township.



Site Plan Agreement

By-law 2019-942

6. DEFAULT AND RELEASE OF SECURITY

After having first notified the Owner, the Township may at any time authorize use of the whole or part of the amount of the financial security referred to in Schedule "B" thereof to pay the cost of any work that the Township deems necessary to rectify default by the Owner or its assigns, or to pay the cost of any matter for which the Owner is liable under this Agreement, whether such cost is in relation to construction or installation of any works or service or any defects or required maintenance. It is understood and agreed that the financial security, or so much thereof as the Township deems necessary, shall be held by the Township until final acceptance of the works, except where any part is used pursuant to this clause, provided that where a financial security is made pursuant to Schedule "B" hereof, the Clerk may recommend the reduction of such financial security from time to time as works are completed, it being understood that up to fifteen (15%) percent of such financial security is designed to cover maintenance and warranty commitments.

The Township may retain in the form of the financial guarantee an amount up to ten percent (10%) of the total costs of the works to be held back for a period of one year from the date of completion of the works to ensure maintenance and compliance in accordance with the approved site plan and the terms and conditions of this Agreement. The one-year period shall commence once a certificate of occupancy is issued by the Chief Building Official.

7. OTHER APPROVALS

It shall be the responsibility of the Owner(s) to make application and obtain approval from all regulatory Provincial and Federal authorities where applicable.

8. ROADS AND CULVERTS

The Owner(s) covenants and agrees to construct all roads, including access driveways, in the development in accordance with the specifications as set out in bylaw 98-310 of the Township as noted in Schedule "C" to this Agreement, and Zoning Bylaw 91-219 as amended. The Owner agrees that approval of this Agreement does not guarantee road access to the development.



Site Plan Agreement By-law 2019-942

9. SEWAGE DISPOSAL

The Owner agrees that an on-site sewage disposal system shall be constructed in accordance with the requirements of the Building Code Act and shall be subject to the approval of the Algoma Public Health. Separation distances between septic envelopes and properly constructed drilled wells shall be at least 15 m [49.2 ft.] for any in ground beds and 18 m [59 ft.] for fully raised beds as required by the Ontario Building Code.

No part of any sewage disposal system including a leaching or filter bed shall be constructed closer than 30 m [98.4 ft.] from the shoreline of any water body. Shoreline shall be as defined in By-law 91-219, as amended.

The Owner agrees to maintain the sewage disposal system in good working order by contracting for the pump-out and disposal of septage not less than once in every three years by a licensed contractor, by keeping shrubs and trees away from the leaching or filter bed and by maintaining a continuous grass cover over the entire leaching or filter bed. The Owner agrees that that there shall be no gardening permitted on top of the leaching or filter bed and that the leaching or filter bed shall not be used for the storage or traversing of vehicles or the construction of any buildings or structures.

10. WATER SUPPLY

The Owner agrees that drilled wells on the site shall be constructed with a minimum 6 m [19.6 ft.] length of casing through the overburden materials and at least 1 m [3.2 ft.] into the sound bedrock. The annulus of the casing is to be filled with grout using the displacement or pressure injection method also in accordance with the regulation. Water supply wells shall be constructed in accordance with Ontario Regulation 903 as amended. The Owner shall provide a copy of the well report to the Township. The water well shall be located upgradient from any potential contamination source such as a sewage disposal system, pesticide storage and fuel tank and the final grades around the well shall be designed to direct surface water away from the casing.

Cement grout mixtures should be allowed to set for a minimum two-day period for normal cement or twelve hours for a high early strength cement prior to advancing the well further into the bedrock.



Site Plan Agreement

By-law 2019-942

The well casings should be completed at least 300 mm [11.8 in] above finished ground surface and should be fitted within a pitless adapter to facilitate below ground plumbing and electrical connections.

The Owner agrees to maintain the water well in good working order by ensuring that surface drainage is directed away from the well casing, that the sanitary seal and well cap are securely in place and watertight, that the well cap is at least 30 cm [12 in] above the finished grade, that all joints, connections or cracks in the well casing area sealed and that the well pump, filter system and distribution systems are maintained in good working order. The Owner agrees that in the event that the well is permanently abandoned that arrangements shall be made for the decommissioning thereof.

11. DRAINAGE AND SITE ALTERATION

The Owner(s) covenants and agrees to construct and install drainage and/or stormwater works in accordance with the plans set out in Schedule "D" to this Agreement, when required.

No contouring, grading, filling, cutting, site alteration, or changes to elevation shall be undertaken except in conformity with a drainage plan approved by the Chief Building Official.

No filling, dredging or other alteration (construction of docks, boathouses, retaining walls, erosion control or sedimentation control works) of the bed or shoreline of any lake or waterbody shall be undertaken without the prior reviews and written authorization of the Ministry of Natural Resources and/or the Department of Fisheries and Oceans or their authorized agent(s) and any proposed alterations deemed harmful or destroys fish habitat, shall not be permitted.

12. LANDSCAPING AND ENVIRONMENTAL CONSERVATION

The Owner agrees to preserve the existing vegetation and soil mantle on the lot from disturbance except for provision of a one lane driveway access, for building envelopes suitable for the construction of the dwelling and accessory buildings and for an envelope for the sewage disposal bed and septic tank.

Selective cutting shall be permitted to remove diseased, dying and dead trees or to thin trees as a means to promote denser and healthy growth. This Agreement



Site Plan Agreement

By-law 2019-942

shall not be deemed to prohibit the Owner from planting additional trees or other vegetation on the property or to replace tree stock or other vegetation that has died. The Owner agrees that only healthy native species shall be used for replanting or reinstatement.

Clearing shall also be permitted to provide for a narrow access corridor to any lake not exceeding 9 m [29.5 ft.] in width for a footpath and/or boat launch and/or access to a dock

The shoreline shall otherwise be left in its natural state except where alterations are approved by the agency having authority, including the Ministry of Natural Resources and/or the Department of Fisheries and Oceans or their authorized agent(s).

13. DOCKS

Docks shall be constructed of environmentally friendly materials and with the approval of the Ministry of Natural Resources and/or the Department of Fisheries and Oceans, if required. The Owner agrees that used railway ties, polystyrene Styrofoam or toxic preservatives shall not be used in the construction of a dock or shoreline structure and that if drums or other containers are used, that the former contents are environmentally friendly (i.e. exclude petroleum, paint and acid). Docks which may harm or destroy fish habitat are prohibited. The Owner agrees that any crib designed to support a dock which exceeds 15 m² [161.5 ft.²] shall require prior approval of the Ministry of Natural Resources.

14. ZONING AND BUILDING RESTRICTIONS

The Township shall regulate by by-law the zoning of and the construction and standard of buildings in all areas where applicable within the boundaries of the lands affected by this Agreement. It is understood and agreed that nothing in this Agreement shall relieve the Owner(s) of the obligation to comply at all times, including during construction if so directed by the Chief Building Official, with all relevant zoning and building by-laws and provincial legislation.



Site Plan Agreement

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15. BUILDING PERMITS – DEFAULT

The documents required to be supplied by the Owner under the terms and conditions of this Agreement must be submitted to the Township at the time the application for a building permit is made.

Pursuant to the Building Code Act, the Owner agrees that building permits may be withheld or the issue of them stopped, if the Owner, in the opinion of the Chief Building Official is in default under this Agreement, until such time as such default can be rectified.

It is understood and agreed by the parties hereto that in the event of a failure of an undertaking contained herein, the Township may at its option stop work forthwith upon notice by the Township to the Owner and no further work shall be done and the erection or construction of buildings or structures on the subject property shall cease until the stop-work order issued by the Township has been withdrawn. In every case where the stop-work order is issued for breach of an undertaking in this Agreement or the provision of any other Township by-law, the owner shall have no cause of action against the Township, its servants or agents resulting from any loss arising from the issuance of the stop-work order.

16. INDEMNITY

It is understood and agreed that the works to be done by the Owner shall be done in a good, workmanlike fashion and in strict compliance with all plans, blueprints or other papers submitted herewith and forming part of this Agreement and failing which the Owner, its successors and assigns shall at all times indemnify and save harmless the Township of and from all loss, costs and damages which the Township may incur, be at or be put to for or by reason of, or on account of the construction or maintenance by the Owner, his agents, servants or contractors. Further, it is the intent of this Agreement that any extension of time granted to the Owner by the Township shall not affect the relationship between the Owner and any bonding agent, surety financial guarantor under a financial agreement, letter of credit or other instrument of the same kind given in order to secure the performance of the terms and conditions of this Agreement.



Site Plan Agreement

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17. OWNER MAY REQUEST AMENDMENT TO AGREEMENT

On the application of the Owner of the subject property to the Chief Building Official, such alternations may be made to the requirements of this Agreement as the aforesaid Official, in his discretion, deems consistent with the general intent of this Agreement, the relevant zoning by-laws of the Township, the proper development of the subject property and surrounding lands, and the preservation of the amenity of neighbouring residential lands; provided, however, if the Owner is dissatisfied with a decision of the said officials made under this clause, he may appeal therefrom to Council whose decision shall be final and binding upon the Owner.

Any amendments to this Agreement and the schedules attached will be processed by the Chief Building Official. Any such amendments will not necessarily be filed in the Clerk's Office. For any information concerning any amendments, contact should be made with the Chief Building Official.

18. AGREEMENT ACKNOWLEDGED

The Owner shall not call into question, directly or indirectly in any proceedings whatsoever, in law or in equity or before any administrative tribunal, the right of the Township to enter into this Agreement and to enforce each and every term, covenant and condition herein contained and this Agreement may be pleaded as an estoppel against the Owner in any such proceedings.

19. REGISTRATION

The Owner consents to the registration of this Agreement, on the title to the subject property. The Owner shall pay the registration costs. Any amendments to this Agreement agreed to between the parties hereto will not necessarily be registered on title to the subject property and the details of any such amendments may be obtained by attending at the Township offices.



Site Plan Agreement

By-law 2019-942

20. COMPLIANCE WITH OTHER BY-LAWS

Notwithstanding any of the provisions of this Agreement, the Owner shall be subject to all the by-laws of the Township.

21. COVENANTS RUN WITH THE LAND

All terms, covenants and conditions herein contained shall be deemed to be negative and shall run with the land and be binding upon the Owner, his heirs, assigns and administrators or successors as owners and/or occupiers of the said lands from time to time and shall be appurtenant to the adjoining highways in the ownership of the Township.

22. SEVERABILITY

It is intended that all provisions of this Agreement shall be fully binding and effective between the parties, but in the event that any particular provision or provisions or a part of one is found to be void, voidable or unenforceable for any reason whatsoever, then the particular provision or provisions or part of the provision shall be deemed severed from the remainder of this Agreement and all other provisions shall remain in full force.

23. PENALTY

The Owner is aware that any violation to the terms and conditions of this Agreement will be subject to the penalty provisions as contained in the Planning Act and in the Municipal Act.



Site Plan Agreement By-law 2019-942

24. NOTICES

Any notices required to be given hereunder may be given by registered mail addressed in the case of the Township to:

**Chris Wray, Clerk
Township of Johnson
1 Johnson Drive, P. O. Box 160
Desbarats, ON P0R 1E0**

And in the case of the Owner(s) to:

**ARG Capital LLC
1950 Corporate Way
Anaheim, CA.
USA 92801**

Attention: Mr. Mark Palchak

and shall be effective as of the date of deposit thereof in the post offices or such notice may be served personally upon the appropriate officer of either party hereto

25. HEIRS, SUCCESSORS AND ASSIGNS

This agreement shall enure to the benefit of and be binding upon the parties hereto, their heirs, successors and assigns.



Site Plan Agreement
By-law 2019-942

DATED THIS 16th DAY of October, 2019.

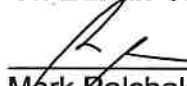
WITNESS the signature and seal of the parties hereto.

THE CORPORATION OF THE TOWNSHIP OF JOHNSON (The "Township")


Mayor

Clerk

On Behalf of ARG Capital LLC (The "Owners")



Mark Palchak – I have the



Stephanie Kostiuk
Witness



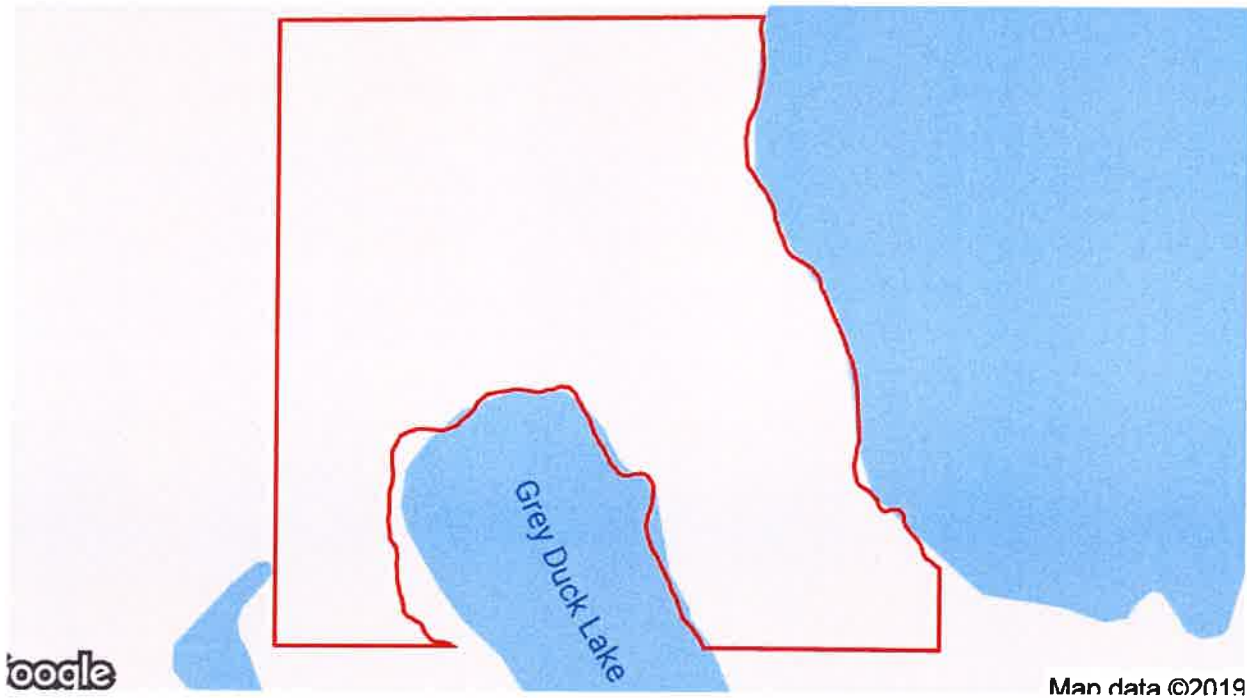
Site Plan Agreement

By-law 2019-942

Site Plan Agreement Schedule "A"

LANDS AFFECTED BY THIS AGREEMENT

CON 5 LOT 9NPT PCL 1431 ACS





Site Plan Agreement

By-law 2019-942

Site Plan Agreement Schedule "B"

ESTIMATED COST OF WORKS

Financial Security shall not be required.



Site Plan Agreement By-law 2019-942

Site Plan Agreement Schedule "C"

ROADS AND CULVERTS

THE CORPORATION OF THE TOWNSHIP OF JOHNSON
BY-LAW 98-310

BEING A BY-LAW TO REGULATE ENTRANCE WAY CULVERT INSTALLATION

WHEREAS Council of the Corporation of the Township of Johnson has deemed it necessary to regulate the installation and maintenance of all new and existing entrance way culverts

NOW THEREFORE the Council of the corporation of the Township of Johnson enacts as follows:

1. All new entrance ways onto township roads will be installed by township employees and supervised by the township Road Superintendent.
 2. The type, diameter, length, placement, and depth of entrance pipe be determined by the Township of Johnson or the official agent of the Township of Johnson.
 3. All culverts, labour, equipment time, and entrance way materials be supplied by the Township of Johnson for new entrances and then charged back to the property owner at the township invoice cost.
 4. When installation is complete this entrance becomes the property of Johnson Township who is then charged with repair, maintenance and/or replacement of said entrance except where the property owner wants improvements or changes to the entrance way.
 5. The number of entrance ways maintained by Johnson Township will be limited to:

single family dwelling	-	1 entrance 30 feet top
residential - commercial	-	2 entrance 30 feet top
commercial	-	2 entrances 30 feet top
- Any entrance in excess of the above must be approved by Johnson Township. Any additional entrance ways will be installed by the township and installation and maintenance costs will be charged back to the property owner.
6. Entrance ways existing before this by-law are subject to the same conditions as above after a survey is completed of entrance culvert.
 7. Culvert installation will be by permit (SCHEDULE "A"). A charge of \$100.00 will be assessed for installation without a permit. Additional culverts being installed in the municipality may be purchased from the township subject to availability of the culverts. No new building permits until an entrance permit is granted if permitted.
 8. The Township will be responsible for bringing the road surface over the culvert back the Granular "B" material only.
 9. Existing entrances will be documented as time permits. (Schedule "B")
 10. Documents new entrances as installed (Schedule "C")

THEREFORE it is recommended that property owners make sure culverts to properties are cleaned of grass and debris when necessary or at least before each winter

Edward McGuinness
REEVE

Jane M. ...
CLERK



Site Plan Agreement

By-law 2019-942

Site Plan Agreement Schedule "D"

DRAINAGE AND GRADE CONTROL

Ditches shall be designed to convey water to a natural outlet or water body.

