



## Regular Council Meeting Agenda

March 5, 2018, 6:00 pm  
Essex Civic Centre  
360 Fairview Avenue West  
Essex, Ontario

Pages

1. Call to Order
2. Closed Meeting Report
3. Declarations of Conflict of Interest
4. Adoption of Published Agenda
  - 4.1 Regular Council Meeting Agenda for March 5, 2018

That the published agenda for the March 5, 2018 Regular Council Meeting be adopted as presented / amended.
5. Adoption of Minutes
  - 5.1 Regular Council Meeting Minutes for February 20, 2018 1

That the minutes of the Regular Council Meeting held February 20, 2018 be adopted as circulated.
  - 5.2 Consideration of Report Meeting for February 20, 2018 14

That the minutes of the Consideration of Report Meeting held February 20, 2018 for the Shepley Drain: Bridge for Joseph and Susan Chisholm, prepared by Rood Engineering dated December 5, 2017 be adopted as circulated.
6. Public Presentations
  - 6.1 Harrow Rotary Presentation 18

Harrow Rotary will be presenting a donation to the Essex Fire and Rescue Services for the new fire extinguisher training.
  - 6.2 Essex Region Conservation Authority 19

Richard Wyma, for the Essex Region Conservation Authority (ERCA), will appear before Council this evening to provide ERCA's 2017 Annual Report , 2018 Budget and to provide an update on other activities planned throughout the year.

Moved by  
Seconded by

That the presentation by Richard Wyman, General Manager/Secretary Treasurer of the Essex Region Conservation Authority providing Council with the 2017 Annual Report and the 2018 Draft Budget, be received.
7. Unfinished Business

## 8. Reports from Administration

### 8.1 Community Services Report 2018-003 23

RE: Harrow Ontario Provincial Police (OPP) Back-Up Generator Server Room Connection

Moved by  
Seconded by

**That** Community Services Report 2018-003, entitled "Harrow Ontario Provincial Police (OPP) Back-Up Generator Server Room Connection", prepared by Jay Affleck, Assistant Manager of Parks and Facilities, and submitted by Doug Sweet, Director of Community Services, dated March 5, 2018 be received;

**And that** Council approve the amount of \$9,040 including harmonized sales tax to have this emergency repair completed, with funding to be allocated from the savings obtained from the 2017 Harrow OPP Facility Capital Works Projects.

### 8.2 Community Services Report 2018-005 25

RE: HIGH FIVE Accreditation Certification

Moved by  
Seconded by

**That** Community Services Report 2018-005, entitled "HIGH FIVE Accreditation Verification", prepared by Cynthia Cakebread, Manager of Recreation and Culture, and submitted by Doug Sweet, Director of Community Services, dated March 5, 2018 providing Council with an update on the Community Services Recreation and Culture Division's success in maintaining HIGH FIVE Accreditation, be received.

### 8.3 Fire Report 2018-004 29

RE: Amendment to User Fee By-Law 1331

Moved by  
Seconded by

**That** Fire Report 2018-004 entitled "Amendment to User Fee By-Law 1331", prepared and submitted by Richard Arnel, Fire Chief, dated March 5, 2018, be received;

**And that** Council approve the addition of a Fire Extinguisher Training fee in the flat amount of \$150 for up to twenty participants and a fee of \$5.00 per person over the twenty participants, to By-Law 1331 Schedule A.

### 8.4 Corporate Services Report 2018-02 32

RE: Results of Request for Proposal - Corporate Banking Services

Moved by  
Seconded by

**That** Corporate Services Report 2018-02, entitled "Results of Request for Proposal - Corporate Banking Services", prepared by Jackson Tang, Assistant Manager, Business Services and submitted by Jeffrey Morrison, Director, Corporate Services, dated March 5, 2018, be

received;

**And that** Council approve and award the Request for Proposal for Corporate Banking Services to CIBC Commercial Banking for a five (5) year term with an option to extend one or more five (5) year term, subject to satisfactory performance and price negotiation.

## **8.5 Clerks Report 2018-001**

35

RE: Court of Revision for Shepley Drain: Bridge for Joseph & Susan Chisholm (Part Lot 7, Gore Concession) and Updated Maintenance Schedule Geographic Township of Colchester South, Project REI 2016D027 as per the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Ltd. dated December 5, 2017.

### **By-Law 1682**

Being a by-law to provide for the Shepley Drain: Bridge for Joseph & Susan Chisholm (Part Lot 7, Gore Concession) and Updated Maintenance Schedule Geographic Township of Colchester South, Project REI 2016D027, Town of Essex, County of Essex

Moved by

Seconded by

**That** Clerks Report 2018-001, entitled "Court of Revision: Bridge for Joseph and Susan Chisholm (Part of Lot 7, Gore Concession), prepared by Robert Auger, Clerk/Legislative and Legal Services and submitted by Donna Hunter, Chief Administrative Officer, dated March 5, 2018, be received;

**And that** Councillor Bjorkman, Councillor Bondy and Councillor Snively be selected and appointed to sit as members of the Court of Revision scheduled for 5:00 PM on May 7, 2018 in the County of Essex Civic Centre Council Chambers, 360 Fairview Avenue West, Essex for the Shepley Drain: Bridge for Joseph and Susan Chisholm (Part Lot 7, Gore Concession) and updated Maintenance Schedule, Project REI 2016D027, pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Ltd., dated December 5, 2017;

**And that** By-Law 1682, being a by-law to provide for the Shepley Drain: Bridge for Joseph and Susan Chisholm (Part Lot 7, Gore Concession) and Updated Maintenance Schedule, be read a first and second time and be provisionally adopted on March 5, 2018.

## **8.6 Clerks Report 2018-02**

39

RE: Changes to the Procedural By-Law and Schedule "A" of Delegation of Authority By-Law re: Addressing and Enhancing the Role and Duties of the Deputy Mayor

### **By-Law 1681**

Being a by-law to provide Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards

By-Law 1404 Delegation of Authority  
Schedule A (Revised March 5, 2018)

Moved by

Seconded by

**That** Clerks Report 2018-02, entitled "Changes to Procedural By-Law

and Schedule "A" of Delegation of Authority By-Law re: Addressing and Enhancing the Role and Duties of the Deputy Mayor", prepared by Laurie Brett, Deputy Clerk, and submitted by Robert Auger, Clerk/Legal and Legislative Services, dated March 5, 2018, be received;

**That** By-Law 1592, being a by-law to provide Rules of Procedure for the Conduct of Meeting of Municipal Council and its Committees and Boards, and all amendments thereto, be repealed;

**That** By-Law 1681, being a revised by-law to provide Rules of Procedure for the Conduct of Meetings of Municipal Council and its Committees and boards be read a first and second time and provisionally adopted May 5, 2018;

**And that** the proposed revisions to Schedule A to By-Law 1404, being a by-law to delegate the duties and powers of the Council of the Town of Essex, be approved.

8.7

Clerks Report 2018-03

107

RE: Fees for Civil Marriage Officiants

Moved by  
Seconded by

**That** Clerks Report 2018-03, entitled "Fees for Civil Marriage Officiants", prepared by Laurie Brett, Deputy Clerk, and submitted by Robert Auger, Clerk/Legal and Legislative Services, be received;

**And that** the fees for civil marriage officiants be revised to \$350 for an Offsite Wedding Ceremony, mileage to be \$0.55 per kilometer as may be adjusted by the Town from time to time, and that \$50 of the collected amount be remitted to the Town of Essex for administration of marriage services.

8.8

Chief Administrative Officer Verbal Report

110

RE: ELK - Harrow Service Area - Momentary Outages

Moved by  
Seconded by

**That** Chief Administrative Officer Donna Hunter's Verbal Report providing an update on ELK - Harrow Service Area- Momentary Outages, be received.

9.

Reports from Youth Members

10.

County Council Update

11.

Correspondence

11.1

Correspondence to be received

**That** correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

11.1.1

Town of Essex Resolution: Offering School Properties to Municipalities

111



At the January 15, 2018 Regular Council Meeting, Council passed Resolution (R18-01-013) "That the Town of Essex send a request to the Association of Municipalities of Ontario (AMO), ROMA and all other municipalities in Ontario requesting that when school boards make decisions to close schools, that they have to offer the building to the local municipality for a dollar."

As a result the following letters of support have been received:

Township of Addington Highlands  
Township of Prince  
Township of Machar  
Town of Laurentian Hills  
Municipality of North Middlesex  
Village of Burk's Falls  
Township of McKellar  
Municipality of Marmora and Lake  
Township of North Huron  
Town of Bruce Mines  
Township of Stirling-Rawdon

11.1.2	Parks and Recreation Ontario, Bill Allen President	125
	Letter of congratulation to the Town of Essex upon the successful renewal of Accredited Organization status with HIGH FIVE.	
11.1.3	Ontario Municipal Board Review	126
	RE: Proclamation of the <i>Building Better Communities and Conserving Watersheds Act, 2017</i> , changes to the land use planning and appeal system	
11.1.4	County of Essex	131
	RE: Essex County Council Resolution RE Essex County Library Reserve Funds	
11.1.5	Tracey Ramsey, MP Essex	133
	Letter of support from Tracey Ramsey, MP Essex to the Minister of Environment and Climate Change, supporting the Town of Essex resolution for federal action on conservation of heritage properties.	
11.1.6	Erie St. Clair Local Health Integration Network	136
	Open Board Meeting Agenda - February 28, 2018	
11.1.7	Essex Centre BIA	138
	RE: 2017 Highlights Providing Council with a summary of events, projects and programs the Essex Centre BIA hosted or sponsored in 2017.	
11.1.8	Union Water Supply System	143
	RE: Joint Board of Management Meeting Minutes - December 20, 2017	

11.1.9	Ontario Clean Water Agency	148
	RE: 2017 Summary Report for the Harrow-Colchester South Water Treatment Plant	
	Drinking-Water Systems Regulation - Harrow-Colchester South Water Treatment Plant	
11.1.10	AMO Communications	154
	Draft Ministry of Community Safety and Correctional Services (MCSCS) Regulations on Mandatory Certification and Training for Firefighters and Community Risk Assessments by Municipalities - Briefing Note	
11.1.11	Essex County Agricultural Hall of Fame	162
	Reminder of the Annual Meeting on Monday, March 12 at the Civic Centre at 7:00 PM	
11.1.12	Municipality of Leamington	163
	Request from the Municipality of Leamington to support their application for the "Community Transportation Grant Program" for funding under the "Long-distance Scheduled Intercommunity Bus Service" stream.	
	Town of Essex letter of support for the Municipality of Leamington's proposal to establish a Long-distance Scheduled Intercommunity Project under the Community Transportation Grant Program.	
11.1.13	Ministry of Municipal Affairs	168
	RE: 2018 Annual Repayment Limit (ARL) for the Town of Essex	
<b>12.</b>	<b>Committee Meeting Minutes</b>	
12.1	<b>Fun Fest Committee</b>	171
	February 15, 2018 Meeting	
	Moved by	
	Seconded by	
	<b>That</b> the Essex Fun Fest Committee Meeting minutes dated February 15, 2018, be received and adopted as circulated.	
<b>13.</b>	<b>Financial</b>	
<b>14.</b>	<b>New Business</b>	
<b>15.</b>	<b>Notices of Motion</b>	
15.1	<b>The following Notice of Motion was presented at the February 20, 2018 Regular Council Meeting and is being brought forward for consideration this evening:</b>	
15.1.1	Councillor Bondy	
	RE: User Pay for Childcare Services at the Association of	

Municipalities of Ontario (AMO) Conferences

Moved by Councillor Bondy  
Seconded by

**That** the Association of Municipalities of Ontario (AMO) be requested to offer user pay childcare services at conferences during conference hours.

16. Reports from Council Members

17. Announcements

18. By-Laws

18.1 By-Laws that require a third and final reading

18.1.1 By-Law 1666 178

Being a by-law to provide for Thompson Drain: Kelly Strong Bridge and Bridge for Davin and Karen Kendrick, Part of Lots 31 and 32 N.M.R. Concession, and Updated Maintenance Schedule, Geographic Township of Colchester North, Project REI 2016D025, Town of Essex, County of Essex

Moved by  
Seconded by

**That** By-Law 1666 being a by-law to provide for Thompson Drain: Kelly Strong Bridge and Bridge for Davin & Karen Kendrick, Part of Lots 31 and 32 N.M.R. Concession, and Updated Maintenance Schedule, Geographic Township of Colchester North, Project REI 2016D025, Town of Essex, County of Essex be read a third time and finally passed on May 5, 2018.

18.1.2 By-Law 1676 182

Being a by-law to enter into a Site Plan Control Agreement between The Corporation of the Town of Essex and The International Door Company  
(Lands on the East Side of County Road 13)

Moved by  
Seconded by

**That** By-Law 1676 being a by-law to enter into a Site Plan Control Agreement between The Corporation of the Town of Essex and The International Door Company be read a third time and finally passed on March 5, 2018.

18.1.3 By-Law 1678 190

Being a by-law to confirm the proceedings of the February 20, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by  
Seconded by

**That** By-Law 1678 being a by-law to confirm the proceedings of the February 20, 2018 Regular Meeting of the Council of

The Corporation of the Town of Essex be read a third time and finally passed on May 5, 2018.

**18.2 By-Laws that require a first, second, third and final reading**

**18.2.1 By-Law 1684 192**

Being a by-law to Appoint a Manager, Finance and Business Services, and a Deputy Treasurer for the Town of Essex

Moved by  
Seconded by

**That** By-Law 1684 being a by-law to appoint a Manager, Finance and Business Services, and a Deputy Treasurer for the Town of Essex be read a first, a second and a third time and finally passed on March 5, 2018.

**18.3 By-Laws that require a first and second reading**

**18.3.1 By-Law 1683 194**

Being a by-law to confirm the proceedings of the March 5, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by  
Seconded by

**That** By-Law 1683 being a by-law to confirm the proceedings of the March 5, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex be read a first, and a second time and provisionally adopted on March 5, 2018.

**19. Adjournment**

Moved by  
Seconded by

**That** the meeting be adjourned at [TIME].

**20. Future Meetings**

**20.1 Monday, March 19, 2018 - 5:00 - 6:00 PM - Official Photo Session**

Location: Essex Civic Centre, 360 Fairview Avenue West, Essex  
Committee Room C

**20.2 Monday, March 19, 2018 - 6:00 - 9:00 PM - Regular Council Meeting**

Location: County of Essex Council Chambers, 360 Fairview Avenue West, Essex

**The Corporation of the Town of Essex**  
**Regular Council Meeting Minutes**

February 20, 2018, 6:00 am  
Essex Civic Centre  
360 Fairview Avenue West  
Essex, Ontario

Present: Mayor McDermott  
Deputy Mayor Meloche  
Councillor Bondy  
Councillor Bjorkman  
Councillor Snively  
Councillor Voakes  
Councillor Rogers

Also Present: Donna Hunter, Chief Administrative Officer  
Jeffrey Morrison, Director, Corporate Services  
Chris Nepszy, Director of Infrastructure  
Rick Arnel, Fire Chief  
Rick Malott, Deputy Fire Chief  
Alex Denonville, Manager, Communications  
Jeff Watson, Policy Planner  
Rita Jabbour, Assistant Planner  
Robert Auger, Clerk, Legal and Legislative Services  
Lynn Moroz, Administrative Assistant

Evha Hoffmann, Youth Council Representative

**1. Call to Order**

**2. Closed Meeting Report**

Mr. Auger, Clerk, provided a verbal update on the Closed Meetings held on February 5<sup>th</sup>, February 15<sup>th</sup> and earlier this evening.