(Note: water discharge into a natural water body may be subject to approval of the Department of Fisheries and Oceans Canada.)

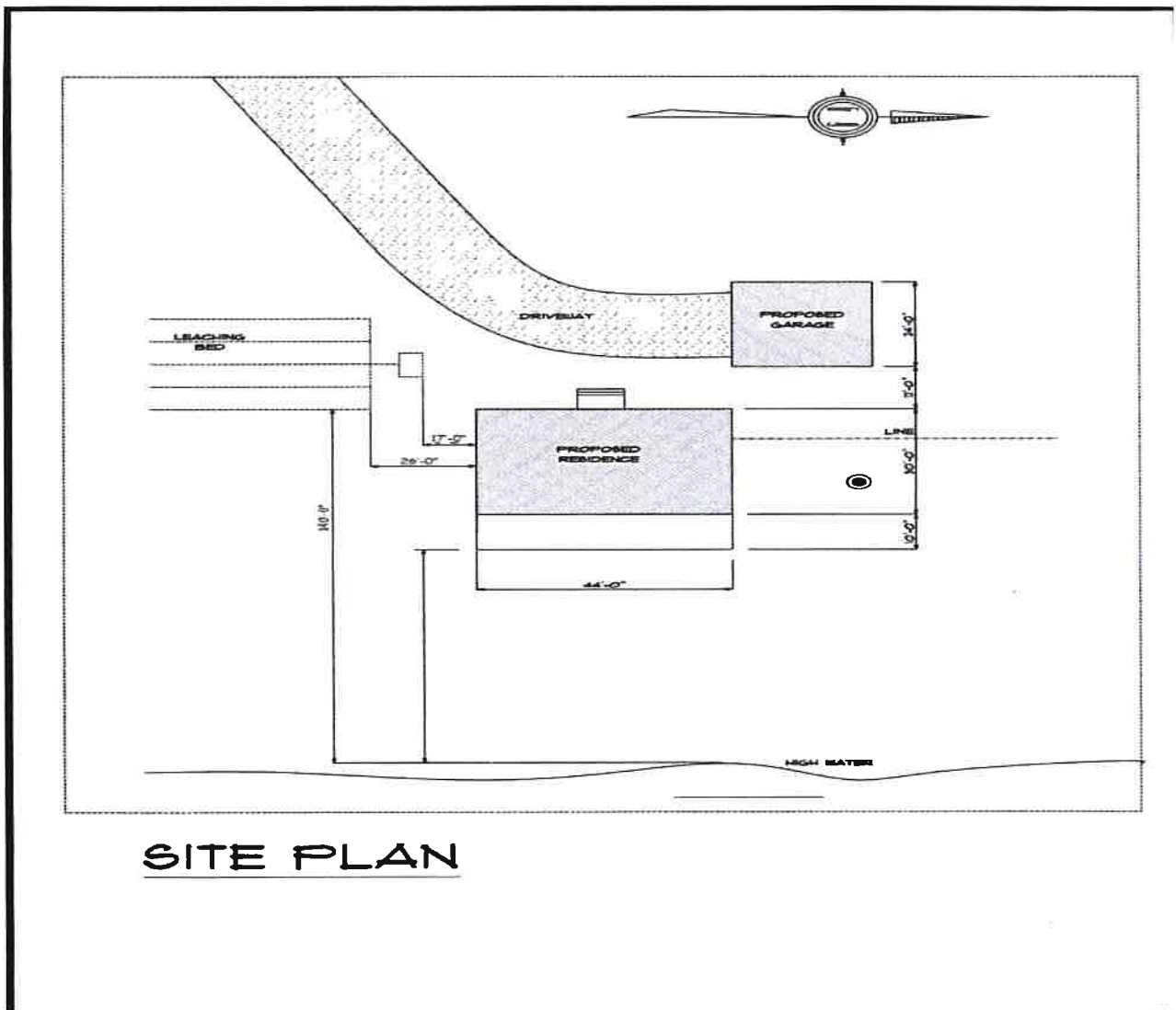


Site Plan Agreement

By-law 2019-942

Site Plan Agreement Schedule "E"
Page 1

SITE PLAN DRAWINGS



SITE PLAN

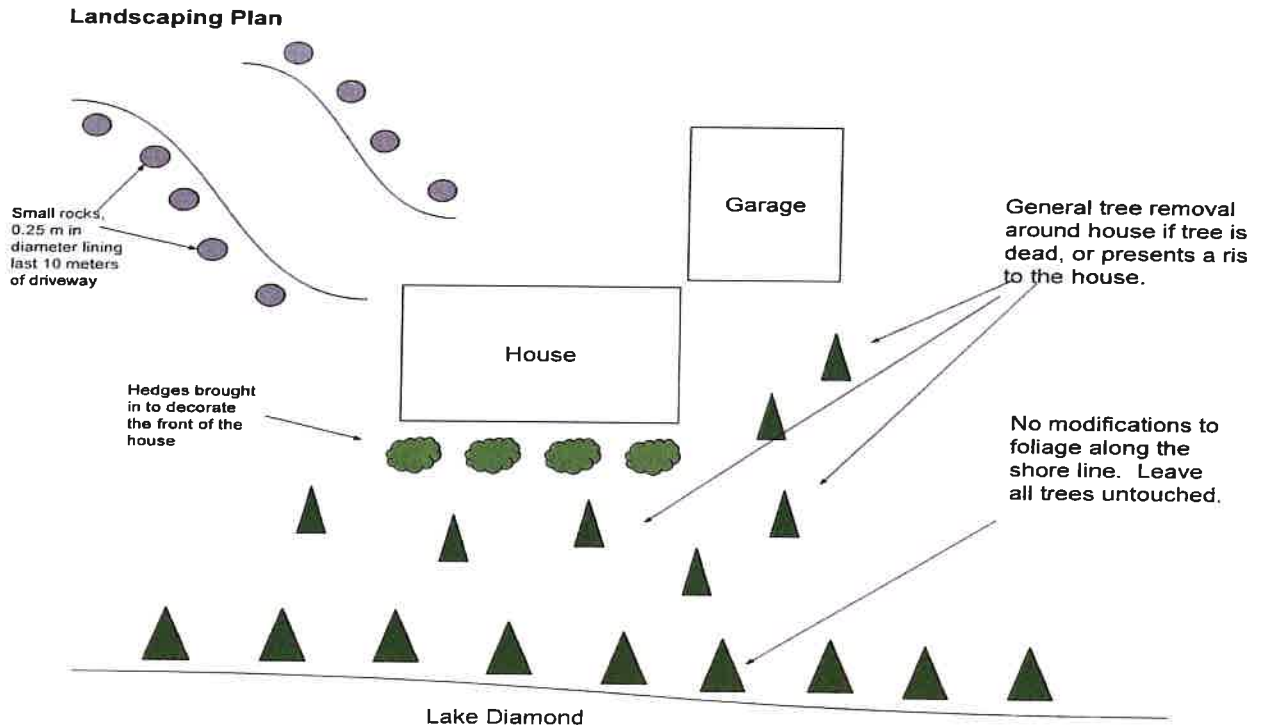


Site Plan Agreement

By-law 2019-942

Site Plan Agreement Schedule "E"
Page 2

SITE PLAN DRAWINGS





THE CORPORATION OF THE TOWNSHIP OF JOHNSON

**BY-LAW NO. 2019-943
Site Plan Agreement Amendment - Kettles**

BEING A BY-LAW to amend bylaw # 2015-802, being a bylaw to authorize the Mayor and Clerk to execute a Site Plan Agreement with, James Grant Kettles and Mary Frances Kettles, Part of Block J S South Part, Township of Johnson, District of Algoma having a lot area of 1.06 ha, a lot frontage of 83 m on Lake Huron and a lot depth of 125 m (irregular). Civic Address: 119B Lantern Lane, Assessment Roll # 57 16 000 006 05400 0000.

WHEREAS pursuant to Section 9 of the Municipal Act, R.S.O. 2001, c. 25, as amended provides that the Council is enabled to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues.

WHEREAS the Council of the Corporation of the Township of Johnson deemed it desirable and necessary to enter into a Site Plan Agreement with James Grant Kettles and Mary Frances Kettles, 199B Lantern Lane, Desbarats, Ontario.

NOW THEREFORE BE IT RESOLVED the Council of the Corporation of the Township of Johnson enacts as follows:

1. **THAT** the Mayor and Clerk are hereby authorized to sign an Agreement Amendment, on the behalf of The Corporation of the Township of Johnson, with James Grant Kettles and Mary Frances Kettles, 119B Lantern Lane, Desbarats, Ontario.
2. **THAT** the aforementioned Agreement Amendment is attached hereto as Schedule "A" forming part of this By-Law.
3. **THIS** By-Law shall be effective on date of adoption.

READ a first, second and third time and finally passed this 16th. Day of October, 2019.

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



Site Plan Agreement Amendment By-law 2019-943

THIS AGREEMENT made this 16th day of October, 2019

BETWEEN

THE CORPORATION OF THE TOWNSHIP OF JOHNSON

(Hereinafter called "the Township")

OF THE FIRST PART

-AND-

James Grant Kettles & Mary Frances Kettles

(Hereinafter called "the Owner(s)")

OF THE SECOND PART

WHEREAS the Owner(s) and the Township entered into a Site Plan Agreement through Bylaw 2015-802

WHEREAS Site Plan Agreement, Bylaw 2015-802 was registered on title of the subject property described as Part of Block J S South Part, Township of Johnson, District of Algoma having a lot area of 1.06 ha, a lot frontage of 83 m on Lake Huron and a lot depth of 125 m (irregular). Civic Address: 119B Lantern Lane, Assessment Roll # 57 16 000 006 05400 0000.

AND WHEREAS the Owner(s) warrants that he/she is the Owner(s) of the lands described in Schedule "A" of this Agreement;

AND WHEREAS the Owner(s) have applied to amend the Site Plan Agreement for the purposes of constructing a garage;

AND WHEREAS the Parties hereto have agreed to amend the agreement through the specific provisions as set forth herein and shall be met by the Owner(s) as a condition to the approval of the development of the subject lands;

AND WHEREAS authority is granted pursuant to Section 41(7) (c) of the Planning Act to enter into agreements imposed as a condition to the approval of development;



Site Plan Agreement Amendment By-law 2019-943

NOW THIS AGREEMENT WITNESSETH upon payment of two dollars (\$2.00) of the lawful money of Canada now paid by each of the parties to the other, (the receipt of which is hereby acknowledged), that in consideration of the mutual covenants and conditions herein set forth the Parties, hereto agree to amend the agreement by replacing Section 6 of the current agreement with the following:

1. SITE PLAN DRAWING

The Owner agrees to construct, install, maintain, reinstate, restore or retain all buildings, structures, other works and landscaping in compliance with the site plan drawing as set out in Schedule "C" to this Agreement. It is understood and agreed that if the proposed building(s) has/have not commenced within three (3) years of the date of approval of the said site plan, the approved site plan becomes null and void and a new site plan must be submitted.

A copy of the site plan agreement shall be kept on the construction site at all times.

FURTHER THAT all other terms and conditions of the Agreement shall stay in effect.

FURTHER THAT the Owner(s) consent to the registration by the Township at the Owner's expense of the Agreement Amendment against the title to the Owner's lands and, in accordance with s. 41 (1) of the Planning act, all of the terms and conditions of this Agreement may be enforced against the Owner and any and all subsequent owners of the Owner's lands.



Site Plan Agreement Amendment By-law 2019-943

DATED THIS 16th DAY OF October, 2019.

WITNESS the signature and seal of the parties hereto.

THE CORPORATION OF THE TOWNSHIP OF JOHNSON (The "Township")

Mayor

Clerk

James Grant Kettles & Mary Frances Kettles (The "Owners")

James Grant Kettles

Witness

Mary Frances Kettles

Witness



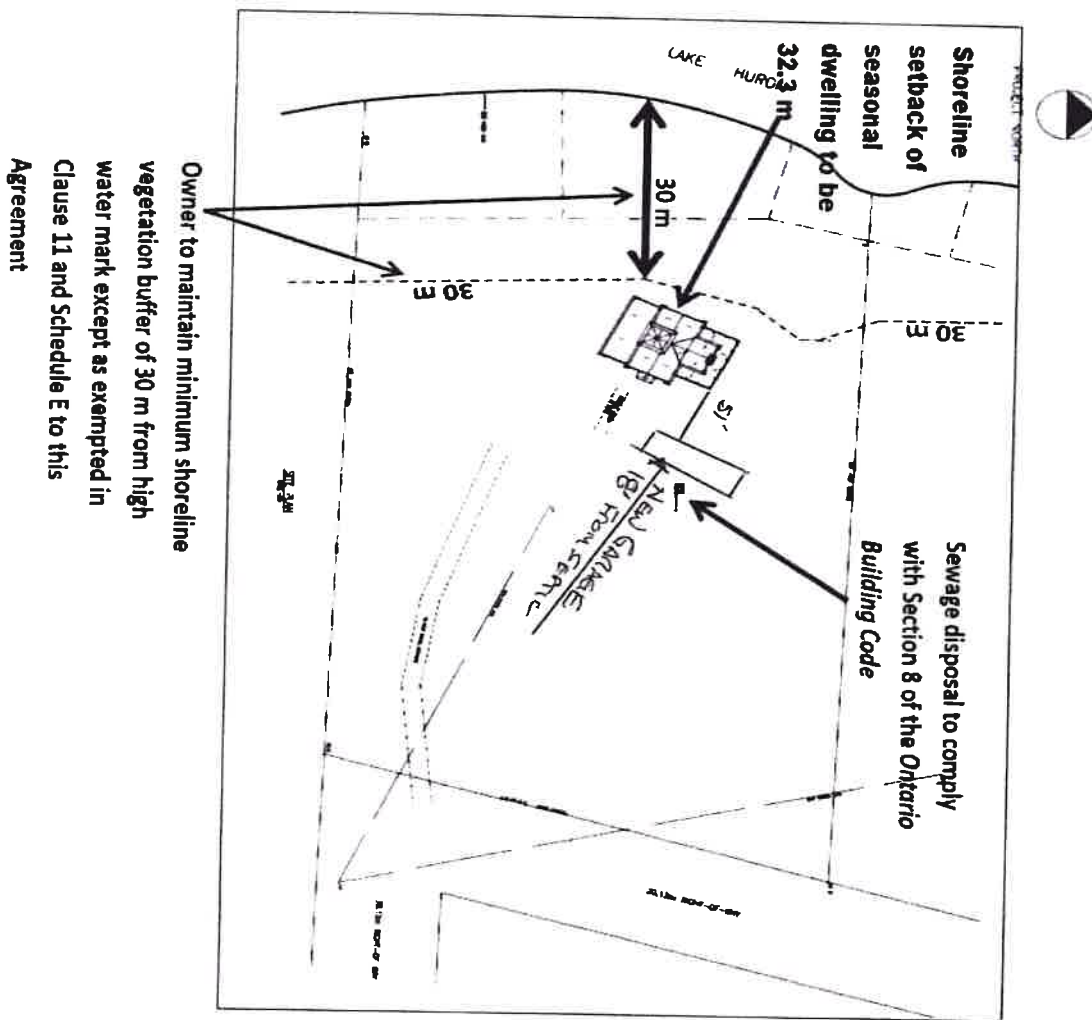
Site Plan Agreement Amendment

By-law 2019-943

Site Plan Agreement Schedule "C"

SITE PLAN DRAWINGS

Part of Block J S South Part, Township of Johnson
THE ORIGINAL PLANS ARE NOW ON FILE IN THE MUNICIPAL OFFICE AND
SHALL BE REFERRED TO IN THE EVENT OF ANY DISPUTE





THE CORPORATION OF THE TOWNSHIP OF JOHNSON

BY-LAW NO. 2019-944

BEING A BY-LAW to enter into an agreement with Municipal Planning Services to appoint Municipal Planning Services Ltd as the Municipal Planner for the Township of Johnson.

WHEREAS Section 8(1) of the Municipal Act, R.S.O. c.25 confers that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

WHEREAS Section 9 of the Municipal Act, R.S.O. c.25 confers that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act.

WHEREAS the Council of the Corporation of the Township of Johnson deems it desirable and necessary to enter into an agreement with Municipal Planning Services Ltd for the purpose of providing land use planning services.

NOW THEREFORE BE IT RESOLVED the Council of the Corporation of the Township of Johnson enacts as follows:

1. **THAT** the Mayor and Clerk are hereby authorized to sign this bylaw agreeing to the services to be provided by Municipal Planning Services
2. **THAT** the proposal will act as the agreement and is attached hereto as Schedule "A" forming part of this By-Law.
3. **THIS** By-Law shall be effective on date of adoption.