On February 5, 2018, at the conclusion of the Regular Council Meeting, Council met in closed session to receive an update on the status of current and potential litigation files pursuant to Section 239.2(e) of the Municipal Act.

On February 15, 2018, and again on February 20, 2018 Council met in closed session to discuss personnel matters about identifiable individuals including municipal and local board employees pursuant to Section 239(2) (b), and to discuss proposed or pending acquisitions of lands by the municipality pursuant to Section 239(2)(c) of the Municipal Act.

**3. Declarations of Conflict of Interest**

There were no declarations of Conflict of Interest.

**4. Adoption of Published Agenda**

**4.1 Regular Council Meeting Agenda for February 20, 2018**

Moved By Councillor Snively  
Seconded By Councillor Bjorkman

**(R18-02-053) That** the published agenda for the February 20, 2018 Regular Council Meeting be adopted as amended with the addition of:

- Correspondence submitted by Cynthia Cakebread, Manager, Culture and Recreation regarding the Sip n Paint Program;
- Requesting Item 8.5, Economic Development Report 2018-03, be moved on the agenda to be the first report to be heard; and
- Notice of Motion by Councillor Bondy regarding pay for service childcare at AMO conferences.

**Carried**

**5. Adoption of Minutes**

**5.1 Regular Council Meeting Minutes for February 5, 2018**

Moved By Councillor Bondy  
Seconded By Deputy Mayor Meloche

**(R18-02-054) That** the minutes of the Regular Council Meeting held February 5, 2018 be adopted as circulated.

**Carried**

**6. Public Presentations**

**6.1 Community Heritage Preservation Awards**

Mayor McDermott gave the floor to Deputy Mayor Meloche, Chair of the Essex Heritage Committee, to present the Community Heritage Preservation Awards. He announced that these awards had been created to recognize citizens who have helped to celebrate and protect the Town's rich heritage. He called Laurie Kowtiuk and Andreas Wirag before Council to receive awards and announced that they were the first recipients to be honoured. Both have helped to celebrate and protect the Town of Essex's rich heritage by starting heritage designations for their homes. On behalf of the Town, he thanked them for exemplifying good preservation practices.

**6.2 Feasibility of Fibre Optics throughout the Town of Essex**

**6.2.1 SouthWestern Integrated Fibre Technology (SWIFT) Stakeholder Relations, Adriana Dekker**

Ms. Dekker gave a power point presentation regarding SWIFT and updated Council on the proposed high fiber network.

**6.2.2 Information Technology Report 2018-01**

RE: Feasibility of Fibre Optics throughout the Town of Essex

Moved By Councillor Bondy  
Seconded By Councillor Snively

**(R18-02-055) That** the presentation by SouthWestern Integrated Fibre Technology (SWIFT) Stakeholder Relations representative, Adriana Dekker, together with Information, Technology Report 2018-01, as

prepared by Jack Barron, Manager of Information Technology and submitted by Jeffrey Morrison, Director, Corporate Services, entitled "Feasibility of Fibre Optics throughout the Town of Essex", dated February 20, 2018, providing Council with information on the feasibility of fibre optics throughout the Town of Essex, be received.

Carried

7. Unfinished Business

8. Reports from Administration

8.1 Economic Development Report 2018-03

Moved by Councillor Snively  
Seconded by Councillor Bondy

**(R18-02-056) That** Tammy Affleck be allowed to address Council regarding the Harrow Streetscape.

Carried

Tammy Affleck, President of the Harrow Chamber of Commerce, introduced herself and stated that she was appearing at Council to support the development of a streetscape plan for Harrow. Ms. Affleck stated that the general public should be consulted in connection with the plan. She felt that if the residents were able to contribute to the plan they would be more supportive and more willing to participate in fundraising, should that be required. She stated that this was the one chance to develop their vision and to establish their identity, and that Harrow needed to be a destination and marketed as such.

A discussion ensued on Economic Development Report 2018-03.

Mayor McDermott vacated his chair to participate in the discussion at 6:40 PM Deputy Mayor Meloche assumed the Chair at that time.

Moved by Councillor Bondy  
Seconded by Councillor Rogers

**(R18-02-057) That** Economic Development Report 2018-03, prepared by Nelson Silveira, Economic Development Officer, and submitted by Donna Hunter, Chief Administrative Officer, entitled "Harrow Streetscape Plan", dated February 20, 2018, providing Council with an overview of the project and funding for the proposed Harrow Streetscape Plan, be received;

**And that** Council approve the funding and the issuance of an RFP to secure a consultant for the development of a long-term streetscape improvement plan for Harrow Centre.

Councillor Bondy requested a recorded vote.

Recorded	Support	Against
Councillor Bondy	X	
Deputy Mayor Meloche	X	
Mayor McDermott	X	

Councillor Voakes	X	
Councillor Bjorkman	X	
Councillor Rogers	X	
Councillor Snively	X	
<b>Results</b>	<b>7</b>	<b>0</b>

With a recorded vote of seven (7) in favour and none opposed the motion was **Carried**

Deputy Mayor Meloche excused himself from the meeting at 6:55 PM due to a family emergency.

Mayor McDermott resumed the Chair at that time.

**8.2 Fire Report 2018-002**

RE: Expansion of the Ontario Naloxone Program

Moved by Councillor Bondy  
Seconded by Councillor Rogers

**(R18-02-058) That** Fire Report 2018-002, prepared and submitted by Richard Arnel, Fire Chief, entitled "Expansion of the Ontario Naloxone Program", dated February 20, 2018, be received.

**Carried**

**8.3 Fire Report 2018-003**

RE: Ministry of Community Safety and Correctional Services: Public Consultation on proposed regulations for mandatory training and certification and conducting community risk assessments for Fire Protection.

Moved by Councillor Snively  
Seconded by Councillor Bjorkman

**(R18-02-059) That** Fire Report 2018-003, prepared and submitted by Richard Arnel, Fire Chief, entitled "Ministry of Community Safety and Correctional Services: Public Consultation on proposed regulations for mandatory training and certification and conducting community risks assessments for Fire Protection", be received;

**And that** Council support and approve the submission of the recommended resolution as referenced in said Fire Report 2018-003.

**Carried**

**8.4 Infrastructure and Development Services Report 2018-02**

RE: Ridge Road Geotechnical Investigation

Geotechnical Investigation Final Report  
Road Rehabilitation Ridge Road  
by Amec Foster Wheeler Environment and Infrastructure



Moved by Councillor Voakes  
Seconded by Councillor Rogers

**(R18-02-060) That** Infrastructure and Development Services Report 2018-02, prepared by Richard Beausoleil, Manager, Capital Works/Infrastructure, and submitted by Chris Nepszy, Director, Infrastructure and Development, dated February 20, 2018, entitled "Ridge Road Investigation" and the Geotechnical Investigation Final Report, Road Rehabilitation Ridge Road, submitted by Amec Foster Wheeler Environment and Infrastructure, dated December 7, 2017, be received.