READ a first, second and third time and finally passed this 16th. Day of October, 2019.

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk

Proposal to Provide Consulting Planning Services
Township of Johnson



A Proposal By:

•Municipal Planning Services Ltd. •

August, 2018

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Appendix 1: Curriculum Vitae

1.0 MUNICIPAL PLANNING SERVICES LTD.

Municipal Planning Services Ltd. is a new firm created to provide planning service and advice to municipalities. The core principle of the firm is to provide quality service and advice in a professional yet down to earth manner.

The principle of the firm, **Chris D. Jones, MCIP, RPP**, is a professional planner with 22 years of experience providing planning advice and specifically undertaking work programs on behalf of municipalities to prepare Official Plans and Zoning By-laws. Over the course of his career, Chris has worked on behalf of over 40 municipalities and has provided a wide range of service for everything from in-house coverage to the preparation of over 20 Official Plan and Zoning By-law updates and major amendments. Chris is a planner that has learned his craft from the ground-up, from undertaking land use analysis, preparing mapping, conducting and facilitating public consultation to managing Official Plan and Zoning By-law work programs.

Chris has worked as a municipal planning consultant for most of his professional career and is currently providing planning services to 12 municipalities including the Municipality of Highlands East, and Township of Melancthon in Dufferin County, the Municipality of Trent Lakes in the County of Peterborough and the Township's of Strong and Machar in Parry Sound District.

For the Township of Johnson to want to retain Municipal Planning Services Ltd., the Township will need to want a Planner:

- Who is prepared to work with staff and Council in a collaborative manner;
- Who is experienced and considers listening to be more important than talking;
- Whose primary focus is working for municipalities;
- Who can deliver quality service in a efficient and affordable manner; and,
- Who has a rural background and an affinity for rural and lake-based communities.

•Municipal Planning Services Ltd.•

1.1 Skills and Experience

As a municipal planning consultant with 22 years experience, Chris brings the following background and skills to the table:

- Official Plan and Zoning By-law Interpretation and Preparation;
- Municipal Planning Service and Administration;
- Growth Management Strategies and Studies;
- Intensification Assessment and Studies;
- Employment Land Strategies and Studies;
- Rural and Agricultural Land Use Strategies and Studies;
- Shoreline Development Policy and Regulation;
- Community Improvement Plans;
- Aggregate Resources Assessment;
- Ontario Municipal Board testimony;
- Forensic Planning Research (non-conformity and non-compliance);
- Brownfield Development;
- Subdivision Review and Development;
- Recreation Community and Golf Course Development;
- Cemeteries Act approvals;
- Site Plan Control By-laws and Agreements;
- Development Agreements;
- Consent Agreements;
- Encroachment Agreements;
- Parkland and Cash-in-lieu By-laws;
- Road Closure By-laws and Road Assumption By-laws;
- Declaration of Surplus Land By-laws;
- Clean Yards and Property Standards Policies and By-laws;
- Green Energy Act;
- Source Water Protection;
- Mediation;
- Municipal Employment Land Policies and By-laws; and,
- Co-ordination of GIS Map Preparation and Analysis.

Chris's CV can be found at Appendix 1.

2.0 THE MUNICIPAL PLANNING SERVICES NETWORK

Over the course of his career Chris has developed an extensive network of professionals with whom he relies upon from time to time for peer review and support. Some of the firms that may be utilized and/or could be beneficial in the provision of planning services in Sundridge include:

STEVE ALDRED GIS-AS, BA is the principle of a Mapping and GIS practice based in Barrie. Steve manages GIS datasets and conducts mapping analysis for a number of MPS Ltd. clients. Steve's CV is attached at Appendix 1.

RUSSELL CHRISTIE LLP is a leading municipal law practice serving Central Ontario and the near north. Chris has worked closely with Mr. Ed Veldboom and Mr. Christie on behalf of municipal clients and has also prepared for and attended several OMB hearings with Mr. Veldboom.

THE PLANNING PARTNERSHIP is a firm based in Toronto with a specialty in urban design and master planning. Chris is currently working with The Planning Partnership in the development of two Secondary Plans in Niagara Region that will accommodate over 10,000 people. Chris has also teamed with The Planning Partnership to prepare a new Official Plan and Zoning By-law for the City of Charlottetown in Prince Edward Island.

AZIMUTH ENVIRONMENTAL is a firm based in Barrie with disciplines in bio-physical, assessment, hydrogeology and environmental engineering. Chris frequently utilizes Azimuth services in addressing water quality and site remediation issues related to planning approvals, including the assessment of pits and quarries.

HUTCHINSON ENVIRONMENTAL SCIENCES is a firm based in Bracebridge, led by Dr. Neil Hutchinson, a professional with an unparalleled experience in water quality impact assessment and limnology.

CC TATHAM AND ASSOCIATES is a firm based in Bracebridge that has built a solid reputation in Central Ontario for civil engineering services. Chris has worked with Tatham's on a number of occasions to address site servicing issues, stormwater management and traffic impact assessment.

3.0 EXPERIENCE

The following is a summary of 5 municipalities whom Chris Jones currently provides professional planning services:

3.1 Municipality of Highlands East – County of Haliburton

Contact	Description
Ms. Shannon Hunter, CAO (705)-448-2981	Chris has provided planning services to the Municipality of Highlands East for over 15 years. He has worked with the Municipality to prepare a new Official Plan and Zoning By-law as well as parkland dedication and site plan control by-laws. Chris also assists with application review and approval and has appeared at the OMB on behalf of the Municipality.

3.2 Township of Machar – District of Parry Sound

Contact	Description
Ms. Brenda Paul, Clerk (705)-386-7741	The Township of Machar is a long-standing client whom Chris has assisted on an as-needed basis with application review and administration, OMB representation and preparation of site plan and development agreements.

3.3 Township of Strong – Parry Sound District

Contact	Description
Ms. Caitlin Haggert, Clerk (705) 384-5819	Chris has provided planning services to Strong Township in East Parry Sound District for 11 years and is currently assisting the Township with a review of its trailer licensing and zoning regulations.

3.4 Municipality of Trent Lakes – County of Peterborough

Contact	Description
Ms. Kari Stevenson, Clerk (705) 738-3800	The Township of Trent Lakes (formerly Galway-Cavendish-Harvey) is a new client who recently retained Chris to assist with the review of Planning Act applications, pre-consultation matters and zoning and policy interpretation.

3.5 Township of Chisholm – Nipissing District

Contact	Description
Ms. Linda Ringler, Clerk (705)-724-3526	The Township of Chisholm is located next to Algonquin Park in the Lake Nipissing watershed. Chris has provided planning service to Chisholm for 11 years. Chris recently completed the Township's new Official Plan and is currently finalizing the Township's new Zoning By-law. The Township has become a new home for an Ahmish community and Chris has assisted the Township accommodate a number of planning requests to accommodate the needs of this community including a cemetery, new school and a number of rural industrial uses.

4.0 APPROACH

Municipal Planning Services Ltd. has an established model for the provision of planning advice and service to municipalities. First and foremost, municipal staff need to be at the forefront of all administration and also need to be the primary, or first point of contact with applicants, Committees and Council. Consultants are not staff and should not be the primary point of contact for applicants or members of the public. In the provision of planning service, my approach is to provide support, direction and assistance at the request of staff.

Municipal Planning Services Ltd. tailors the level of service to the scale of the planning application. For example, applications for minor variance are limited to technical support and advice, whereas more substantial applications for plans of subdivision or mineral aggregate operations will involve pre-consultation meetings and site visits, communication with and direction to Council and the preparation of planning reports, instruments and agreements that can be relied upon in an Ontario Municipal Board proceeding.

In providing quality service to clients and applicants, the statutory timelines under the Planning Act are not as important as taking time within the context of the Council meeting schedule to ensure reasonable, transparent and fulsome decision-making.

In my experience I have found it very important for Council, Committees and staff to avoid dependency on consulting services. Rather the consultant should be called on primarily to assist in facilitating accountable, defensible, and prudent decision-making. As iterated above, I do not see a need for a consultant to become involved in or prepare a planning report on every minor variance or zoning application. Staff, Committee and Council need to have the resources and training to process the majority of planning applications independently, but also need to have the discretion to request the involvement of a professional planner for more complex or sensitive applications.

It is recommended, if Municipal Planning Services Ltd. is retained by the Township, that an initial strategic workshop be held with staff and Council to:

- Provide a planning primer or refresher on the key roles and authority of municipalities;
- Provide an overview on current planning trends and issues as well as current Provincial legislation and policies; and,
- Establish 2 strategic "planning related" goals to be fulfilled in the next mandate of Council.

•Municipal Planning Services Ltd. •

5.0 COMMUNICATION WITH THE PUBLIC

Planners frequently find themselves dealing with land use issues that affect citizens and their quality of life. In my experience communicating with members of the public I have established the following basic principles (in no particular order) that I generally live by:

1. Be engaging

Prior to a public meeting or workshop I make a concerted effort to meet people and let them know who I am and what my role is as a planner. This helps people to feel welcome and provides an opportunity for engagement before meetings begin.

2. Be insightful

We live in a digital age where society has unprecedented access to information. For this reason I try not use meetings as a means to "distribute information". Instead I try to engage citizens through the use of insight, perceptions and real life experience.

3. Do not waste people's time

The average citizen does not have excessive amounts of spare time to use attending meetings or dealing with planning issues. For this reason, I am very conscious of running meetings efficiently and flexibly so people feel their time has been used wisely.

4. Listen

One of the challenges in conducting meetings with citizens is to transform the planner/facilitator from "talker" to "listener". This is the goal of every meeting I conduct and my aim is to listen more than I talk.

5. Learn

I approach every assignment, and every public session as a learning experience. In doing so, it provides an opportunity to hear citizen perceptions and experiences and learn how other communities have resolved recurring planning problems.

6.0 FEE STRUCTURE

Municipal Planning Services Ltd. invoices for time on the basis of a minimum 15-minute increment. The fee structure for this proposal is summarized in Table 1.

Table 1 – Summary of Fees

Description	Fee
Hourly Rate	\$ 80.00
Office Administration	Included
Mileage*	At Cost
Telephone	Included
Copies and Production	At Cost
Hourly Rate for Technical Mapping Service	\$65.00

*Travel time and cost of travel (rental car or airfare) will be invoiced at cost and will be shared proportionately amongst other MPS clients where meetings can be coordinated.

7.0 INSURANCE

Municipal Planning Services Ltd. currently holds Professional Liability Insurance and Commercial General Liability Insurance. In formalizing a retainer with the Township, MPS will submit a requisite "Independent Operator" questionnaire to WSIB for clearance purposes.

8.0 CONFLICTS

Municipal Planning Services Ltd. currently has no private clients and is not a landowner in the Township of Johnson. In 22 years working as planning consultant, Chris has never encountered a conflict, perhaps due in part to his focus in working for municipal clients. On occasions where a land use matter may involve a family relation, professional colleague or past client with whom I have an association, or in an instance where I have historically taken a specific view or opinion on a policy matter that may differ from Council's opinion, I would report my conflict directly to the Clerk. The matter could then be referred to another independent planning consultant.


•Municipal Planning Services Ltd. •

9.0 IN CLOSING

I appreciate the opportunity to submit a proposal to the Township of Johnson to provide planning services. If the Township is interested in working with a hands-on consulting planner who is prepared to collaborate with staff and Council, I believe this proposal will fulfill this intent.

Should you or Council have any questions regarding this proposal I would be happy to discuss these with you at your convenience.

Yours truly,



Chris D. Jones MCIP, RPP
President
Municipal Planning Services Ltd.

• Appendix 1 •

• Municipal Planning Services Ltd. •

51 Churchill Drive, Unit 1

Barrie, Ontario

L4N 8Z5

O-705-725-8133

C-705-796-8771

CHRIS D. JONES BES, MCIP, RPP

EDUCATION

1995 Bachelor of Environment Studies, (Honours-Co-op), School of Urban and Regional Planning, University of Waterloo, Waterloo, Ontario

EMPLOYMENT PROFILE

2012 to Date	President, Municipal Planning Services Ltd.
2007 to 2012	Associate, Meridian Planning Consultants
2002 to 2007	Senior Planner, Meridian Planning Consultants
2001 to 2002	Planner, Meridian Planning Consultants
1996 to 2001	Planner, The Planning Partnership
1995 to 1996	Planning Consultant, C.D. Jones Planning and GIS Services
1993 and 1994	Planning Technician, Jones Consulting Group (Jorden and Jones)
1991 and 1992	Planning Assistant, Tay Township

RELEVANT EXPERIENCE

Planning Services

Mr. Jones provides ongoing planning services to twelve municipalities in Central Ontario, the near North and the far North. In this role, Mr. Jones assumes a wide range of responsibilities including in-house pre-consultations, site plan review and development application review. He also advises municipal clients on policy and Planning Act matters and prepares and presents planning reports on planning and development applications. Mr. Jones has also appeared at the Ontario Municipal Board on behalf of municipal clients.

In his role as a policy planner, Mr. Jones has extensive interpretation and implementation experience with the Planning Act, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan, and the Growth Plan for the Greater Golden Horseshoe.



Official Plans and Zoning By-laws

Mr. Jones has coordinated and managed the preparation of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments for the following municipalities:

- City of Thorold
- Municipality of Highlands East
- Municipality of Machin
- Township of North Kawartha
- Municipality of Trent Lakes
- Municipality of Meaford
- Municipality of Powassan
- Municipality of Wawa
- Town of Atikokan
- Town of Lincoln
- Town of New Tecumseth
- Town of Pelham
- Township of Chisholm
- Township of Machar
- Township of Minden Hills
- Township of Oro-Medonte
- Township of Strong
- Township of Tarbutt
- Township of Tay
- Township of Tiny
- Township of Ear Falls
- Village of Sundridge
- Central Almaguin Planning Board
- St. Joseph Island Planning Board

Project Management and Development Approvals

Mr. Jones has managed a number of development approvals including housing and lifestyle developments, golf courses, institutional uses and agricultural related uses. In this role, he has managed development approvals relating to applications for minor variance, consent as well as zoning by-law and official plan amendments and has prepared planning reports and concept plans, liaised with agency staff and made presentations before committees and Council.

Mr. Jones has considerable experience in the preparation of site plan and development agreements on behalf of municipalities as well as the coordination and negotiation of site plan agreements for private sector clients. Notable site plan agreements Mr. Jones has coordinated include the Frog's Breath Personal Golf Course in the Township of Hudson and the Georgian Downs horse racing and gaming facility in the Town of Innisfil.

Public Consultation and Facilitation

Mr. Jones is a skilled presenter and always incorporates presentations into public consultation meetings or open houses designed to seek citizen or stakeholder input. Through his experience, Mr. Jones has presented and consulted on planning issues to audiences ranging in size from 2 to 200 people. Regardless of the size of the audience, Mr. Jones' presentation style focuses on the use of insight, perspective and humour to engage an audience and establish a level of comfort that will allow citizens to speak freely and facilitate meaningful dialogue.



Special Studies

Mr. Jones has completed a number of planning and land use studies on behalf of public and private sector clients. Some examples include:

- Greenbelt Implementation in the Town of Pelham
- Intensification Studies for the City of Thorold and the Towns of Lincoln and Pelham
- National Assessment of Regional Rail Corridors
- Growth Management Study for the Town of Atikokan
- Community Improvement Plan for Downtown Wawa
- Oro Moraine Land Use Study
- Research and Analysis of a Downtown Assessment Class
- Regulation of In-water structures
- Shoreline Development Analysis in Haliburton

Ontario Municipal Board

Mr. Jones has prepared and given planning evidence before the Ontario Municipal Board on numerous occasions. This work includes research, preparation of witness statements and affidavits, preparation of exhibits and mediation. Mr. Jones has participated in a wide variety of planning issues before the Board including applications for minor variance, consent, zoning by-law and official plan amendment, plans of subdivision and expropriation by a public authority.

SPEAKING ENGAGEMENTS

What a Committee of Adjustment Should Expect from a Professional Planner – OACA Seminar, Owen Sound 2005

North and Near North Designations under the Aggregate Resources Act - Cottage Country Planning Seminar, Huntsville, 2007

Community Improvement and Your Downtown – OBIA Annual Conference, Collingwood, 2009

The Benefits of Community Improvement Plans – OACA Conference, North Bay, 2009

Rural and Urban Communities – Simcoe County Board of Education 2011 - 2013

The Science of the Settlement – MMAH Conference, Sudbury, 2012

In-water Regulation – Zone 7 AMCTO Conference, Sundridge, 2016

In-water Regulation and the Public Lands Act – MMAH Planning Conference, Sudbury, 2017

AFFILIATIONS AND SPARE TIME

Registered Professional Planner (Ontario Professional Planners Institute)

Member of the Canadian Institute of Planners (MCIP)

Director Downtown Barrie Business Improvement Area (2000-2003)

Member City of Barrie Development Advisory Committee (2000-2003)

Level 1 Certified Coach – OMHA 2014

Simcoe Region and Barrie Minor Hockey League – Trainer/Manager/Coach 2011 - 2017

Barrie Minor Baseball Association – Coach 2009-2012 and 2016 to 2017



• Municipal Planning Services Ltd. •

51 Churchill Drive
Barrie, Ontario
L4N 8Z5
705-725-8133
705-796-8771

August 22, 2018

Ms. Ruth Smith, CAO/Clerk
Township of Johnson
1 Johnson Drive
Desbarats, ON
P0R 1E0

Dear Ms. Kelso:


Re: Proposal to Provide Professional Planning Services

I appreciate the opportunity to submit a proposal to provide the Township of Johnson with professional planning services on an as-needed basis. Put simply, Municipal Planning Services Ltd. is a firm that was created to provide quality, affordable professional planning service to small municipalities.