**Carried**

## **8.5 Finance and Business Services Report 2018-02**

RE: Tax Adjustments - Section 357(1) and Section 358

Moved by Councillor Voakes  
Seconded by Councillor Bjorkman

**(R18-02-061) That** Finance and Business Services Report 2018-02, prepared and submitted by Jeffrey Morrison, Director, Corporate Services/Treasurer, entitled "Tax Adjustments - Section 357 (1) and Section 358", dated February 20, 2018, be received;

**And that** Council approve the cancellation, reduction and refund of the noted taxes in accordance with the provisions under Section 357 (1) and 358 of the Municipal Act, 2001, shown as Schedules A, B, C and D, in the report.

**Carried**

## **8.6 Economic Development Report 2018-04**

RE: Waiving Commercial Development Charges

Moved by Councillor Bondy  
Seconded by Councillor Bjorkman

**(R18-02-062) That** Economic Development Report 2018-04, prepared by Jeffrey Morrison, Director of Corporate Services, and Nelson Silveira, Economic Development Officer, and submitted by Donna Hunter, Chief Administrative Officer, entitled "Waiving Commercial Development Charges", dated February 20, 2018 providing Council with an overview of the economic and financial outcomes of waiving commercial development charges in the Town of Essex, be received;

**And that** Council directs Administration to begin the public consultation process to amend By-Law 1344 to reduce Development Charges for commercial development by 100% in the Town of Essex for areas that fall outside of the existing Community Improvement Plan boundaries; remaining in effect until August 25, 2019.

**Carried**

## **8.7 Building Report 2018-01**

RE: January 2018 Building Report

Moved by Councillor Bjorkman  
Seconded by Councillor Snively

**(R18-02-063) That** Building Report 2018-01, dated February 8, 2018 providing Council with a summary of building activity in the Town of Essex for the month of January, be received.

**Carried**

#### **8.8 Planning Report 2018-08**

RE: dBMedia Billboard Lease Request (Essex Centre)

By-Law 1679

Being a by-law regulating the erection and maintenance of signs in the Town of Essex

Moved by Councillor Bondy  
Seconded by Councillor Rogers

**(R18-02-064) That** Planning Report 2018-08, prepared by Jeff Watson, Policy Planner, and submitted by Chris Nepszy, Director of Infrastructure and Development, entitled "dBMedia Billboard Lease Request (Essex Centre), dated February 19, 2018 recommending that the Town enter into a lease agreement with dBMedia for leasing of lands to permit the retention of a billboard sign located on Town lands described as "Rear County Road", Concession NMR, Part Lot 33, on the west side of Highway 3, north of County Road 12, be received and approved;

**And that** By-Law 1679, being a by-law regulating the erection and maintenance of signs in the Town of Essex, be read a first, a second and a third time and finally passed this 20th day of February, 2018.

**Carried**

#### **8.9 Planning Report 2018-09**

RE: Essex Crossing Street Name Application (Essex Centre)

Correspondence from Essex Town Centre Ltd.

RE: Request for Street Names Essex Town Centre Subdivision

Town of Essex By-Law 601

Being a by-law to establish the procedure for the naming of highways within The Corporation of the Town of Essex

Moved by Councillor Bjorkman  
Seconded by Councillor Bondy

**(R18-02-065) That** the correspondence from Essex Town Centre Ltd., Remo Valente, dated February 12, 2018 asking that Council consider allowing him to name the streets in the Essex Crossing subdivision, in the Town of Essex, together with Planning Report 2018-09, prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director of Infrastructure, entitled "Essex Crossing Street Name Application (Essex Centre)", dated February 20, 2018, be received;

**And that** in accordance with By-Law 601, the street names in the Essex Crossing Subdivision be assigned as follows:

Street A - Peters Street  
Street B - Reed Street  
Street C - Bear Street  
Street E - Lane Street  
Street F - Jones Street  
Street G - Hamilton Street  
Street H - Henderson Street  
Street I - Butterworth Street.

**Carried**

#### **8.10 Planning Report 2018-10**

RE: Harrow Community Improvement Plan Expansion

By-Law 1677

Being a by-law to enlarge the Community Improvement Project Area of the Harrow Centre Community Improvement Plan

Moved by Councillor Bondy

Seconded by Councillor Voakes

**(R18-02-066) That** Planning Report 2018-10, prepared by Jeff Watson, Policy Planner, and submitted by Chris Nepszy, Director of Infrastructure and Development, entitled "Harrow Community Improvement Plan Expansion", dated February 20, 2018, be received and approved;

**And that** By-Law 1677, being a by-law to enlarge the community improvement project area of the Harrow Centre Community Improvement Plan, be read a first, second and third time and finally passed this 20th day of February, 2018.

**Carried**

Councillor Voakes vacated his seat at 7:10 PM and was absent for the vote on the motion. He resumed his seat at 7:14 PM.

#### **8.11 Planning Report 2018-07**

RE: Site Plan Control Agreement for International Door Company, 1170 County Road 13

By-Law 1676

Being a by-law to enter into a Site Plan Control Agreement between The Corporation of the Town of Essex and The International Door Company

Moved by Councillor Snively

Seconded by Councillor Bondy

**(R18-02-067) That** Planning Report 2018-07, prepared by Rita Jabbour, Assistant Planner, and submitted by Chris Nepszy, Director of Infrastructure and Development, entitled "Site Plan Control Agreement for the International Door Company, 1170 County Road 13, recommending that Council approve the site plan control (SPC) application for the International Door Company, be received and approved;

**And that** By-Law 1676 being a by-law to enter into a Site Plan Control Agreement between The Corporation of the Town of Essex and the International Door Company be read a first and a second time and provisionally adopted on February 20, 2018.

**Carried**

**9. Reports from Youth Members**

**10. County Council Update**

**11. Correspondence**

**11.1 Correspondence to be received**

Moved By Councillor Bjorkman  
Seconded By Councillor Snively

**(R18-02-068) That** correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

**Carried**

**11.1.1 Tracey Ramsey, MP Essex**

RE: Supports the federal government implementing a Wine Industry Innovation Program (WIIP)

Correspondence from Essex MP Tracey Ramsey to the Minister of Finance, the Honourable Bill Morneau recommending the federal government implement a Wine Industry Innovation Program (WIIP) into the 2018 Budget.

**11.1.2 Windsor Essex County Environment Committee**

RE: January 25, 2018 Meeting Minutes

**11.1.3 2017 Annual Reports - Union Water Distribution System**

Union Area Water Supply System, Annual Performance Report

Ontario Clean Water Agency, Annual Performance Report for Essex Distribution System

**11.1.4 Correspondence from the Town of Essex**

RE: Offering School Property to Municipalities

Correspondence from the Town of Essex to the Association of Municipalities (AMO) and Rural Ontario Municipal Association and Ontario municipalities, advising of Council's resolution (R18-01-013) that when school boards make decisions to close schools, that they have to offer the building to the local municipality for a dollar.

**11.1.5 Essex Accessibility Advisory Committee**

RE: Volunteer Appreciation Evening

Correspondence from the Essex Accessibility Advisory Committee expressing appreciation for recognizing volunteers with a Volunteer Appreciation Evening.

## **11.2 Correspondence to be considered for receipt and support**

### **11.2.1 Cynthia Cakebread, Manager, Recreation and Culture**

RE: Sip n Paint Registered Program

Moved by Councillor Rogers

Seconded by Councillor Voakes

**(R18-02-069) That** the correspondence from Cynthia Cakebread, Manager, Recreation and Culture, dated February 19, 2018 notifying Council that the Arts, Culture and Tourism Committee will be hosting a Sip n Paint program on Thursday, February 22, 2018 at McGregor Community Centre and Thursday, May 31, 2018 at the Colchester Community Room between the hours of 7 PM and 10 PM, be received and supported without any objection.

**Carried**

## **12. Committee Meeting Minutes**

Moved by Councillor Voakes

Seconded by Councillor Snively

**(R18-02-070) That** the Committee Meeting Minutes listed in agenda item 12, together with any recommendations noted therein be received and adopted as circulated.

### **12.1 Arts, Culture and Tourism Committee - February 7, 2018**

### **12.2 Essex Police Services Board - January 11, 2018**

### **12.3 Essex Municipal Heritage Committee - January 25, 2018**

### **12.4 Committee of Adjustment - February 6, 2018**

### **12.5 Essex Centre B.I.A.**

November 19, 2017

December 12, 2017

### **12.6 CoAn Park Committee - January 16, 2018**

5 Year Forecast

### **12.7 Essex Accessibility Advisory Committee - November 30, 2017**

**Carried**

## **13. Financial**

## **14. New Business**

## **15. Notices of Motion**

**15.1 The following Notices of Motion were presented at the February 5, 2018 Regular Council Meeting and are being brought for consideration this evening:**

### **15.1.1 Councillor Snively**

RE: Extension of Municipal Services to Maidstone Avenue

Moved by Councillor Snively  
Seconded by Councillor Bondy

**(R18-02-071) That** Administration provide a report that sets out the cost of bringing municipal services where they end on Maidstone Avenue, east of Highway 3, to the lands west of Highway 3 along County Road 8 to the future intersection of Pinkerton and County Road 8 (Lafferty lands).

**Carried**

#### 15.1.2 Councillor Bondy

RE: Funding the Harrow Centre Streetscape project in 2018

Moved by Councillor Bondy  
Seconded by

**(R18-02-072) That** Administration provide a report to Council on how the Harrow Centre Streetscape project could be funded in order to try to expedite the commencement of this project in 2018.

Councillor Bondy rescinded the motion.

#### 15.1.3 Councillor Rogers

RE: Naming of Colchester Lakefront Park

Moved by Councillor Rogers  
Seconded by Councillor Voakes

**(R18-02-073) That** the Town, in recognition of our rich cultural and diverse history and February being Black History Month, designate and assign the name "Elijah McCoy Park" in honour of Elijah McCoy an incredible man, inventor and innovator, born and raised in Colchester, to the Colchester lakefront park often referred to as simply the Colchester or Jackson Street park.

Discussion on the motion ensued.

Mayor McDermott vacated the Chair in order to participate in the discussion at 7:47 PM and Councillor Snively assumed the Chair.

Mayor McDermott resumed the Chair at 7:49 PM and called the question.

Moved by Councillor Rogers  
Seconded by Councillor Voakes

**(R18-02-073) That** the Town, in recognition of our rich cultural and diverse history and February being Black History Month, designate and assign the name "Elijah McCoy Park" in honour of Elijah McCoy an incredible man, inventor and innovator, born and raised in Colchester, to the Colchester lakefront park often referred to as simply the Colchester or Jackson Street park.

Councillor Rogers requested a recorded vote.

<b>Recorded</b>	<b>Support</b>	<b>Against</b>
Councillor Rogers	X	
Councillor Snively		X
Councillor Bondy		X
Mayor McDermott		X
Councillor Voakes	X	
Councillor Bjorkman		X
<b>Results</b>	<b>2</b>	<b>4</b>

With a recorded vote of two (2) in support and four (4) opposed the motion was **Defeated**.

Moved By Councillor Snively  
Seconded By Mayor McDermott

**(R18-02-074) That** Elijah McCoy be recognized with a plaque in the Colchester Pavillion.

Councillor Snively rescinded the motion.

Moved by Councillor Voakes  
Seconded by Councillor Rogers

**(R18-02-075)** That after two months if no other names are brought forward to the Town for the naming of Colchester Park, that the Town shall name the park “Elijah McCoy Park”, and if other names are brought forward within this time period then Administration shall review the names submitted in accordance with its Naming Rights Policy and make the appropriate recommendation to Council.

Discussion on the motion ensued.

The Mayor vacated the Chair at 7:59 PM in order to speak to the motion and Councillor Snively assumed the Chair.

The Mayor resumed the Chair at 8:00 PM. and called the question.

Moved by Councillor Voakes  
Seconded by Councillor Rogers

**(R18-02-075)** That after two months if no other names are brought forward to the Town for the naming of Colchester Park, that the Town shall name the park “Elijah McCoy Park”, and if other names are brought forward within this time period then Administration shall review the names submitted in accordance with its Naming Rights Policy and make the appropriate recommendation to Council.

**Carried**

**15.2 The following Notice of Motion will be brought forward for consideration at the March 5, 2018 Regular Council Meeting:**

15.2.1 Councillor Bondy

RE: Pay For Service Childcare at the Association of Municipalities of Ontario (AMO) Conferences

That the Association of Municipalities of Ontario (AMO) be requested to provide pay for service childcare during conference hours at its future conferences.

**16. Reports from Council Members**

**17. Announcements**

Councillor Rogers announced that John R. Park Homestead was hosting March as Maple Month with events being held during the week of March Break. The Maple Syrup Festival is being held on Sunday, March 4th.

Councillor Bjorkman announced that the Town of Essex was now in the process of taking applications from students for summer employment until March 2nd. Information is available on the Town's website.

He reminded everyone that The Sip n Paint was taking place at the McGregor Centre on Thursday, February 22<sup>nd</sup> at a cost of \$35 per person.

Councillor Bjorkman also announced that The Party Discount store is now closed. He wished to thank Brian Rose and his staff for providing excellent service to the Town and noted that they would be missed.

**18. By-Laws**

**18.1 By-Laws that require a third and final reading**

18.1.1 By-Law 1672

Being a by-law to authorize the execution of an Agreement between The Corporation of the County of Essex as Lessor and the Corporation of the Town of Essex, the Corporation of the Town of Lakeshore, the Corporation of the Town of LaSalle and the Corporation of the Town of Tecumseh, collectively the Lessees.  
(For operation the Lakeshore Dog Pound)

Moved By Councillor Bondy

Seconded By Councillor Rogers

**(R18-02-076) That** By-law 1672 being a by-law to authorize the execution of an Agreement between The Corporation of the County of Essex as Lessor and the Corporation of the Town of Essex, the Corporation of the Town of Lakeshore, the Corporation of the Town of LaSalle and the Corporation of the Town of Tecumseh, collectively the Lessees, (for operation of the Lakeshore Dog Pound) be read a third time and finally passed on February 20, 2018

**Carried**



18.1.2 By-Law 1674

Being a by-law to confirm the proceedings of the February 5, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved By Councillor Voakes  
Seconded By Councillor Snively

**(R18-02-077) That** By-law 1674 being a by-law to confirm the proceedings of the February 5, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex be read a third time and finally passed on February 20, 2018

**Carried**

**18.2 By-Laws that require a first, second, third and final reading**

**18.3 By-Laws that require a first and second reading**

18.3.1 By-Law 1678

Being a by-law to confirm the proceedings of the February 20, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by Councillor Bondy  
Seconded by Councillor Bjorkman

**(R18-02-078) That** By-Law 1678 being a by-law to confirm the proceedings of the February 20, 2018 Regular Meeting of the Council of the Town of Essex be read a first and a second time and provisionally adopted on February 20, 2018.