I believe my background and experience in all facets of land use planning and particularly with 20 years experience in the Algoma District would serve the Township very well.

If you have questions relating to this proposal, do not hesitate to call me.

Yours truly,
Municipal Planning Services Ltd.



Chris D. Jones, BES, MCIP, RPP
President

Encl.





THE CORPORATION OF THE TOWNSHIP OF JOHNSON

**BY-LAW NO. 2019-945
Procedural Bylaw**

WHEREAS Section 238 of the Municipal Act, R.S.O. 2001, as amended provides that every municipality shall pass a procedure bylaw for governing the calling, place and proceedings of meetings;

AND WHEREAS “committee” means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of Council

AND WHEREAS “local board” does not include police service boards or public library boards

AND WHEREAS “meeting” means any regular, special or other meeting of a council, of a local board or of a committee of either of them, 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 the council, local board or committee.

AND WHEREAS The procedure by-law shall provide for public notice of meetings

AND WHEREAS Council has deemed it expedient and necessary to update the current procedural bylaw to ensure continued compliance with the Municipal Act

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Johnson enacts as follows:

1. THAT the attached Schedule “A” being Policy 1303-01; Procedural Bylaw shall be used to govern the calling, place and proceedings of meetings;
2. FURTHER THAT all previous bylaws pertaining to governing the calling; place and proceeding of meetings, also known as procedural bylaws are and hereby repealed
3. This By-law shall come into effect upon the date of passage hereof.



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

**BY-LAW NO. 2019-945
Procedural Bylaw**

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 16th of October 16, 2019

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



Council Procedural By-Law

*The Corporation of the Township of
Johnson*

Important Disclaimer: this protocol complies with the relevant provisions of the *Municipal Act, 2001*, SO 2001, c 25 (the "*Municipal Act*"). If you have any questions or concerns about this protocol or how to implement it, please contact Wishart Law Firm LLP. Wishart Law Firm LLP is not responsible for the results of any edit to this protocol other than as expressly authorized or directed by Wishart Law Firm LLP.

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The Corporation of the Township of Johnson
By-Law Number 2019-945
Policy 1303-01

BEING a By-Law to establish rules governing the proceedings of Council, the calling of Meetings and the conduct of Members, Staff and the Public.

SHORT TITLE – This By-Law may be cited as the “Procedural By-Law.”

WHEREAS a Municipality is a level of government and requires formality and procedures in Meetings so that clear, informed, written decisions, direction, Resolutions and by-laws can be both adopted and implemented.

AND WHEREAS Council, pursuant to section 238 of the *Municipal Act*, 2001, is required to establish the procedures governing the Meetings of Council and Committees, the conduct of its Members and the calling of Meetings.

AND WHEREAS Council must adopt by by-law, the procedures which address the rules of order which shall be observed in all proceedings of Council, Committees of Council and Local Boards unless specifically provided otherwise.

NOW THEREFORE the Council of the Corporation of the Township of Johnson enacts as follows:

Preamble

In addition to this By-Law, Members of Council are governed by the following documents and legislation:

- *Municipal Act*, 2001
- *Municipal Conflict of Interest Act*
- Municipal Code of Conduct
- *Municipal Elections Act*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Accessibility for Ontarians with Disabilities Act*
- *Occupational Health and Safety Act*
- Violence and Harassment in the Workplace
- Staff Council Relations Policy
- Complaint Policy
- *Planning Act*
- Accountability and Transparency

- Travel Expenses Policy
- Remuneration of Council Members

Members of council shall be familiar with the above-noted documents and legislation and shall rely upon them when making decisions and exercising their powers.

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1. Definitions

In this By-Law:

1.1 Ad-Hoc Committee.

“Ad-Hoc Committee” means a Committee to advise Council on a specific issue or project. An Ad-Hoc Committee shall be governed by clear terms of reference, set out in a Resolution or By-Law which includes language indicating when the Committee will cease to exist.

1.2 Agenda.

“Agenda” means the list of business to be conducted at a Meeting.

1.3 Chair.

“Chair” means the person presiding at a Meeting.

1.4 Chief Administrative Officer.

“Chief Administrative Officer” means the person appointed by the Municipality pursuant to Section 229 of the *Municipal Act*.

1.5 Clerk.

“Clerk” means the person appointed by the Municipality pursuant to Section 228 of the *Municipal Act*, and other relevant legislation.

1.6 Committee of the Whole.

“Committee of the Whole” means a Committee of all Members of Council.

1.7 Consent Agenda.

“Consent Agenda” means a list of items of a routine nature that do not require substantial discussion or debate at a Council Meeting. Items on the Consent Agenda are approved in a single Resolution.

1.8 Council.

“Council” means the elected Members of the Municipal Council.

1.9 Council Package.

“Council Package” means a copy of the Agenda, Closed Meeting Agenda, Reports and all other information that Members require prior to a Meeting.

1.10 Closed Meeting.

“Closed Meeting” means a Meeting of Council or Committee that is not open to the public pursuant to Section 239 of the *Municipal Act* or other legislation.

1.11 Deputy Mayor.

“Deputy Mayor” means a Member of Council appointed, in accordance with the Municipality’s policies, to act in the place of the Mayor when the Mayor is absent.

1.12 Electronic Meeting.

“Electronic Meeting” means a Meeting where any Member is not physically present but participates via electronic means of communication. Such Member does not count for Quorum. The Member participating electronically can vote. The Member participating electronically may not participate in a Closed Meeting.

1.13 Emergency Meeting.

“Emergency Meeting” means a meeting, held without written notice where there is insufficient time to provide notice of a Special Meeting, to deal with an Urgent Matter confronting the Municipality.

1.14 Ex Officio.

“Ex Officio” means that the Mayor is a Member of all Committees of Council established by Council, unless prohibited by law. The Mayor, as an Ex Officio Member, is not entitled to vote unless legally specified otherwise.

1.15 Head of Council.

“Head of Council” means the Mayor or, in the absence of the Mayor, the Deputy Mayor.

1.16 Local Board.

“Local Board” means a Local Board as defined in the *Municipal Act*, and shall include the Public Utilities Commission, Police Services Board, Health Service Board and Public Library Board.

1.17 Meeting.

“Meeting” means any regular, special or other Meeting of Council, a Local Board or a Committee where a Quorum of Members is present, and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee as stated in Section 238 of the *Municipal Act*.

1.18 Member.

“Member” means a Member of Council, Local Board or Committee.

1.19 Motion.

“Motion” means a written question moved and seconded by two Members, presented at a Meeting, read by the Chair or Clerk/Secretary subject to debate and voting by Council or a Committee. When a Motion passes, it becomes a Resolution or By-Law.

1.20 Motion to Amend.

“Motion to Amend” means a Motion to vary the main Motion before Council or a Committee.

1.21 *Municipal Act*.

“*Municipal Act*” means the *Municipal Act*, 2001, S.O. c.25. as amended.

1.22 Municipality.

“Municipality” means the Corporation of the Township of Johnson.

1.23 Notice of Motion

“Notice of Motion” means an advance notice to Members regarding a matter on which Council will be asked to take a position.

1.24 Officers.

“Officer(s)” means a person, such as the Clerk, Treasurer, Chief Building Official, Fire Chief and Integrity Commissioner, who holds a position of responsibility with definite rights and duties prescribed by statute or By-Law.

1.25 Order of Business.

“Order of Business” means the sequence of business to be introduced and considered in a Meeting.

1.26 Point of Order.

“Point of Order” is a verbal statement made by a Member to the Chair when the Member believes there has been a contravention of the rules laid out in the Procedural By-Law.

1.27 Delegation

“Delegation” means a person or group who provides information to Council or Committee.

1.28 Quorum.

“Quorum” means a majority of Members of Council or Committee.

1.29 Recorded Vote.

“Recorded Vote” means a vote in Council or Committee where the names of the Members and the position in favour or against a Motion are recorded in the minutes.

1.30 Regular Meeting.

“Regular Meeting” means a scheduled Meeting held at regular intervals in accordance with the approved schedule of Meetings.

1.31 Report.

“Report” means a written or other Report from the Chief Administrative Officer, Clerk, Department Heads, Staff or Committee which is approved by the Chief Administrative Officer or Clerk.

1.32 Resolution.

“Resolution” means a Motion that has been approved by Council.

1.33 Special Meeting.

“Special Meeting” means a Meeting that is called for a specific time and for a specific purpose to deal with an important matter that has arisen between Regular Meetings.

1.34 Standing Committee.

“Standing Committee” means a Committee comprised solely of Members of Council.

1.35 Unfinished Business.

“Unfinished Business” means matters listed in the Agenda which have not been dealt with in their entirety at a previous Meeting.

1.36 Urgent.

“Urgent” means, for the purposes of calling an Emergency Meeting, a matter that is occurring or imminent, and if not brought forward immediately, could result in or cause:

- a. Danger to the life, health or safety of individuals;
- b. Damage to property;
- c. An interruption of the essential services provided by the Municipality;
- d. Immediate and significant loss of revenue by the Municipality;
- e. Legal Issue and/or
- f. Prejudice to the Municipality.

2. General Meeting Rules

2.1 Rules – to be observed at all times

The rules contained in this By-Law shall be observed in all Meetings of Council and with necessary modifications in every Committee Meeting.

2.2 Suspending Procedural By-Law

This By-Law may be suspended, except for those rules or regulations set out by legislation, with the consent of at least two-thirds of the Members of Council and may be suspended before, during or after a Meeting.

2.3 Mayor

The Mayor shall act as the Chair for all Council Meetings. The Mayor may delegate his or her authority to Chair any Meeting.

2.4 Absence of Mayor

In the absence of the Mayor, if he or she refuses to act or if the office is vacant, the Deputy Mayor shall carry out the Mayor's duties and shall have all the rights, powers and authority of the Head of Council.

2.5 Absence of Deputy Mayor

If both the Mayor and the Deputy Mayor are unable to act as Head of Council for a Meeting, Council shall appoint an Acting Mayor who shall have all the rights, powers and authority of the Head of Council for the purposes of that Meeting. The Clerk shall call the Meeting to order.

2.6 Meeting Location

Unless otherwise authorized by Council, all Meetings of Council shall be held in the Council Chambers, located at 1 Johnson Drive, Desbarats, Ontario.

2.7 Clerk

A Clerk or Deputy Clerk must be present at all Council Meetings or other Meetings where there is a Quorum of Council. The Clerk or Deputy Clerk may attend by electronic means.

2.8 Quorum

Quorum must be present at all Meetings. (2.8.1)

If Quorum is not present fifteen (15) minutes after the time appointed for the Meeting, the Meeting will be automatically adjourned until the next Regular Meeting or until a Special Meeting is called to deal with matters intended to be dealt with at the adjourned Meeting. (2.8.2)

The Clerk shall record the names of the Members present at the fifteen (15) minute time limit, will include those names on the Minutes for the adjourned Meeting and will include those Minutes on the Agenda for the next Meeting. (2.8.3)

If at any time during a Meeting there is not Quorum, the Meeting shall automatically be recessed until there is Quorum again or until the Chair adjourns the Meeting. (2.8.4)

2.9 Minutes

Minutes of all Meetings will be recorded without note or comment. (2.9.1)

After approval, minutes of all Meetings, except Closed Meetings, will be posted in accordance with the applicable municipal policies. [2.10]

2.10 Arriving Late/Leaving Early

If a Member arrives after a Meeting has started or leaves before the end of the Meeting, the Clerk will record in the minutes the time of arrival/departure. If a Member needs to leave before the end of a Meeting, they must inform the Chair and be excused. The best practice is to advise the Chair at the beginning of Meeting that the Member needs to leave before the end of the Meeting.

2.11 Staff Attendance

Staff have a statutory duty to provide advice to Council. As such, staff, and particularly Officers and Department Heads, are expected to attend Council Meetings and to provide advice on a regular basis. Staff and Officers shall attend Meetings of Council when required by the Chief Administrative Officer or Clerk.

2.12 Declarations of Conflicts of Interest

Where a Member has a pecuniary interest and discloses that interest in accordance with Section 5 of the *Municipal Conflict of Interest Act*, the Member will:

1. Provide a written statement of the interest and its general nature to the Clerk in accordance with **Schedule A**;
2. Will leave the Council Meeting while the issue is considered; and,
3. Will take no steps to influence the decision in any way, either prior to, during or after the Meeting, even if the Member did not attend the Meeting where the matter was discussed. [2.12.1]

If the Member is not at a Meeting where a matter in which they have a conflict of interest was discussed, they must declare the conflict at the next Meeting and complete the written statement. Alternatively, if the Member knows they will not be at the Meeting where they have a conflict of interest in an item Council will consider, they can advise the Clerk and complete the declaration prior to the Meeting. [2.12.2]

If the Member has a conflict of interest with an item on the closed meeting agenda, the Member will, during the open meeting before the meeting is closed, declare that the Member has a conflict with an item on the closed meeting agenda. In the open meeting, the Member shall only refer to the agenda item number, not the subject matter or reason

for the conflict. In the closed meeting, the Member shall then state the subject matter and reason for the conflict. (2.12.3)

Members will, at all times, comply with their statutory obligations pursuant to the *Municipal Conflict of Interest Act*. (2.12.4)

2.13 Rules of Debate

The Chair shall preside over the Meeting, ensure good order and decorum, and rule on procedural questions. (2.13.1)

All Agenda items to be discussed are to proceed by Motion. (2.13.2)

Each Motion requires a moving Member and a seconding Member. If no Member agrees to move or second the Motion, the item will be struck from the Agenda and will not be subject to debate. (2.13.3)

The Chair or the Clerk will read the Motion or question. (2.13.4)

The mover has the first right of speaking on that Motion, after the Chair has read the Motion or question. (2.13.5)

The seconder has the next right of speaking on the Motion after the mover has spoken. (2.13.6)

After the mover and the seconder have spoken, the Chair will canvas each remaining Member for their opinion on the Motion. (2.13.7)

After being recognized by the Chair, every Member shall respectfully acknowledge the Chair before speaking on any matter. (2.13.8)

The Chair shall speak last on any matter. (2.13.8)

A Member shall not speak a second time on a matter until all Members have had a chance to speak, except:

- a. With permission of Council,
- b. If questioned by another Member; or
- c. To explain comments which the Member believes have been misunderstood

(2.13.9)

No Member, without the permission of Council or the Committee, shall speak to a matter or in reply for longer than five (5) minutes. (2.13.10)

Motions and amendments to a Motion must be moved and seconded in writing and signed by the mover and seconder. (2.13.11)

A Motion may be withdrawn at any time prior to the vote thereon with the consent of the majority of Members present. (2.13.12)

When a matter is being debated, no other Motion shall be entertained other than a Motion:

- a. to refer the matter to a certain body;
- b. to amend the Motion;
- c. to defer the Motion;
- d. to adjourn the Meeting;
- e. that the vote be taken. (2.13.13)

A Motion to refer or defer shall be heard before any Motion or amendment, except a Motion to adjourn. (2.13.14)

A Motion to refer shall require direction as to the body to which it is being referred and a date the body is to Report to Council or Committee. A Motion to refer is not debatable. (2.13.15)

A Motion to defer must give a reason and a date to which the matter is deferred. Only the date of deferral is debatable. (2.13.16)

A Motion that the vote be taken shall not be entertained by the Chair until each of the Members has had an opportunity to speak on the matter at least once. (2.13.17)

Once a Motion that the vote be taken is passed, the original Motion and any amendments shall be voted upon without further debate. (2.13.18)

2.14 Conduct

Members are required to follow the Municipality's Code of Conduct during all Meetings.