**Carried**

**19. Adjournment**

Moved by Councillor Voakes  
Seconded by Councillor Bjorkman

**(R18-02-079) That** the meeting be adjourned at 8:10 PM

**Carried**

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Mayor

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Clerk

# **The Corporation of the Town of Essex**

## **Consideration of Report Meeting**

### **Minutes**

#### **RE: Shepley Drain: Bridge for Joseph & Susan Chisholm**

#### **Part of Lot 7, Gore Concession and updated Maintenance Schedule, Geographic Township of Colchester South, REI Project 2016D027, Town of Essex, County of Essex**

County of Essex Civic Centre Council Chambers  
360 Fairview Avenue West, Essex, Ontario  
Tuesday February 20, 2018– 5:00 PM-6:00 PM

### **1. Roll Call**

Present: Mayor Ron McDermott, Chair  
Deputy Mayor Richard Meloche  
Ward 1 Councillor Randy Voakes  
Ward 1 Councillor Steve Bjorkman  
Ward 3 Councillor Ron Rogers  
Ward 3 Councillor Larry Snively  
Ward 4 Councillor Sherry Bondy

Also Present: Donna Hunter, Chief Administrative Officer  
Chris Nepszy, Director of Infrastructure and Development  
Dan Boudreau, Manager, Operations/Drainage Superintendent  
Tanya Tuzlova, Operations/Drainage Clerk  
Gerard Rood, Professional Engineer, Rood Engineering Inc.  
Kory Snelgrove, EIT, Rood Engineering Inc.

From the Public: See attached sign-in sheet

The meeting was called to order by the Chair at 5.04 P.M.

The Clerk confirmed that all notices have been sent in accordance with The Drainage Act

### **2. Declarations of Conflict of Interest**

None declared

### **3. Public Presentations**

a) i) Gerard Rood, Professional Engineer

Re: Report from Rood Engineering Inc. dated December 5, 2017 (the "Report") for the identified drainage works.

Mr. Rood presented an overview of his report. The scope is to replace Chisholm Bridge and to prepare the updated maintenance schedule. Mr. Rood said that cost of the project will be shared with upstream owners and any additional features will be on the owners. Mr. Rood said that he has discussed the project with Mr. Chisholm on the phone who requested extra length for the pipe. Mr. Rood said that the ERCA requirements for the works noted have been met and mitigation measures are provided. \$10,000.00 cost for maintenance schedule will be adjusted to the true cost. Mr. Rood recommended a new bridge to be built under section 78 at the estimated cost of \$50,000.00 with the cost to be shared between Mr. Chisholm and the assessed owners. To this end bridge cost sharing summary was prepared with page 6 of report updated and the Addendum dated 2018-01-02 attached.

ii) Other public presentations.

The Chair asked if any members of the public wished to be a delegate and speak to the matter and then asked if any Council members firstly had any comments.

Councillor Larry Snively asked if this bridge can be repaired. He said he has inspected the bridge himself and he does not see any wrong with it.

Mr. Rood replied that sink holes are observed on the top of the bridge and the pipe is rusted. The owner asked the bridge to be replaced. Temporary repairs will be significant and five years later additional funds will have to be spent to replace the bridge. The cost of works will go up with time. A new bridge will eliminate the risk of accidents and the liability for the Town. Mr. Rood added that the Town provides five year debenture option to help taxpayers.

Mr. Chisholm from 2448 County Road 20 presented himself as a delegate and advised Council that he wants to repair the bridge only as opposed to a total replacement.

Mr. Rood replied that the pipe is small and does not meet the current requirements and drain capacity. Mr. Rood advised that it was his recommendation to proceed with the Report.

Councillor Larry Snively asked if the owner can open up the top part of bridge at his expense and see if the pipe is rotten.

Councillor Sherry Bondy asked who will bear the cost of the cost of the project if this Report is not supported.

Mr. Rood replied that if the new construction does not take place then the current cost of the project is the responsibility of the Chisholm family. Mr. Rood said that if the Council does not approve the current report than the taxpayers will have to pay for the temporary repairs and sometime later for the replacement of the bridge. Mr. Rood said that typically repairs are about \$5,000.00 and lasts for 1 to 5 years. By adopting the report the schedules will be adopted and therefore when it is decided upon to proceed with bridge

construction those reports may be used. As a result Mr. Rood reiterated that it was important to still proceed with the Report.

Mr. Chisholm said that he prefers to have repairs. He said that he is in conflict with Mr. Rood's report and believes that repairs could be done. He said that no maintenance work was ever done on the drain and the drain is as a result overwhelmed which is the cause of the damage to his bridge. He said that the repairs similar to 4<sup>th</sup> Con and Ferris could be done.

Councillor Larry Snively said that investigation should be done to see if repairs are possible.

Mr. Rood said that this bridge is close to the end of the drain and it is not practical to delay the project since other residents may appeal this decision.

Councillor Randy Voakes said that that he wants the process to be done properly and a second opinion should be obtained. If both parties agree, then it will be decided that Mr. Rood's option is correct.

Councillor Sherry Bondy said that it may cost from \$3,000.00 to \$5,000.00 to get the second opinion which may result in the same recommendation therefore adding extra costs to the project.

Manager of Operations and Drainage Dan Boudreau said that drain is a user paid system. If the Council is not happy with the Engineer, it may be decided later.

Councillor Randy Voakes asked how old is the bridge and how long it may stay with repairs.

Mr. Rood said that based on the previous report the bridge may be already 35 years old and it is not worth to spend money now on temporary repairs and then to spend again on the replacement.

Dan Boudreau said that it may not be fair to upstream owners to essentially pay for this project twice by doing repairs now and a replacement later on.

Director of Infrastructure Chris Nepszy said that there is support and expertise from himself, Dan Boudreau and Norm Nussio for this project and they too endorse the recommendations of Mr. Rood as contained in his Report.

Moved by Councillor Larry Snively

Seconded by Councillor Randy Voakes

(D 18-02-001) That the Presentation by Gerard Rood be received and that the Report for Shepley Drain: Bridge for Joseph & Susan Chisholm (Part of Lot 7, Gore Concession and updated Maintenance Schedule, Geographic Township of Colchester South, REI Project 2016D027, Town of Essex, County of Essex) as prepared by Gerard Rood, Professional Engineer dated December 5th, 2017 be approved and adopted, that a provisional by-law be prepared for Council's consideration and that the Report proceed to a Court of Revision to be scheduled but with construction on said Project to be deferred pending further investigation and receipt of information as to the feasibility of certain repairs for the project as compared to total replacement of the access bridge .

**4. Adjournment**

Moved by Councillor Sherry Bondy

Seconded by Councillor Larry Snively

(D 18-02-002) That the meeting be adjourned at 6.04 PM. “Carried”

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

**No correspondence available for presentation**

## 2018 BUDGET



## SUSTAINING THE PLACE FOR LIFE

The Essex Region Conservation Authority is one of 36 Conservation Authorities across Ontario. The role of Conservation Authorities and their relationship to various partners, including member municipalities and the provincial government derives primarily from their enabling legislation, the *Conservation Authorities Act* of Ontario.

This *Act* provides a broad mandate which allows Conservation Authorities to set priorities in collaboration with member municipalities. Our programs demonstrate an ongoing and consistent response to real and serious problems and challenges in the region - land degradation, natural area coverage, and flooding and erosion – the same challenges we faced upon establishment. Today, new issues such as water quality and the Great Lakes, climate adaptation, and sustainable communities must be considered in meeting the needs of municipalities.

Building from our successes, ERCA's focus continues to be in finding new ways to leverage resources which more effectively address provincial and watershed priorities. Given our daily reliance on our natural resources, the projects, programs and priorities implemented by ERCA are critically important to ensuring the Windsor/Essex/Peel Island region will continue to be **the Place for Life**.

The **Essex Region Conservation Authority** was established in 1973 to protect, restore and manage the natural resources of the Windsor-Essex region. In keeping with the *Conservation Authorities Act*, ERCA works in partnership with residents, municipalities, the Province of Ontario, Government of Canada, and other agencies to increase natural area coverage through tree planting and habitat restoration, improve water quality across our watersheds and our Great Lakes, protect people and property from flooding and erosion, and further our understanding of the environment through science and education. Our goal is a sustainable future which improves our local environment, helps create a community we can all be proud of, and a more vibrant economy that makes this region **The Place for Life**.



## 2018 WATERSHED ACTIONS

ERCA has consistently demonstrated a strong business case to member municipalities, and is unique from other organizations and agencies in our ability to leverage funds and partnerships to complete projects in our region. The following are some project highlights for 2018.



### WATERSHED MANAGEMENT SERVICES

- **Climate Change [1.1].** A new Climate Change Specialist position will lead the development of a Regional Climate Change Strategy addressing identified impacts and vulnerabilities; implementation needs, priorities, and potential funding supports.
- **Floodline Mapping [2.1].** ERCA will explore the needs and options for updating Floodline Mapping for the region, and consider the need to ensure mapping reflects overland and rainfall-based flooding.
- **Place for Life Policies [11.2].** ERCA will complete consultation and finalize development of its Place for Life Policies which will integrate ERCA's planning, development, and program policies.
- **Watershed Engineering [2.3].** A new Regulations/Engineering Technician will provide added support for stormwater reviews, drainage reviews, and related engineering and infrastructure reviews.
- **Client Services [12.3].** In response to growth in the region and continued increases in numbers of planning and permit applications, existing administrative support will focus on planning and regulatory functions.
- **Flood Forecasting [2.1/11.3/12.3/12.3].** ERCA will work with partners to develop a shared climate station network to assist in providing more timely advance warnings, response, and reporting on storm events
- **Plan Review [10.2].** Complete Official Plan updates for Lakeshore, Kingsville, Tecumseh, Leamington and provide advice and direction to all member municipalities on over 750 Planning Act applications.
- **Development Review [12.1].** Complete reviews of over 1,000 Section 28 permit applications for stormwater management; commercial, industrial and residential development; and large scale greenhouse developments;

over 150 Municipal Drainage Act reviews, and respond to 1,300 general water resource related requests.

- **Water and Erosion Control [11.3].** Apply for WECl funding for projects in the City of Windsor, and Lakeshore, and continue to manage the \$3.2 million Lennon Drain improvement project for the City of Windsor.

### CONSERVATION SERVICES

- **Conservation Area Operations [9.2].** The Budget includes additional support for operations and maintenance of ERCA's expanded Greenway network.
- **Capital Plan/Tangible Capital Asset Report [13.1].** ERCA will update its Tangible Capital Asset Report and Capital Plan based on replacement schedules and asset needs as part of the next 5-Year Sustainability Plan.
- **Management Planning [9.2].** ERCA will complete the development of a Management Plan for Cedar Creek Conservation Area and associated properties
- **Business Planning [8.1].** ERCA will develop Business Plans for John R. Park Homestead and Holiday Beach Conservation Areas to identify and support investments in infrastructure and visitor services.
- **Land Acquisition [7.3].** The 2018 Budget restores Clean Water~Green Spaces acquisition funding to support securement of key lands with partnership funding in keeping with the Land Securement Strategy.
- **Restoration and Stewardship [6.1].** ERCA will restore 100 acres of upland habitat and create at least 5 acres of wetland, and complete the Sturgeon Creek Wetland with Caldwell First Nations.
- **Innovation [5.1].** ERCA will complete construction of a 10 acre wetland at Hillman Marsh to enhance habitat reduce phosphorus levels getting into Lake Erie, and monitor water quality improvements with University of Windsor.



- [Source Water Protection \[4.3\]](#). ERCA will prepare Annual Report on behalf of all implementing bodies and consult on updates to the Source Protection Plan including need for additional technical work and potentially new policies and consultations. ERCA will also continue to undertake Risk Management Services on behalf of municipalities.
- [Watershed Science \[5.1/5.2\]](#). The budget includes new supports for research, monitoring, and partnerships; and for managing and maintaining data information systems which is critical for evidence-based decision making.
- [Watershed Reporting \[5.3\]](#). ERCA will release its 2018 Watershed Report Card, which provides a snapshot of health of our watersheds based on a suite of watershed health indicators, communicates trends and highlights watershed actions, and encourages action where improvements are needed most.
- [Domestic Action Plan \[4.1\]](#). Conservation Authorities are the most effective delivery agent for many aspects of the Lake Erie Domestic Action Plan for reducing Phosphorus levels in Lake Erie and Lake St. Clair. The 2018 budget includes funding from the provincial and federal governments to assist in the ongoing monitoring and science associated with this plan.
- [Great Lakes Water Quality \[5.2/14.2\]](#). ERCA will develop a new shoreline management strategy and plans for a 70 acre wetland rehabilitation project on the Canard River.

## COMMUNITY OUTREACH SERVICES

- [Communications \[14.2\]](#). ERCA will launch a new website to improve customer service, usability and accessibility, while continuing to build on its Place for Life brand.
- [Education and Outreach \[8.3\]](#). ERCA will continue to coordinate outreach projects in the Region with partners and provide curriculum-based outdoor education for more than 10,000 elementary and secondary school students, including delivery of the Special High Skills Major Certifications to allow students to graduate with specialized environmental skills.
- [Program Integration \[14.2\]](#). ERCA and the ERCF will continue to integrate communications, outreach and events to enhance the region as the Place for Life, and build on the strength of this partnership in support of the \$1 million dollars/3 year Place for Life campaign.
- [Regional Collaboration \[15.3\]](#). ERCA will continue to work with Tourism and Economic Development partners and Regional CAOs to share information on ERCA programs

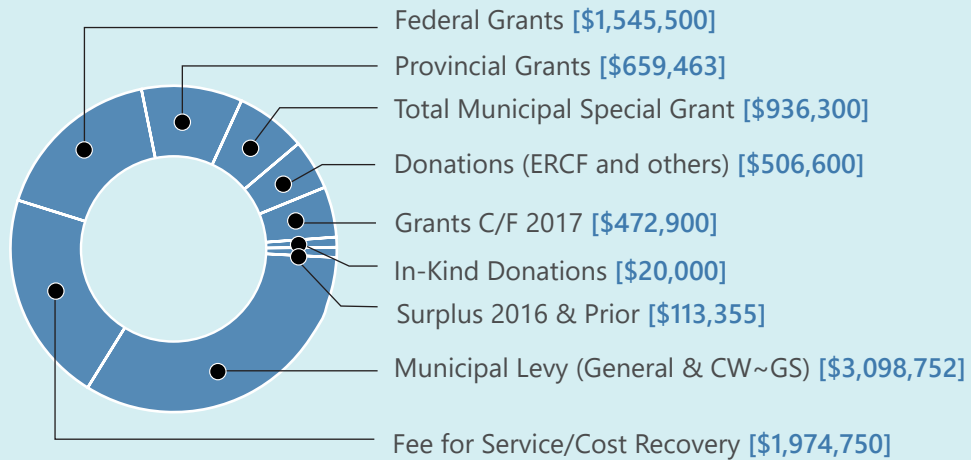
and services and other agencies and partners to ensure programs reflect regional needs and priorities.