No Member shall:

- a. Speak disrespectfully of the Mayor, Deputy Mayor, Member, Staff, or any Member of the Public;
- b. Engage in private conversation while in the Council Chambers in such manner as to interrupt the proceedings of council;
- c. Speak on any subject other than the subject in debate;
- d. Speak in open Council about matters discussed in a Closed Meeting until authorized by Council;
- e. Interrupt a Member who is speaking by speaking out, or making a noise or

disturbance, except to raise a procedural question; and

- f. Disobey the procedural rules or the decisions of the Chair or of the Council or Committee. (2.11.1)

At a Meeting, no person shall:

- a. Speak disrespectfully of the Mayor, Deputy Mayor, a Member, any staff person, or any Member of the Public;
- b. Use offensive words;
- c. Disobey the procedural rules or the decisions of the Chair or of the Council or Committee;
- d. Leave his or her seat while a vote is being taken and until the results of the vote are declared;
- e. Make any disruptive noise or disturbance;
- f. Enter the Meeting while a vote is being taken;
- g. Walk between a Member who is speaking and the Chair; and
- h. Display signs or placards, applaud, engage in conversation or any other behavior, which may disrupt debate. (2.11.2)

Electronic devices must be silenced during a Meeting and must not be used to disrupt a Meeting. (2.11.3)

No persons, except Members, the Clerk or the Secretary of a Committee, may approach Members without permission from the Chair. (2.11.4)

Any person who contravenes any of the rules in this By-Law are guilty of misconduct and, after an initial warning, may be removed from the Meeting by the Chair. (2.11.5)

2.15 Questions during Debate

A Member may, through the Chair, ask a question arising out of or request an explanation of the previous speaker's remarks. (2.15.1)

A Member may, through the Chair, ask questions during the discussion on any item on the Agenda and ask questions on the item to any staff of the Municipality in attendance at the Meeting. (2.15.2)

Any Member may, at any time during the debate, request that a Motion under discussion be read by the Chair. A Member may only make such a request once and may not interrupt another Member while they are speaking. (2.15.3)

2.16 Points of Order

When a Member believes there is a violation of this By-Law, the Member shall state that they wish to raise a Point of Order. Once recognized by the Chair, the Member shall raise the Point of Order. A Point of Order can only be raised during the Meeting. (2.16.1)

Upon raising the Point of Order, a Member shall explain the violation of the rules and the Chair shall rule upon the Point of Order. (2.16.2)

Once the Point of Order has been dealt with, the debate shall resume, unless the ruling has changed this procedure. (2.16.3)

Any Member may appeal a ruling of the Chair by announcing their appeal to the Members. An appeal must be made immediately following the Chair's ruling. If the appeal is not made immediately, the Chair's ruling shall be final. (2.16.4)

Upon appeal, the Member shall state the reasons for the appeal. The Chair may then indicate why the appeal should be rejected. (2.16.5)

Without debate on the appeal, the Members, apart from the Member making the appeal and the Chair, shall vote on the appeal. (2.16.6)

If the appeal is upheld by the majority of voting Members, the Chair shall change his or her ruling accordingly; if the appeal is rejected then the ruling stands. (2.16.7)

No Member shall disobey the rules of Council or a decision of the Mayor, Chair or Council on questions of order or procedure or an interpretation of the rules of Council. (2.16.8)

Where a person (including a Member) has been warned about misconduct and has continued the conduct, the Chair may expel the person from the Meeting. If such person refuses to leave, the Chair may recess or adjourn the Meeting without any Motion to do so until such time as the person has left the Meeting room. (2.16.9)

If the person engaging in misconduct is a Member and the Member apologizes, he or she may, by vote of the majority Council, be permitted to retake his or her seat. (2.16.10)

2.17 Voting - General

Once the vote is called by the Chair, no Member shall speak to any issue, ask any question or present any other Motion until the vote has been taken. (2.17.1)

Voting shall be by way of a "show of hands" in favour or against, except when a Recorded Vote is requested. (2.17.2)

A Member may request a Recorded Vote on any Motion. Such request may be made before, during or after the vote. When a Recorded Vote is requested, the Clerk shall call each Member's name in alphabetical order and request and record their vote on the Motion. Notwithstanding the alphabetical calling of names, the Chair shall vote last in a Recorded Vote. After completion of a Recorded Vote, the Clerk shall announce the result. (2.17.3)

If a Member present at a Meeting fails to or refuses to vote, their vote will be counted as a vote against the Motion. (2.17.4)

The Chair shall announce the results of the vote once the vote is completed. (2.17.5)

If during a non-recorded vote, a Member disagrees with the Chair's results of the vote, the Member may object immediately to the Chair's declaration and require a Recorded Vote be taken. (2.17.6)

If there is a tie vote, the Motion will be defeated. (2.17.7)

When the question under consideration contains multiple options/issues, the Motion may be split upon request by a Member and each option/issue will be voted on separately. The Motion shall be split without debate. (2.17.8)

2.18 Corrections

A Motion containing a minor or typographic error may be corrected on the request of the mover and seconder and the correction shall be made in writing on the face of the Motion and initialed by the mover and seconder.

2.20 Amendments

The following rules shall apply to amendments to Motions:

- a. A "Motion Amendment" is a change to the question asked in the Motion;
- b. an "amendment to an amendment" is a change to the proposed Motion Amendment;
- c. only one amendment (whether a Motion Amendment or an amendment to an amendment) can be presented at a time;
- d. when an amendment has been decided upon, another may be introduced;

- e. the order of voting shall be:
 - i. an amendment to an amendment shall be voted upon;
 - ii. A Motion Amendment shall be voted upon next, and
 - iii. the Motion, as amended, shall finally be voted upon.

An amendment which is simply a rejection of the Motion will not be permitted.

2.21 Voting - Reconsideration

When a Motion has been decided, any Member who voted with the majority may move for the Motion to be reconsidered. The reconsidering of the Motion shall be called the "Motion to Reconsider". Members who were not in the majority cannot move for a Motion to Reconsider. (2.21.1)

Before a Motion to Reconsider is heard, the Motion to Reconsider must be added to the Agenda. The Motion to Reconsider shall only be added to the Agenda upon Council's approval. (2.21.2)

The process whereby a Motion to Reconsider is added to the Agenda is set out below:

- a. A Member who voted in the majority shall move for the Motion to Reconsider to be added to the Agenda;
- b. The Chair shall ask the Member to affirm that they voted with the majority;
- c. The Chair shall hold a vote whereby the Members shall vote on whether to allow the Motion to Reconsider to be added to the Agenda;
- d. When the Member is moving to have the Motion to Reconsider added to the Agenda of the same Meeting as that at which the Motion was originally voted on, **the majority** of Members must agree to add the Motion to Reconsider to the Agenda.
- e. Where the Member is moving to have the Motion to Reconsider added to the Agenda of a Meeting other than that at which the Motion was originally voted on, **a 2/3 majority** must agree to add the Motion to Reconsider to the Agenda.
- f. Once the Motion to Reconsider is added to an Agenda, the Motion to Reconsider follows the same process as all other Motions.
- g. No Motion shall be reconsidered more than twice in the same calendar year.
- h. A Motion to Reconsider of any decided matter shall not operate to stop or delay an action on the decided matter.
- i. Debate on a motion to add a Motion to Reconsider to the Agenda must be

confined to reasons for or against reconsidering the Motion.

- j. No Committee shall reconsider any question decided by Council during the current term nor consider any other matter, which could involve a decision inconsistent with such Council decision, unless specifically authorized by Council.

3. Roles and Responsibilities

3.1 Head of Council. (*Municipal Act*, s.225)

It is the role of the Head of Council to:

- a. Act as Chief Executive Officer (“CEO”) of the Municipality;
- b. Preside over Council Meetings so that its business can be carried out efficiently and effectively;
- c. Assign the seating arrangements in Council Chambers for all Members prior to the First Meeting of Council;
- d. Provide leadership to Council;
- e. Provide information and recommendations to Council with respect to the role of Council;
- f. Represent the Municipality at official functions;
- g. Uphold and promote the purposes of the Municipality;
- h. Promote public involvement in the Municipality’s activities;
- i. Act as the representative of the Municipality both within and outside the Municipality and promote the Municipality locally, nationally and internationally;
- j. Participate in and foster activities that enhance the economic, social and environmental well-being of the Municipality and its residents; and
- k. Carry out duties prescribed by the *Municipal Act*;

3.2 Chair

It is the role of the Chair to:

- a. Open Meetings by calling the Meeting to order;
- b. Address the business listed on the Agenda;
- c. Receive and have read to Council all Motions presented by Members;

- d. Put to a vote all Motions which are moved and seconded, and announce the result of a vote;
- e. Decline to put Motions to a vote which breach the Procedural By-Law or other Legislation;
- f. Enforce, on all occasions, order, polite conduct and decorum among all present at a Meeting;
- g. When, in the Chair's opinion, the words or conduct of any person, including a Member, is in contravention of the Procedural By-Law or is causing unreasonable disruption to the Meeting, rule the person out of order and require the person to cease the activity or vacate the Meeting;
- h. Provide information to Members on any matter relating to the business of the Municipality;
- i. Authenticate by signature all By-Laws, Resolutions and Minutes;
- j. Rule on any points of order raised by Members;
- k. Maintain order, and, where it is not possible to maintain order, adjourn Meetings to a time to be named by the Head of Council without any Motion being put forward; and
- l. Call for the adjournment of the Meeting when business is concluded.

3.3 Deputy Head of Council. (*Municipal Act s.242*)

In the event the Head of Council is absent from the Municipality, the Deputy Mayor shall act in his or her absence and shall have all the rights, powers, and authority as the Head of Council. (3.3.1)

If the Deputy Mayor is unable to act in the place and stead of the Head of Council and Quorum is present at the Meeting, the Clerk shall call the Meeting to order and another Councillor shall be appointed by Council to act as the presiding official and shall preside over the Meeting. (3.3.2)

3.4 Council. (*Municipal Act, s.224*)

It is the role of Council to:

- a. Represent the public and to consider the well-being and interests of the Municipality;
- b. Develop and evaluate the policies and programs of the Municipality;
- c. Determine which services the Municipality provides;

- d. Ensure that administrative policies, practices, and procedures and controllership polices, practices and procedures are in place to implement the decisions of council;
- e. Ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality;
- f. Maintain the financial integrity of the Municipality; and,
- g. Carry out duties of council prescribed by the *Municipal Act*.

3.5 Clerk. (*Municipal Act, s. 228*)

It is the duty of the Clerk to:

- a. Record, without note or comment, all Resolutions, decisions and other proceedings of Council;
- b. If required by any Member present at a vote, record the name and vote of every Member voting on any matter or question;
- c. Keep the originals or copies of all By-Laws and of all minutes of the proceedings of Council;
- d. Perform other duties required under the *Municipal Act* or any other *Act*; and
- e. Prepare and circulate Council Packages to all Members.
- f. Perform any other duties as assigned by the Municipality;

The Clerk, where appropriate, may delegate, in writing, the duties of the Clerk to another person in accordance with Section 228(4) of the *Municipal Act*.

3.6 Staff. (*Municipal Act, s. 227*)

It is the duty of Staff to:

- a. Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- b. Undertake research and provide advice to Council on the policies and programs of the Municipality; and,
- c. Carry out other duties required under the *Act* and other duties assigned by the Municipality.

3.7 Chief Administrative Officer. (*Municipal Act, s. 229*)

It is the duty of the Chief Administrative Officer to:

- a. Exercise general control and management of the affairs of the Municipality for the purpose of ensuring the efficient and effective operation of the Municipality; and
- b. Perform such other duties as are assigned by the Municipality.

3.8 Members of the Public.

It is the role of Members of the Public to:

- a. Attend Meetings which are open to the public;
- b. Follow the rules of order, polite conduct and decorum;
- c. Provide input and information to Council only at Meetings, or portions of Meetings specifically designed for public engagement and in a manner dictated by Council (e.g. writing, in person, electronic, etc.).

4. Meetings

4.1 First Meeting

The First Meeting of the newly elected or acclaimed Council after a regular election shall be held on the first Wednesday in December at 5:30 PM. (1.1.1)

At the First Meeting after a regular election, the Clerk shall administer the declarations of office and oaths of allegiance, and the Code of Conduct for all Members. (1.1.2)

The First Meeting after a by-election under section 266 of the *Municipal Act*, shall be held on the third Wednesday after the by-election at 5:30 P.M. (1.1.3)

At the First Meeting after a by-election the Clerk shall administer the declarations of office and oaths of allegiance, and the Code of Conduct for all new Members. (1.1.4)

No business shall be conducted at any First Meeting until the declarations of office and oaths of allegiance and Code of Conduct have been administered to all Members. (1.2.0)

4.2 Regular Meetings

4.2.1 Time and Place. Regular Meetings shall be held on the 3rd Wednesday of each month starting at 5:30 P.M.

4.2.2 Election Year. Following a regular election, Council shall only meet as is deemed necessary by the Head of Council and the Clerk, until the new term of Council takes effect.

4.2.3 Summer and December. During the months of July, August and December, there shall only be one Meeting of Council that shall be held on the date and time and in such a location as is chosen by the Clerk.

4.3 Special Meetings

4.3.1 A Special Meeting is a Meeting that is called for a specific time and for a specific purpose to deal with an important matter that must be dealt with before the next Regular Meeting.

4.3.2 The Head of Council. The Head of Council may, at any time, summon a Special Meeting by providing a Notice of the Meeting to Members twenty-four (24) hours before the Meeting.

4.3.3 Upon receipt of a petition from the majority of Council, the Clerk may summon a Special Meeting by providing a Notice of Meeting to Members twenty-four (24) hours before the Special Meeting.

4.3.4 The only business to be dealt with at a Special Meeting is that which is listed in the Notice of the Meeting.

4.3.5 Portions of a Special Meetings may be closed, depending on the business of the Special Meeting, as provided in the *Municipal Act*.

4.4 Emergency Meetings

4.4.1 An Emergency Meeting may be called by the Head of Council and/or the Clerk, without written notice, to deal with an Urgent Matter.

4.4.3 The Clerk will attempt to notify all Members, Chief Administrative Officer and the appropriate staff about the Urgent Meeting in the most expedient manner available

and as soon as possible. The Clerk shall make a reasonable effort to advertise the Urgent Meeting to the public.

4.4.4. Only business dealing directly with the Urgent Matter shall be dealt with at the Emergency Meeting.

4.4.5 Quorum is still required at an Emergency Meeting.

4.4.6 These provisions shall apply, with necessary modifications, to Committees and Local Boards.

4.5 Closed Meetings

4.5.1 A Closed Meeting is a Meeting, or a portion of a Meeting, that is not open to the Public.

4.5.2. No Member, Officer or employee shall disclose the subject matter or deliberation of a Closed Meeting, unless expressly authorized to do so by Council or the Committee.

4.5.3 After the Closed Meeting is adjourned the Chair shall report to the public:

- a. That the Meeting has resumed open session; and,
- b. The general nature of the matters dealt with in the Closed Meeting.

4.5.4 **Permissive Closed Meetings.** A Meeting may be closed where the matter to be discussed is, as contemplated in Section 239(2) of the *Municipal Act*, as follows:

- a. The security of the property of the Municipality or Local Board;
- b. Personal matters about an identifiable individual, including municipal or Local Board employees;
- c. A proposed or pending acquisition or disposition of land by the Municipality or Local Board;
- d. Labour relations or employee negotiations;
- e. Litigation or potential litigation, including matters before administrative

- tribunals, affecting the Municipality 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 of 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 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.

A Meeting may be closed if the Meeting is held for the purpose of educating or training the Members and at the Meeting no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.

4.5.5 Mandatory Closed Meeting. A Meeting must be closed if the subject matter being considered is, as detailed in Section 239(3) of the *Municipal Act*, as follows:

- 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*;
- b. An ongoing investigation respecting a Municipality, a Local Board or a municipally controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in Subsection 223.13(1) of the *Municipal Act*, or the Investigator referred to in Subsection 239.2(1) of the *Municipal Act*.

A Meeting must be closed if the subject matter being considered is a harassment, complaint or investigation, pursuant to the *Occupational Health and Safety Act*.

4.6 Cancelled Meetings

4.6.1 A Meeting may be cancelled by the Head of Council, in consultation with the Chief Administrative Officer and/or Clerk, in the following instances:

- a. Quorum cannot be achieved;
- b. By Council Resolution;
- c. In the event of an unforeseen, significant event; or,
- d. The Meeting is no longer required.

4.6.2 For the purposes of section 4.6, an unforeseen, significant event includes, but is not limited to, the following:

- a. Safety concern for participants in the Meeting, including Members and Members of the Public (ex. snow storm, closing of the highway);
- b. Loss of heat/electricity or water;
- c. Clerk/deputy clerk's inability to attend;
- d. A state of emergency;
- e. The inability of a required participant to attend; and/or
- f. The Meeting becomes redundant.

4.6.3 The Clerk will attempt to notify all Members, Chief Administrative Officer and the appropriate staff about the cancelled Meeting in the most expedient manner available and as soon as possible. The Clerk shall make a reasonable effort to advertise to the public that the Meeting has been cancelled.

5. Notice of Meetings

5.1 Annual Schedule of Meetings

5.1.1 The Clerk shall, by January 31st of each calendar year, submit a schedule of the upcoming Regular Meetings for each Council year for consideration and adoption by Council.

5.1.2. The Clerk shall post on the municipal website notice of all Meetings. This posting will constitute notice to the public of the Meeting.

5.1.3 Prior to the first Meeting in January of each year, the Clerk shall post on the municipal website the schedule for all Regular Meetings for the calendar year.

5.1.4 The Clerk may amend the schedule from time to time with the direction of Council to reflect scheduling conflicts and holidays. The Clerk's amendments shall be circulated to all Members and will be posted on the municipal website as soon as possible after the amendments are made.

5.1.5 The Clerk shall give at least twenty-four (24) hours' notice to the public of all Special Meetings and Committee Meetings unless the time for notice is waived unanimously by Members who are in attendance at the Special Meeting or Committee Meeting.

5.1.6 Where a statute or the Notice By-Law requires, notice will be published in accordance with the statute/By-Law. The notice will also be posted on the municipal website.

5.1.7 Nothing in this Procedural By-Law prevents the Clerk from using more comprehensive methods of notice or providing for a longer notice period.

5.1.8 Lack of receipt of notice or failure to comply with the notice provisions of this Procedural By-Law shall not invalidate the Meeting or any decision of Council or the Committee made at the Meeting.

6. Agenda

6.1 Agenda

6.1.1 It shall be the duty of the Clerk to prepare the Agenda of all Meetings in consultation with the Mayor and Chief Administrative Officer. Where there is a dispute about including or excluding an item from the Agenda, the Clerk's decision shall be final.

6.1.2 All Council Agendas shall be prepared by the Clerk in writing and shall be in accordance with the attached **Schedule B**.

6.1.3 The Council Meeting shall consider the items to be dealt with in accordance with the order that is set out in the Agenda unless otherwise decided by Resolution of the Members present at the Meeting.

6.1.4 Items on the Agenda, but not dealt with at the Meeting, will be placed on the next Regular Meeting Agenda under "Unfinished Business" unless set to a subsequent Meeting by Resolution of the Members present.

6.1.5 If a Member wishes to add an item that is not otherwise on the Agenda, when Council is considering the Meeting Agenda, the Member shall advise Council of the item and the Member shall require a two-thirds majority vote to have the item considered.

6.1.6 All items to be included on the Agenda will be provided to the Clerk by Members, Staff or the Public no later than ten (10) calendar days before the Meeting. Reports for a Meeting will be finalized and filed with the Clerk no later than seven (7) calendar days before the Meeting.

6.1.7 Reports to Council shall be in the standard form set out in **Schedule C**.

6.1.8 Members wishing to have a matter placed on the Agenda will provide the Clerk with a completed form provided hereto at **Schedule D**.

6.1.9 Individuals or Bodies wishing to have a matter placed on the Agenda will provide the Clerk with a completed form as shown in **Schedule E** to this By-Law.

6.1.10 The Clerk, Mayor and Chief Administrative Officer may decline to add items and/or Reports to an Agenda. Reasons to decline include, but are not limited to the following:

- a. More time is required to prepare Staff Reports for Council;
- b. The Delegation Request Form was not submitted by the deadline;
- c. The Delegation Request Form is incomplete;
- d. The subject matter of the Delegation is outside of the jurisdiction of Council;
- e. The subject matter is with respect to a matter that should be discussed in a Closed Meeting;
- f. The Meeting Agenda is already too lengthy;
- g. The subject matter is set to be discussed on another Agenda;
- h. The issue is frivolous or vexatious;
- i. The issue has been or is to be considered by the Committee of Adjustment;
- j. Council has previously considered or decided the issue and a Delegation has appeared before Council with respect to the same issue;
- k. Council previously indicated that it will not hear further from this Delegation; or
- l. The issue should be referred to the Chief Administrative Officer for action.

Council Packages will be provided to Council no later than five (5) calendar days before the Meeting.

6.2 Closed Meeting Agenda

6.2.1 In the event the Clerk receives items for a Closed Meeting Agenda, they shall be placed on the Closed Meeting Agenda and provided to Council in a separate confidential Council Package. At the end of the Closed Meeting, the Closed Meeting Agendas will be collected by the Clerk and destroyed.

6.3 Adjournment

6.3.1 A Motion to adjourn does not need a seconding Member.

6.3.2 A Motion to adjourn a Meeting will be considered at any time except the following:

- a. When another Member has been recognized by the Chair and is speaking on a matter, or
- b. During the taking of a vote.

6.3.3 If a Motion to adjourn is defeated, the moving Member may not bring another Motion to adjourn until the Agenda is completed.

6.4 Curfew

Meetings shall be automatically adjourned at 11:00 p.m. unless otherwise determined by Resolution passed by a majority of the Members present.

6.5 Committees/Appointments

6.5.1 Committees and Appointments will be governed as per **Policy 1302-01/Schedule F**.

6.6 Public Engagement Meetings

6.6.1 **Policy 1300-01 /Schedule G**

6.7 Electronic Participation

6.7.1 **Policy 1301-01/Schedule H**

6.8. Amendment

6.8.1. Any provision contained in this By-Law may be repealed, amended or varied and additions may be made to this By-Law by a majority vote, provided that no Motion for that purpose may be considered unless notice thereof has been given in accordance with the Municipality's Notice By-Law.

6.9. Mandatory Review

6.9.1 This By-Law shall have a mandatory review in one year following the date of approval and then once per council term thereafter.

6.10. Repeal – Enactment

6.10.1 That all previous bylaws pertaining to governing the calling; place and proceeding of meetings, also known as procedural bylaws are and hereby repealed. By-Law 2019-945 and amendments thereto be and are hereby repealed.

6.10.2 This By-Law comes into force and takes effect on the date of enactment.

Read a first and second time this 16th day of October ,2019.

Read a third and final time and enacted and passed this 16th day of October 2019.

7. Schedules to the By-Law

Schedule A – Member Declaration of Conflict of Interest

Schedule B – Agenda Format

Schedule C – Staff Reports

Schedule D – Member Request for Item to be Added to the Agenda

Schedule E – Request for a Council Delegation

Schedule F – Committees and Boards Appointments (Policy 1302-01)

Schedule G – Delegations and Petitions by the Public (Policy 1300-01)

Schedule H – Electronic Participation by Members (Policy 1301-01)

“Schedule A”

Member Declaration of Conflict of Interest

“Schedule B”

Agenda Format

“Schedule C”
Staff Report Format

“Schedule D”

Member Request for Item to be Added to the Agenda

“Schedule E”

Request for a Council Delegation

“Schedule F”

Committees and Boards Appointments (Policy 1302-01)

“Schedule G”

Delegations and Petitions by the Public (Policy 1300-01)

“Schedule H”

Electronic Participation by Members (Policy 1301-01)



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

**BY-LAW NO. 2019-946
Delegations & Petitions by the Public**

BEING a bylaw to govern delegations and petitions by the public

WHEREAS the Council of the Township of Johnson wishes to allow Delegations at Council and Committee Meetings.

AND WHEREAS Section 8 (1) of the Municipal Act provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Johnson enacts as follows:

THAT the attached Schedule "A", being Policy 1300-01, Council & Committee Delegations & Petitions shall form a part of this bylaw and shall govern all Council & Committee Delegations & Petitions

FURTHER THAT any and all previous bylaws pertaining to Council & Committee Delegations & Petitions be and are and hereby repealed

THIS By-law shall come into effect upon the date of passage hereof.

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 16th of October, 2019

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



The Corporation of the Township of Johnson
Policy

POLICY TITLE: Council & Committee Delegations & Petitions	SUBJECT: Delegations & Petitions by the Public
Policy Section: Governance	Policy #: 1300-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-946

Section A

Preamble

- 1.0 Council welcomes and encourages public input. It is an essential part of a democratic society and contributes to the transparency and accountability requirements under the Municipal Act.
- 2.0 For purposes of this policy, public input shall only refer to Delegations by the Public.

Section B

Policy Statement

- 1.0 It shall be the policy of the Council of the Township of Johnson to allow Delegations at Council and Committee Meetings.
- 2.0 Delegations shall be subject to the Regulations stated in this Policy.
- 3.0 This Policy shall not apply to any Closed Meeting of Council or any Committee. In these circumstances, Delegations shall not be allowed.
- 4.0 This Policy shall not apply to any Meeting that is called for purposes pertaining to the *Planning Act*.

Section C

Definitions

- 1.0 **“Closed Meeting”** shall mean a Closed Meeting as defined in the Procedural Bylaw of the Township.



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Council & Committee Delegations & Petitions	SUBJECT: Delegations & Petitions by the Public
Policy Section: Governance	Policy #: 1300-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-946

- 2.0 **“Council Meeting”** shall mean a Council Meeting as defined in the Procedural Bylaw of the Township.
- 3.0 **“Committee Meeting”** shall mean a Committee Meeting as defined in the Procedural Bylaw of the Township.
- 4.0 **“In Writing”** shall mean by post or email.
- 5.0 **“Johnson”** shall mean the Corporation of the Township of Johnson or its successors.
- 6.0 **“Petition”** is a written application from a person or persons to Council asking that some authority be exercised to grant relief, favours, or privileges.
- 7.0 **“Township”** shall mean the Corporation of the Township of Johnson or its successors.

Section D

Regulations

Delegations

1.0 Request for a Delegation

- 1.1 Any person who wishes to appear before Council shall, on the proper form¹ make written application to the Clerk at

¹ Delegation Request Form attached as Schedule “A” to this Policy



The Corporation of the Township of Johnson Policy

POLICY TITLE: Council & Committee Delegations & Petitions	SUBJECT: Delegations & Petitions by the Public
Policy Section: Governance	Policy #: 1300-01
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least one (1) week preceding the Council or Committee Meeting.

- 1.2 A written submission, together with handouts or material must be submitted with the written application to appear and shall be copied and distributed as “*delegation*” submissions to Council Members.

2.0 Reply to Request

- 2.1 The Clerk shall reply to delegation requests in writing or by telephone, as time permits, indicating approval, refusal, deferral or referral of the delegation and reasons thereof.
- 2.2 The Clerk may make a determination as to the deferral of delegations to a subsequent meeting.
- 2.3 If a Delegation is refused, Council shall be informed and / or copied on the correspondence.

3.0 Refusal of Delegation

- 3.1 The Clerk is given authority to refuse delegations that are not permitted under the following circumstances:
 - a) The request is not submitted within the time required in Section D.1.1.
 - b) No written submission together with handouts or materials is provided with the request to appear
 - c) The subject matter is deemed to be beyond the jurisdiction of Council



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Council & Committee Delegations & Petitions	SUBJECT: Delegations & Petitions by the Public
Policy Section: Governance	Policy #: 1300-01
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- d) The issue is specific to a labour/managerial dispute, or other matter properly held in Closed Session
- e) Council has previously decided on the issue.

4.0 Time Limit for Speaking

- 4.1 A maximum of ten (10) minutes shall be allotted for each delegation to present his/her information or support or oppose a Township matter.
- 4.2 The ten (10) minute timeline shall be strictly enforced. The Clerk shall observe the time at the commencement of the delegation presentation.
- 4.3 The Chair shall, at the conclusion of the ten (10) minutes, inform the delegation that the time limit has been exceeded and thank the delegation for the presentation.
- 4.4 Only upon a verbal motion to extend the ten (10) minute limit, adopted by a majority of the Members present, shall the ten (10) minute limit be extended.

5.0 Limit of Delegations per Meeting

- 5.1 A maximum of two (2) persons shall be permitted to address the Members for each delegation representing a group or organization.
- 5.2 No more than four (4) delegations shall be allowed at any meeting. Delegations will be provided in the order in which they were received by administration.



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Council & Committee Delegations & Petitions	SUBJECT: Delegations & Petitions by the Public
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6.0 Delegation Conduct

- 6.1 Delegations shall not repeat information presented by an earlier delegation.
- 6.2 No Delegator, or Member of the Public shall:
- a) Speak without first being recognized by the Mayor or Chair
 - b) Speak disrespectfully of any person
 - c) Use offensive words, gestures or make abusive comments
 - d) Use signage, placards or banners in the meeting unless previously approved
 - e) Speak on any subject other than the subject stated in their request for delegation
 - f) Enter cross debate with other deputations/presenters, administration, Council or Committee of the Whole members or the Mayor/Chair or the attending public
 - g) Disobey the Rules of Procedure or decisions of the Council or Committee
 - h) Engage in any activity or behaviour that would affect the deliberations
 - i) Bring food into the meeting



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Council & Committee Delegations & Petitions	SUBJECT: Delegations & Petitions by the Public
Policy Section: Governance	Policy #: 1300-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-946

- j) Allow any electrical/electronic device (cell phones, iPods, etc.) to ring, play or operate to a point of disrupting the proceedings

7.0 Delegation Restrictions

- 7.1 The Chair may restrict any delegation, any questions of a delegation or debate during a delegation, for disorder or any other breach of this by-law and, if the Chair rules that the delegation is not in compliance with Section D.6 of this by-law, the person or persons appearing shall withdraw from the delegation table, and the decision of the Chair shall not be subject to challenge.

8.0 Completion of Delegation

- 8.1 Upon the completion of a presentation by a delegation, any discourse between Members and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Members shall not enter debate with the delegation respecting the presentation.

Petitions

9.0 Petitions

- 9.1 A petition may be used instead of a Delegation or may be presented at the conclusion of a delegation.
- 9.2 A petition presented at the conclusion of a delegation must be of the same subject matter as the delegation.



The Corporation of the Township of Johnson
Policy

POLICY TITLE: Council & Committee Delegations & Petitions	SUBJECT: Delegations & Petitions by the Public
Policy Section: Governance	Policy #: 1300-01
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10.0 Petition Content

- 10.1 A petition must be prepared so that the subject is clearly and factually stated, including the remedy sought from Council or the appropriate Committee.
- 10.2 A petition must include the name, civic address, and either telephone number or email address of the petition creator
- 10.3 A petition must include the names, civic address, and date of signing of everyone who signs the petition
- 10.4 A petition must include the date the petition was started
- 10.5 All information contained in a petition is deemed to be public information², including the names and addresses of those signing the petition.

11.0 Presenting a Petition

- 11.01 A petition may be presented at the time of a delegation appearance at the Council or Committee Meeting.
- 11.02 A petition may also be separately addressed to the Mayor and Members of Council or Committee Chair and Members of the Committee. In this situation it should be given to Administration Staff who will cooperate by communicating it to Council or Committee in a timely fashion for Council or Committee deliberations at a public meeting.
- 11.03 The originator of the petition will be contacted by Municipal Staff as to when the petition's subject matter will appear in front of Council or Committee.

² Under the Municipal Freedom of Information and Protection of Privacy Act



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Council & Committee Delegations & Petitions	SUBJECT: Delegations & Petitions by the Public
Policy Section: Governance	Policy #: 1300-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-946

Section E

Policy Adoption and Review Guidelines

Date of Adoption by Council	By-law No.	Motion No.	Date of Most Recent Review by Council	Date of Next Review by Council

Section F

References to Other Policies or By-laws

Policy Title	Policy Section	Policy Number



DELEGATION REQUEST FORM

A delegation is an opportunity to appear before Council or Committee to present information verbally on matters of fact or make a request of the Council or Committee. Please refer to page three (3) or to Policy 1300-01, Council & Committee Delegations and Petitions for further information regarding engaging Council or a Committee.

Completed Forms shall be submitted to the Clerk or can be dropped off or mailed to the Township of Johnson, 1 Johnson Dr., Desbarats, ON P0R 1E0; faxed to 705-782-6780 or emailed to people@johnsontownship.ca.

Delegate Information (PLEASE PRINT):

Last Name:	First Name:
Street Number:	Street Name:
Town:	Postal Code:
Email Address:	Contact Phone #:

Meeting Date Requested:	Alternate Meeting Date Requested:

Purpose of the Delegation (con't next page)



DELEGATION REQUEST FORM

Engaging Council through a Delegation

Council welcomes and encourages public input at Council or Committee Meetings through Delegations.

What Rules of Procedure do I keep in mind up to and during the meeting?

All Delegations shall be governed by Policy 1300-01, Council and Committee Delegations¹.

What is meant by a “Code of Conduct”?

No Delegator, or Member of the Public shall:

- a) Speak without first being recognized by the Mayor or Chair
- b) Speak disrespectfully of any person
- c) Use offensive words, gestures or make abusive comments
- d) Use signage, placards or banners in the meeting unless previously approved
- e) Speak on any subject other than the subject stated in their request for delegation
- f) Enter cross debate with other deputations/presenters, administration, Council or Committee members or the Mayor/Chair or the attending public
- g) Disobey the Rules of Procedure or decisions of the Council or Committee
- h) Engage in any activity or behaviour that would affect the deliberations
- i) Bring food into the meeting
- j) Allow any electrical/electronic device (cell phones, iPods, etc.) to ring, play or operate to a point of disrupting the proceedings

The Petition Approach

Ratepayers may also make use of a petition to provide input or seek some other measure from Council or Committee.

All petitions shall also be governed by Policy 1300-01, Council and Committee Delegations and Petitions.

¹ A copy of Policy 1300-01, Council and Committee Delegations is attached



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

**BY-LAW NO. 2019-947
Committees and Boards Appointments**

BEING a bylaw to govern appointments to Committees and Boards

WHEREAS the Council of the Township of Johnson wishes to encourage the participation of the general public in the municipal government process by appointing citizens to its various Committees as required or enabled by statute, invitation or initiative.

WHEREAS It shall be the policy of the Township that all municipal appointments, unless stated in part of a Statute, By-law, Regulation, Constitution or as otherwise directed by Council, shall generally be on the basis of public advertisement through the Clerk's Office. Such advertisement shall invite applications by persons for appointments and submitted to Council for consideration and approval by way of resolution.

AND WHEREAS Section 8 (1) of the Municipal Act provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Johnson enacts as follows:

THAT the attached Schedule "A", being Policy 1302-01, Committee and Board Appointments shall form a part of this bylaw and shall govern all Council appointments to a Committee or Board, unless otherwise directed

FURTHER THAT any and all previous bylaws pertaining to Council & Committee Delegations & Petitions be and are and hereby repealed

THIS By-law shall come into effect upon the date of passage hereof.

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 16th of October, 2019

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



The Corporation of the Township of Johnson Policy

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

Section A

Preamble

- 1.0 Following each Municipal Election Council appoints members to serve on a number of Boards, Committees, Groups or other bodies, and it is deemed necessary to have a Policy to cover the process of making these appointments.
- 2.0 Generally, these appointments shall be in keeping with the Procedural Bylaw of the Township of Johnson.
- 3.0 Such appointments may be subject to legislative requirements, including the Municipal Act.

Section B

Policy Statement

- 1.0 The Corporation of the Township of Johnson encourages the participation of the general public in the municipal government process by appointing citizens to its various Committees as required or enabled by Statute, invitation or initiative.
- 2.0 It shall be the policy of the Township that all municipal appointments, unless stated in part of a Statute, By-law, Regulation, Constitution or otherwise, shall generally be on the basis of public advertisement through the Clerk's Office. Such advertisement shall invite applications by persons for appointments and submitted to Council for consideration and approval by way of resolution.



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

Section C

Definitions

- 1.0 **“Ad-Hoc Committee”** shall mean and *Ad-Hoc* Committee as defined in the Procedural Bylaw of the Township.
- 2.0 **“Closed Meeting”** shall mean a Closed Meeting as defined in the Procedural Bylaw of the Township.
- 3.0 **“Council Meeting”** shall mean a Council Meeting as defined in the Procedural Bylaw of the Township.
- 4.0 **“Committee Meeting”** shall mean a Committee Meeting as defined in the Procedural Bylaw of the Township.
- 5.0 **“External Board”** shall mean a Board that is not governed by the Township of Johnson.
- 6.0 **“Johnson”** shall mean the Corporation of the Township of Johnson or its successors.
- 7.0 **“Municipal Appointments”** shall mean an appointment of a Council created Committee or an appointment to an external Board or Committee established by legislation or some other Constitution.
- 8.0 **“Mayor”** shall mean the Mayor, Deputy Mayor or Acting Mayor of the Township of Johnson
- 9.0 **“Resource Person”** shall mean a staff member assigned to assist a Committee.



The Corporation of the Township of Johnson Policy

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

- 10.0 **“Standing Committee”** shall mean a Standing Committee as defined in the Procedural Bylaw of the Township.
- 11.0 **“Township”** shall mean the Corporation of the Township of Johnson or its successors.

Section D

Regulations

1.0 General Provisions

- 1.1 Except as otherwise provided for in legislation or a governing Constitution, all Committees and Boards established by the Township shall conform to the rules governing the procedures of a meeting as outline in the Township Procedural Bylaw.
- 1.2 All appointments subject to this By-law shall be confirmed by Council through Resolution or By-law as the case may be.
- 1.3 Committees may or may not be designated as Independent or *Quasi-Judicial*. Such designation shall be included as part of the Terms of Reference.

2.0 Eligibility

- 2.1 Under this policy, a person is entitled to be a Municipal Appointee provided that:



The Corporation of the Township of Johnson Policy

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

- a) They reside in the Township or is the owner or tenant of land in the Township or the spouse of such owner or tenant
 - b) Is a Canadian citizen
 - c) Is at least 18 years old
 - d) Is not prohibited from participating under any law or By-law.
- 2.2 Council may wish to involve citizens from outside the Township, and they reserve the right to waive this requirement, subject to the appropriate reasoning, to allow such citizens to participate.
- 2.3 Municipal employees cannot be appointed to any Board, Committee or body to which the Council makes appointments as a voting member, however municipal employees may be appointed as resource persons.

3.0 Applications

- 3.1 The Office of the Clerk shall arrange for a public notice to be placed in the local newspaper or municipal website in the fall of a Municipal Election year advising eligible citizens of opportunities for various Boards and Committees that require appointments.
- 3.2 All applicants must complete a Committee Membership Application Form and submit the completed form to the Office of the Clerk in accordance with the advertised deadline date.
- 3.3 Late applications for any Committee or Board shall not be considered for appointment.



The Corporation of the Township of Johnson Policy

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

- 3.4 Applications received will be retained for a period that is not to exceed one year. At the expiry of the one-year term such applications shall be null and void and will be destroyed.

4.0 Appointments

- 4.1 All eligible applications for municipal appointments shall be considered at the appropriate Meeting of Council.
- 4.2 The Clerk shall provide members of Council with the application of each applicant and recommendation(s) as required. As such it may be necessary for Council to meet in Closed Session for this purpose.
- 4.3 Council shall consider the applications and provide direction to the Clerk as to the appointments to be made by Resolution to be considered in a Meeting of Council.
- 4.4 Except as otherwise provided in legislation or the Constitution of an external Board, all appointments shall start on the day of appointment and expire at the conclusion of every Council Term.
- 4.5 Members whose term(s) of office are expiring may be considered for reappointment, subject to their desire to serve, however it is preferred that no Member of any Committee be appointed for more than two (2) consecutive terms of Council. As such Council reserves the right to override this rule as deemed necessary.

5.0 Notifications

- 5.1 The Clerk shall notify all applicants, in writing, of Council's decision.



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

5.2 The Clerk shall notify all External Boards in writing, of Council's decision.

6.0 Vacancies

6.1 Where a vacancy occurs as a result of resignation or other reason, the Clerk is to be so advised by the Committee Resource Person and shall notify any previous unsuccessful candidates to determine whether they wish to let their name stand for appointment.

6.2 If there is no interest or no pool of candidates to draw from, the Clerk will arrange for a public notice and advertise the applicable vacancy, which will be approved by Council resolution.

7.0 Attendance

7.1 The format of Meeting Minutes used by the Township notes the attendance of members. The Recording Secretary shall ensure this record is kept as part of the Minutes.

7.2 Any Member of a Committee that is absent from three (3) consecutive Committee Meetings or more than 49% of the annual Committee Meetings shall be removed from the Committee.

7.3 The Recording Secretary for a Committee shall ensure

7.4 that the Clerk is informed of any result from Section 7.2



The Corporation of the Township of Johnson Policy

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

8.0 Role of Committee

- 8.1 The role of the Committee is to work in conformity with the Committee Terms of Reference as adopted by Council.
- 8.2 The Committee is responsible, through the Committee Minutes, to report to Council and make recommendations based on the adopted Terms of Reference of the Committee.
- 8.3 The Committee may also consider changes to its Terms of Reference but such changes must be approved by Council.

9.0 Role of Committee Member

- 9.1 To elect a Chair and Vice-Chair.
- 9.2 To attend Committee Meetings and provide input through comment and personal skill and knowledge.
- 9.3 To represent the interests of the Community.
- 9.4 To follow the adopted Terms of Reference of the Committee.

10.0 Role of Committee Chair

- 10.1 To facilitate and Chair Committee Meetings.
- 10.2 To work with the Recording Secretary to coordinate the work of the Committee including set agendas.
- 10.3 To serve as spokesperson for the Committee.
- 10.4 Sign Committee Minutes
- 10.5 If requested, provide an annual update to Council on the work of the Committee.



The Corporation of the Township of Johnson Policy

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

11.0 Role of Resource Person

- 11.1 Provide orientation to Committee Members
- 11.2 Work with the Committee Chair to coordinate the work of the Committee and set agendas
- 11.3 Record Committee Minutes according to the Township format.
- 11.4 Provide the Committee with technical support when possible
- 11.5 Provide procedural advice to the Committee and Committee Chair.
- 11.6 To ensure that the Committee Minutes properly articulate all recommendations of the Committee.
- 11.7 The Resource Person shall not under any circumstances be eligible to vote.

12.0 Committee Composition

- 12.1 The composition and Terms of Reference for all Standing Committees established by the Township of Johnson shall be in accordance with *Schedule "A"* to this bylaw.
- 12.2 The composition and Terms of Reference for all Ad Hoc Committees established by the Township of Johnson shall be in accordance with *Schedule "B"* to this bylaw.
- 12.3 The External Boards to which Council makes appointments but do not constitute a Committee of Council are included in *Schedule "C"* to this bylaw. Such External Boards are



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
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governed by applicable Provincial or Federal Legislation or Constitution.

Section E

Policy Adoption and Review Guidelines

Date of Adoption by Council	By-law No.	Motion No.	Date of Most Recent Review by Council	Date of Next Review by Council

Section F

References to Other Policies or By-laws

Policy Title	Policy Section	Policy Number



The Corporation of the Township of Johnson
Schedule "A"
Standing Committees

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

Standing Committees

Committee Name	Reports To	Council Membership	Resource
Committee of the Whole	Council	All (5)	Clerk Senior Staff

Mandate

It shall be at the discretion of Council to use this Committee as it sees fit.

Committee of the Whole meetings are intended to be less formal than Council meetings for discussing the business of the Township.

The Committee is comprised of the entire Council and quorum shall be the same as Regular Council Meetings.

The Committee receives reports from municipal staff, consultants and other organizations on all departmental and service issues. The Committee may also receive delegations according to the Township Policy on Council and Committee Delegations & Petitions.

Committee of the Whole does not have the authority to initiate an action or make a decision on behalf of the Council or Township. It makes recommendations to Council and may initiate staff reports and other information requests through the Clerk.



The Corporation of the Township of Johnson
Schedule "A"
Standing Committees

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

Standing Committees

Committee Name	Reports To	Council Membership	Resource
Committee of Adjustment	Ministry of Municipal Affairs and Housing	All (5)	Clerk Planner

Mandate

The Committee of Adjustment is comprised of the members of Council. The Committee through the exercise of its mandate helps to ensure the Township of Johnson develops and grows in a planned way.

The Committee of Adjustment has the authority as legislated under the Planning Act to make decisions on minor variances, enlargements to legal non-conforming uses, Validation Orders and in the performance of these duties acts as a quasi-judicial body autonomous of Council¹.

The Committee also acts as an advisory body with a mandate to make recommendations on applications for Zoning or Official Plan Amendments, all matters relative to Parts IV & V of the Ontario Heritage Act, and any other issue referred from Council, Committee of Council or administration.

All applications for which the Committee is legislated under the Planning Act are considered at regular meetings.

¹ Consents are handled by the Desbarats to Echo Bay Planning Board



The Corporation of the Township of Johnson
Schedule "B"
Ad Hoc Committees

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

Ad Hoc Committees

Committee Name	Reports To	Council Membership	Public Membership	Resource
Accessibility Committee	Council	One	One (1)	Administrative Assistant

Mandate

The Committee shall consider the full inclusion of persons with disabilities as set out in the Ontario Human Rights Code (Code) and Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

The Committee shall monitor the Township of Johnson's compliance with the requirements under the AODA as follows:

- a) Customer Service
- b) Information and Communications
- c) Employment
- d) Proposed Accessibility Standards of the Build Environment

The Committee shall monitor the commitment of the Township to ensure municipal services are provided in a way that respects the dignity and independence of persons with disabilities in our community.

The Committee shall also monitor Township operations to ensure every municipal employee and constituent receives equitable treatment with respect to employment and services without discrimination.

The Committee shall fulfil the need of the AODA to ensure that the Township meets the needs of the AODA through a required Accessibility Plan and the completion of the appropriate required annual reporting to the Ministry of Accessibility and Seniors. Further that the Plan and Reporting meets the



The Corporation of the Township of Johnson
Schedule "B"
Ad Hoc Committees

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
Policy Section: Governance	Policy #: 1302-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-947

Ad Hoc Committees

accommodation needs of employees and constituents in a timely manner as required by the Code and the AODA.

Committee Name	Reports To	Council Membership	Public Membership	Resource
Budget and Financial Reporting	Council	Two (2)	None	Treasurer Clerk

Mandate

The Budget and Financial Reporting Committee considers and advises Council on financial planning and financial reporting.

The Committee shall be responsible for studying and reporting to Council on policy matters which include, but are not limited to issues related to:

- a) Annual Budgets and Property Tax or Fees & Charges
- b) Annual and Quarterly Financial Reporting
- c) Long Term Financial Planning
- d) Asset Management



The Corporation of the Township of Johnson
Schedule "B"
Ad Hoc Committees

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Ad Hoc Committees

Committee Name	Reports To	Council Membership	Public Membership	Resource
Desbarats Cemetery Committee	Council	One (1)	Three (3)	Clerk
Gordon Lake Cemetery Committee	Council	One (1)	Seven (7)	Clerk

Mandate

The business and affairs of the cemeteries known as Desbarats Cemetery & Mount Pleasant Cemetery (Gordon Lake) shall be managed and supervised by two boards appointed by Council.

Each Boards shall be responsible for the administration, management, care, maintenance and improvement of their subject cemetery.

The business and affairs are administered according to Bylaw 2012-683 or its successors.

Committee Name	Reports To	Council Membership	Public Membership	Resource
Fence Viewers	Clerk	One (1)	Two (2)	Clerk

Mandate

It is the responsibility of the Fence Viewers to view and arbitrate as to what portion of a fence each owner shall construct, reconstruct or repair, maintain and



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Ad Hoc Committees

keep up, upon application from a property owner as detailed in the Line Fences Act, R.S.O. 1990, Chapter L.17.

Fence-viewers are performing a type of judicial function (quasi-judicial) and as such, Council has no authority to provide instructions to the Fence-Viewers or to review their decisions.

The Act provides an appeal procedure and Council has no role in this.

Committee Name	Reports To	Council Membership	Public Membership	Resource
Fire Department Committee	Council	Two (2)	None	Fire Chief

Mandate

Fire Protection is a municipally funded and delivered service that is regulated by provincial statute through the *Fire Protection and Prevention Act 1997*. This Act and subordinate regulations, such as the Ontario Fire Code, standards, communiques, guidelines, and Municipal Bylaws form the framework for the service mandate of the Township of Johnson Fire Department.

The Fire Department Committee is responsible to consider policy related matters respecting the delivery of services mandated under the above legislation.



The Corporation of the Township of Johnson
Schedule "B"
Ad Hoc Committees

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Ad Hoc Committees

Committee Name	Reports To	Council Membership	Public Membership	Resource
Grants Committee	Council	One (1)	One (1)	Clerk Treasurer

Mandate

This Committee is responsible for searching for opportunities for grants that will result in municipal financial assistance. The Committee shall make recommendations to Council on such grant opportunities.

Committee Name	Reports To	Council Membership	Public Membership	Resource
Health, Safety & Well-Being Committee	Council	Two (2)	None	Clerk

Mandate

The Committee shall provide support to develop, deliver, evaluate, and sustain a healthy workplace and community in areas that relate to the Municipality and through community partnerships.

The Committee will encourage and support increased levels of personal health, wellness and fitness through education.



The Corporation of the Township of Johnson
Schedule "B"
Ad Hoc Committees

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Ad Hoc Committees

Committee Name	Reports To	Council Membership	Public Membership	Resource
Johnson & Tarbutt Waste Disposal Site Committee	Council	Two (2)	None	Clerk Public Works Supervisor

Mandate

The Committee shall be responsible for participating on the joint waste disposal site committee with the Township of Tarbutt.

The Joint Committee is responsible for the management of the Joint Landfill located in the Township of Johnson.

The Joint Committee shall execute its duties through Bylaw 2018-894

Committee Name	Reports To	Council Membership	Public Membership	Resource
JTCC / Market / Café & Recreation Committee	Council	Two (2)	Eight (8)	Clerk

Mandate

The Committee is responsible for reviewing practices and policies identified by staff, Council and the Public and making recommendations to improve the delivery of services to the public in the areas of:



The Corporation of the Township of Johnson
Schedule "B"
Ad Hoc Committees

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
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Ad Hoc Committees

- a) The Township of Johnson Community Centre
- b) The Farmers Market
- c) The Café
- d) Recreational Services

To encourage and assist, where necessary by meeting the needs and interests of the community.

Committee Name	Reports To	Council Membership	Public Membership	Resource
Parks Committee	Council	Two (2)	None	Clerk Public Works Supervisor Recreation Coordinator

Mandate

The purpose of the Parks Committee is to act as an advisory body and make recommendations to Council regarding matters pertaining to parks within the Township of Johnson.

It is expected that the Committee recommendations to Council will influence, in a positive way, physical activity, social interaction and community engagement.



The Corporation of the Township of Johnson
Schedule "B"
Ad Hoc Committees

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Ad Hoc Committees

Committee Name	Reports To	Council Membership	Public Membership	Resource
Personnel Committee	Council	Two (2)	None	Clerk

Mandate

The Personnel Committee is responsible for providing guidance and support to the Clerk in the following areas of development of:

- Employee Staffing
- Performance Management
- Employee Compensation System
- Employee Benefits
- Personnel Policies

Committee Name	Reports To	Council Membership	Public Membership	Resource
Roads Committee	Council	One (1)	None	Public Works Supervisor

Mandate

The Roads Committee is responsible for providing guidance and support to the Public Works Supervisor in the following areas:

- General Road Maintenance & Winter Control
- Road Maintenance and Capital Plans



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Schedule "B"
Ad Hoc Committees

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Ad Hoc Committees

Ancillary Road Matters

Committee Name	Reports To	Council Membership	Public Membership	Resource
Water, Sewer and Street Lights Committee	Council	Two (2)	Two (2)	Public Works Supervisor

Mandate

The Water, Sewer and Street Lights Committee is responsible for providing guidance and support to the Public Works Supervisor in the following areas:

- a) Policy matters associated with the operation of the Desbarats Water & Sewer System
- b) Policy matters associated with streetlights



The Corporation of the Township of Johnson
Schedule "C"
External Boards

POLICY TITLE: Committee & Boards Appointments	SUBJECT: Appointing Committee & Boards Members
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External Boards

Board or Committee Name	Reports To	Council Membership	Public Membership	Resource
Algoma District Municipal Association	Federation of Northern Ontario Municipalities	Two (2)	None	Clerk

Mandate

The mandate of the Algoma District Municipal Association is:

- a) To achieve the highest quality of life for all municipalities within the Algoma District.
- b) Strive to provide focus and direction, foster mutual understanding through cooperation and communication, provide opportunities through partnerships and use foresight which recognizes regional, provincial, national and global trends that may have an impact in the Algoma District.
- c) The Association shall promote integrity, respect, sensitivity and fairness.
- d) Study legislation pertaining to municipal governance and to promote and lobby changes that are beneficial considering the existing conditions within the Algoma District.
- e) Lobby for new legislation in regards to municipal governance when it is deemed necessary and in the best interest of the Algoma District
- f) Respond to regional planning issues of concern to the Association and make recommendations thereof.



The Corporation of the Township of Johnson
Schedule "C"
External Boards

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External Boards

- g) To sponsor meetings and semi-annual seminars, individually or in conjunction with others. To discuss matters of regional concern.
- h) To involve the Association only in those matters that involve the Association as a whole.

Committee Name	Reports To	Council Membership	Public Membership	Resource
Algoma District Services Administration Board	The Ministry of Community & Social Services	One (1) One (1) Alternate	None	Clerk Treasurer

Mandate

The Algoma District Services Administration Board (ADSAB) provides social services and paramedic services to the District of Algoma excluding the City of Sault Ste. Marie.

The Board manages and delivers social programs through a combination of direct delivery and contracted services in the social program areas of Children's Services, Housing Services and Ontario Works.

The ADSAB has Social Services office locations in Elliot Lake, Blind River, Thessalon and Wawa.



The Corporation of the Township of Johnson
Schedule "C"
External Boards

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External Boards

Committee Name	Reports To	Council Membership	Public Membership	Resource
Algoma Public Health	The Ministry of Health & Long-Term Care	One (1) One (1) Alternate	None	Clerk

Mandate

Algoma Public Health (APH) is a public health agency committed to improving health and reducing social inequities in health through evidence-informed practice.

Together with member communities, Algoma Public Health strives to be a leader in promoting and protecting health and well-being.

APH has a main office in Sault Ste. Marie and three offices in the Algoma district: Blind River, Elliot Lake and Wawa.



The Corporation of the Township of Johnson
Schedule "C"
External Boards

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External Boards

Committee Name	Reports To	Council Membership	Public Membership	Resource
The Desbarats to Echo Bay Planning Board	The Ministry of Municipal Affairs and Housing	One (1) One (1) Alternate	None	Clerk

Mandate

The Desbarats to Echo Bay Planning Board serves the Township of Johnson, the Township of Tarbutt, the Township of Laird and the Township of MacDonald, Meredith & Aberdeen Additional.

The Planning Board is an Ontario Government sanctioned body and is here to assist in property severances and lot creations in the area.

Committee Name	Reports To	Council Membership	Public Membership	Resource
Police Services Board	The Ministry of the Solicitor General	One (1)	Two (2)	Clerk

Mandate

The Police Services Board oversees how policing is provided in the Township of Johnson. The Board contributes to the community's safety and well-being by



The Corporation of the Township of Johnson
Schedule "C"
External Boards

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External Boards

working with local citizens and organizations to ensure the community receives the appropriate policing it needs.

Committee Name	Reports To	Council Membership	Public Membership	Resource
Central Algoma Rural Health Care Steering Committee	The Ministry of the Solicitor General	One (1)	None	Clerk

Mandate

The North Shore Algoma Rural Health Model Committee is responsible for community engagement efforts on updating communities on the development of a rural health care model for Lake Huron's North Shore Algoma area.



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

**BY-LAW NO. 2019-948
Electronic Meetings**

BEING a bylaw to govern Electronic Meetings

WHEREAS the Municipal Act, Section 238 (2) says that “every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

WHEREAS the Municipal Act, allows limited electronic participation and states in Section 238 (3.1) that “the applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time.

AND WHEREAS the Municipal Act, Section 238 (3.2) contains a limitation as follows; “the applicable procedure by-law shall not provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is closed to the public.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Johnson enacts as follows:

THAT the attached Schedule “A”, being Policy 1301-01, Electronic Meetings shall form a part of this bylaw and shall be used in conjunction with the Procedural Bylaw

FURTHER THAT any and all previous bylaws pertaining to Electronic Meetings be and are and hereby repealed

THIS By-law shall come into effect upon the date of passage hereof.

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 16th of October, 2019

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



**The Corporation of the Township of Johnson
Policy**

POLICY TITLE: Electronic Meetings	SUBJECT: Electronic Participation by Council during a Council Meeting
Policy Section: Governance	Policy #: 1301-01
Effective Date: October 16, 2019	Enacted By: Bylaw 2019-948

Section A

Preamble

- 1.0 The Municipal Act, Section 238 (2) says that “every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.
- 2.0 The Act, allows limited electronic participation and states in Section 238 (3.1) that “the applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time.
- 3.0 Section 238 (3.2) contains a limitation as follows; “the applicable procedure by-law shall not provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is closed to the public.

Section B

Policy Statement

- 1.0 It shall be the policy of the Council of the Township of Johnson to allow electronic participation at Regular and Special Council Meetings or while Council Members are sitting as Committee of the Whole, save an except in a meeting that is closed to the public.
- 2.0 Electronic participation shall not be allowed for Committee Meetings.



The Corporation of the Township of Johnson
Policy

POLICY TITLE: Electronic Meetings	SUBJECT: Electronic Participation by Council during a Council Meeting
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Section C

Definitions

- 1.0 **“Closed Meeting”** shall mean a Closed Meeting as defined in the Procedural Bylaw of the Township.
- 2.0 **“Council Meeting”** shall mean a Council Meeting as defined in the Procedural Bylaw of the Township.
- 3.0 **“Committee Meeting”** shall mean a Committee Meeting as defined in the Procedural Bylaw of the Township.
- 4.0 **“Electronic Participation”** shall mean participation in an eligible by a Member of Council through the use of electronic means such as telephone or internet.
- 5.0 **“Johnson”** shall mean the Corporation of the Township of Johnson or its successors.
- 6.0 **“Mayor”** shall mean the Mayor, Deputy Mayor or Acting Mayor of the Township of Johnson
- 7.0 **“Township”** shall mean the Corporation of the Township of Johnson or its successors.



The Corporation of the Township of Johnson
Policy

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Section D

Regulations

1.0 Participation

- 1.1 Electronic Means of participating in a meeting are available only for eligible meetings that take place in Council Chambers, 1 Johnson Dr, Desbarats, ON.
- 1.2 Requests to participate in a meeting by Electronic Means must be made to the Clerk at least three (3) business days before the meeting.
- 1.3 A maximum of two (2) Members may participate in the same meeting by Electronic Means. Where more than two Members request to participate in the same meeting by Electronic Means, the requests will be granted to the first two Members who make the request.
- 1.4 A Member may participate in a maximum of two (2) open meetings per calendar year by Electronic Means.
- 1.5 Members may not participate in Closed Sessions of any meeting by Electronic Means.
- 1.6 A Member participating in a meeting by Electronic Means shall be considered to be present at such meeting but shall not be counted towards quorum.
- 1.7 The Mayor must be present in person at a meeting.



**The Corporation of the Township of Johnson
Policy**

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2.0 Electronic Meeting Practices

- 2.1 Each Member participating in a meeting by Electronic Means shall be available at least fifteen (15) minutes before the beginning of the meeting to assist staff in establishing the electronic connection.
- 2.2 Each Member participating by Electronic Means will mute his or her electronic device when he or she is not speaking.
- 2.3 The Mayor will canvass Members participating by Electronic Means about their intention to speak to a matter on the floor and will notify each Member when it is his or her turn to speak.
- 2.4 After putting a Motion to a vote, each Member participating by Electronic Means will be required to identify how he or she wishes to vote.
- 2.5 Each Member participating by Electronic Means shall inform the Chair about his or her intentions to leave the meeting either on a temporary or permanent basis.
- 2.6 A Member(s) participating by Electronic Means will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
- 2.7 In the case of a loss of connection, or any connection issue which impedes the ability of a Member(s) to participate in the meeting in real time, the meeting will continue without attempts by either staff or the Member(s) to reconnect.



**The Corporation of the Township of Johnson
Policy**

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Section E

Policy Adoption and Review Guidelines

Date of Adoption by Council	By-law No.	Motion No.	Date of Most Recent Review by Council	Date of Next Review by Council

Section F

References to Other Policies or By-laws

Policy Title	Policy Section	Policy Number



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

BY-LAW NO. 2019-949
Confirm Proceedings – October 16, 2019

BEING a By-Law to confirm proceedings of the meeting of Council, October 16, 2019.

WHEREAS Section 5(3) of the Municipal Act, 2001, S.O. 2001, Chapter 24, as amended, requires a municipal Council to exercise its powers by By-law, except where otherwise required;

AND WHEREAS Council or a Committee of Council often authorizes action to be taken which does not lend itself to an individual By-law;

AND WHEREAS the Council of the Township of Johnson deems it desirable to confirm the proceedings of Council at its meeting hereinafter set out.

THEREFORE BE IT RESOLVED that the Corporation of the Township of Johnson enacts as follows:

1. Ratification and Confirmation

That the action of this Council at its meetings set out below with respect to each motion, resolution and other action passed and taken by this Council at its meetings (except where prior approval of the Ontario Municipal Board is required), is hereby adopted, ratified and confirmed as if such proceedings and actions were expressly adopted and confirmed by By-law:

Meeting held: October 16, 2019

2. Execution of all Documents

That the Mayor of the Council and the proper officers of the Township are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and except where otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute all necessary documents and to affix the Corporate Seal of the Township to such documents.

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 16th of October, 2019

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

**BY-LAW NO. 2019-950
Confirm Proceedings – October 7, 2019**

BEING a By-Law to confirm proceedings of the meeting of Council, October 7, 2019.

WHEREAS Section 5(3) of the Municipal Act, 2001, S.O. 2001, Chapter 24, as amended, requires a municipal Council to exercise its powers by By-law, except where otherwise required;

AND WHEREAS Council or a Committee of Council often authorizes action to be taken which does not lend itself to an individual By-law;

AND WHEREAS the Council of the Township of Johnson deems it desirable to confirm the proceedings of Council at its meeting hereinafter set out.

THEREFORE BE IT RESOLVED that the Corporation of the Township of Johnson enacts as follows:

1. Ratification and Confirmation

That the action of this Council at its meetings set out below with respect to each motion, resolution and other action passed and taken by this Council at its meetings (except where prior approval of the Ontario Municipal Board is required), is hereby adopted, ratified and confirmed as if such proceedings and actions were expressly adopted and confirmed by By-law:

Meeting held: October 7, 2019

2. Execution of all Documents

That the Mayor of the Council and the proper officers of the Township are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and except where otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute all necessary documents and to affix the Corporate Seal of the Township to such documents.

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 16th of October, 2019

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk



THE CORPORATION OF THE TOWNSHIP OF JOHNSON

BY-LAW NO. 2019-951

Enter into an Agreement with Ferroviaal Services

BEING A BY-LAW to enter into an agreement with Ferroviaal Services for the purchase of winter sand.

WHEREAS Section 8(1) of the Municipal Act, R.S.O. c.25 confers that the powers of a municipality under the Municipal Act or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

WHEREAS Section 9 of the Municipal Act, R.S.O. c.25 confers that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act.

WHEREAS the Council of the Corporation of the Township of Johnson deems it desirable and necessary to enter into an agreement with Ferroviaal Services for the purpose of providing winter sand.

NOW THEREFORE BE IT RESOLVED the Council of the Corporation of the Township of Johnson enacts as follows:

1. **THAT** the Public Works Supervisor, Randy Spurway is hereby authorized to sign Schedule "A" of this bylaw agreeing to the services to be provided by Ferroviaal Services
2. **THIS** By-Law shall be effective on date of adoption.

READ a first, second and third time and finally passed this 16th. Day of October, 2019.

Seal

Blaine Mersereau, Mayor

Chris Wray, Clerk

4 October 2019

RE: Winter sand price increase

Ferrovial Services has received a 12% increase from our service provider this season for winter sand along with 2% CPI which is an annual increase. The cause of the 12% increase from the service provider is due to wage increases, carbon tax and TOARC fees.

In turn we have to put this cost on our clients moving forward, the total increase this year will be 14%.

We understand that this will affect your budgets and apologize for the late notice as we were hoping on negotiating a decrease in the rate but were not successful in doing so.

Ferrovial looks forward in continuing our relationship with all our long time clients.

BEST REGARDS,

Lindsay Tallon

Lindsay Tallon

Operations Manager, Ferrovial Services Ontario.

SALES AGREEMENT

This agreement, entered into October 1, 2019 between Ferrovial Services Ontario Limited and members of East Algoma Road Superintendent Association provides for the sale of abrasive sand from Ferrovial Services Ontario Limited to East Algoma Road Superintendent Association for winter maintenance of roads within their jurisdiction.

Ferrovial Services Ontario Limited, hereby agrees to sell winter sand to East Algoma Road Superintendent Association at a per tonne price of \$27.21, after 850 tonnes, the price will be adjusted to \$32.89 per tonne. This product will be available to the municipalities from the date of execution of this Sales Agreement, until May 30th, 2020, at the agreed price.

The sand provided will meet Ministry of Transportation specifications, and will be blended with 3% salt by weight volume. The following special provisions apply to this agreement:

- The municipalities shall have access to FS patrol yards at all times for the purpose of loading sand throughout the term of this agreement subject to the following prerequisite:
 - All municipality employees or persons acting under the instructions of a municipality who enter the FS patrol yards shall have attended an induction course provided by FS, and have their name recorded in a register as free to enter. No other person is permitted into the Ferrovial Services patrol yard.

The municipalities may use the Ferrovial Services loader positioned at each patrol location for loading of sand onto their trucks. Municipal employees are responsible for the operation of this equipment and liable for damage to the equipment itself, or any structures within the patrol yard. Prior to using the Ferrovial Services loader, municipal employees or persons under the direction of a municipality shall provide a copy of a certificate of competence for loader operation from a government approved training provider and their names will be recorded in a register as able to use the equipment. No other persons are permitted to use the equipment

- FS shall provide routine maintenance and fuel for the operation of the end-loader
- FS will provide front end loading equipment with bucket scales to be used for material tracking. Two load tickets are to be printed, one to remain in the loader and attached to the provided clipboard, the other to be sent to the Ferrovial

Services head office 452 Albert street east Sault Ste Maire bi-weekly with a summary sheet for invoicing.

- FS shall invoice East Algoma Road Superintendent Association for sand loaded every other week throughout the season. Term of payment shall be 30 Days.
- Ferrovial Services Ontario's Mandatory Safety Rules and general safety Best Practices will be shared with municipality employees during the induction course provided by Ferrovial Services, and must be strictly adhered to. In the event of a breach of these policies and procedures, FS reserves the right to withdraw the right of that municipal employee or person under the direction of a municipality from entering Ferrovial Services patrol yards.
- FS shall be advised immediately of any fluid spill from municipality equipment, FS will advise the Ministry Of Environment. FS will oversee and ensure appropriate clean up and containment of spill. The municipality will be responsible for all costs associated to environmental clean-up and proper disposal and any restoration.

Municipality

Ferrovial Services

Print Name

Lindsay Tallon

Print Name

Signature

Signature

Date

October 1, 2019

Date