## CORPORATE SERVICES

- [Customer Service \[14.1\]](#). A new administrative position provides enhanced Client/Customer Service, front desk/reception and related corporate administrative functions.
- [File management \[13.2\]](#). Refine records classification system and records policy/retention schedule to support MFIPPA and other obligations; and begin implementation of new records management system.
- [Operational Policies \[13.3/14.3\]](#). Continue to review, update and centralize all operational and administrative policies to ensure consistency with legislation; public-sector best practice; Authority practices, and develop a new Employee Handbook to promote a fair and equitable workplace.
- [Data Management \[15.2\]](#). Review open data ability and feasibility in context of new website functionality.
- [Sustainability Plan \[13.1\]](#). Develop new 5-Year Sustainability Plan to support initiatives identified in the Strategic Plan and to ensure that ERCA has the appropriate resources, and is managed in the most effective and efficient way, to support watershed outcomes.



## WHERE DOES THE MONEY COME FROM?



## FUNDING THE PLACE FOR LIFE

Creating the Place for Life is not our work alone. It is what we do together with municipalities, our neighbours, our universities, our donors, our local and regional agencies, and the many other organizations we partner with.

ERCA's 2018 Budget totals \$9,271,600, and includes a total levy contribution of \$3,148,752 - an increase of \$101,019, or \$0.09 per household (to \$16.00). Of that, \$51k is allocated for operations, and \$50k for future asset replacement.

The Budget also includes over \$4.2 million in leveraged funding for projects described above. This represents 40% of the total ERCA budget. When combined with fee for service revenues, 72% of ERCA's budget is funded through non-levy sources of funding.

ERCA's annual revenues for programs and services ranks consistently in the top 10 of all 36 Conservation Authorities. At the same time, ERCA's operational levy funds less than 30% of its operations, placing ERCA in the bottom five of all Conservation Authorities, and well below the provincial average (approx. 45%). For comparison in 2016, while the average CA levy supporting operations was \$15.62/capita, ERCA's levy supporting operations was only \$8.47/capita.

We are making a difference. We need to celebrate our successes, and we need to increase the scope, scale and intensity of our joint efforts. We want to create a place we can be proud of and celebrate – one we can call home. For life.

2018 Municipal Levy Allocation										
	CVA %		GENERAL LEVY		CW~GS LEVY		TOTAL LEVY		CHANGE	
	2018	2017	2018	2017	2018	2017	2018	2017	\$	%
Amherstburg	5.974%	6.051%	\$125,384	\$120,874	\$62,729	\$63,531	\$188,114	\$184,405	\$3,709	2.0%
Essex	4.864%	4.927%	\$102,077	\$98,429	\$51,069	\$51,734	\$153,146	\$150,164	\$2,983	2.0%
Kingsville	6.134%	6.193%	\$128,738	\$123,711	\$64,407	\$65,022	\$193,146	\$188,733	\$4,413	2.3%
Lakeshore	9.191%	9.023%	\$192,888	\$180,247	\$96,501	\$94,737	\$289,389	\$274,984	\$14,405	5.2%
LaSalle	8.283%	7.965%	\$173,843	\$159,110	\$86,973	\$83,627	\$260,817	\$242,737	\$18,080	7.4%
Leamington	5.944%	6.102%	\$124,759	\$121,909	\$62,417	\$64,075	\$187,176	\$185,983	\$1,192	0.6%
Peele Island	0.296%	0.305%	\$6,221	\$6,102	\$3,112	\$3,207	\$9,333	\$9,310	\$23	0.3%
Tecumseh	8.354%	8.237%	\$175,339	\$164,545	\$87,722	\$86,484	\$263,061	\$251,029	\$12,031	4.8%
Windsor	50.959%	51.198%	\$1,069,502	\$1,022,806	\$535,069	\$537,583	\$1,604,570	\$1,560,389	\$44,182	2.8%
<b>Totals</b>	<b>100%</b>	<b>100%</b>	<b>2,098,752</b>	<b>\$1,997,733</b>	<b>\$1,050,000</b>	<b>\$1,050,000</b>	<b>\$3,148,752</b>	<b>\$3,047,733</b>	<b>\$101,019</b>	<b>3.3%</b>

2018 Budget available in full at [www.erca.org](http://www.erca.org)



## Report to Council

Department: Community Services

Date: March 5, 2018

Prepared by: Jay Affleck, Assistant Manager of Parks and Facilities

Submitted by: Doug Sweet, Director of Community Services

Report Number: Community Services Report 2018-003

Subject: Harrow Ontario Provincial Police (OPP) Back-Up Generator Server  
Room Connection

Number of Pages: 2

### Recommendation(s)/Conclusion(s)

The following two (2) recommendations are provided for Council's consideration:

1. That Community Services Report 2018-003 entitled "Harrow Ontario Provincial Police (OPP) Back-Up Generator Server Room Connection" **be received;** and further
2. That Council **approve** the amount of nine thousand and forty dollars (\$9,040) including harmonized sales tax (HST) to have this emergency repair completed with funding to be allocated from the savings obtained from the 2017 Harrow OPP Facility Capital Works Projects.

### Reason For Report

To obtain Council's approval to have this emergency work completed using funds from savings obtained from the 2017 Harrow OPP Facility Capital Works Projects.

### Background

The back-up generator at the Harrow OPP Detachment was moved to an outside location in 2017 as per a Technical Safety Standards Authority (TSSA) order. The back-up generator was

previously installed inside of the Harrow OPP Detachment and during an annual TSSA inspection, a number of violations were sited; such as the room being too small to meet ventilation codes; the fuel tank is not double-walled and requires replacement; in addition to a number of other violations.

A Request for Proposal for the removal of the system, upgrading the generator to current standards and relocating the generator to a new steel enclosure separate from the detachment came in at seventy-five thousand, eight hundred and ninety-six dollars and eighty-five cents (\$75,896.85) inclusive of non-refundable HST and was approved by Council in the 2017 capital budget and the works were completed.

During a recent six (6) hour planned power outage in Harrow, it was discovered the computer server room at the Harrow OPP Detachment was not connected to the back-up generator nor was it ever connected to the generator when it was inside the facility. As this is crucial to the OPP operations should there be a long power outage; Administration has obtained a price to have this work completed as soon as possible.

## **Financial Impact**

There were no funds allocated in the 2018 OPP Capital Budget to cover this cost, however there was a savings of ten thousand and three hundred dollars (\$10,300) from 2017 Harrow OPP Detachment Capital projects that Finance has carried over to 2018 to cover this cost.

## **Link to Strategic Priorities**

This report contributes to the following Council strategic policies:

- Manage the Town's infrastructure in a responsible and efficient manner.

Reviewed by: Donna Hunter, Chief Administrative Officer

Concur

Reviewed by: Jeffrey Morrison, Director Corporate Services

Concur

Reviewed by: Doug Sweet, Director of Community Services

Concur

Department: Community Services

Date: March 5, 2018

Prepared by: Cynthia Cakebread, Manager of Recreation and Culture

Submitted by: Doug Sweet, Director of Community Services

Report Number: Community Services Report 2018-005

Subject: HIGH FIVE® Accreditation Verification

Number of Pages: 4

### Recommendation(s)/Conclusion(s)

The following two (2) recommendations are provided for Council's consideration:

1. That Community Services Report 2018-005 entitled "HIGH FIVE® Accreditation Verification" **be received**, and further;
2. That Council is **updated** on the Community Services Recreation and Culture Division's successful verification and maintaining HIGH FIVE® Accreditation.

### Reason For Report

To advise Council of the Community Services Recreation and Culture Division's fulfillment of the requirements necessary over a three year period to maintain accredited status.

### Background

Parks and Recreation Ontario developed HIGH FIVE® in 1994 as a comprehensive quality standard for organizations providing sport and recreation programs to children aged six to twelve (6-12) years and have been a part of the Town of Essex – Community Services Department since 2007. Since then the Department has been committed to improving upon

healthy child development and providing quality assurance and views accreditation as the final step in demonstrating this commitment.

HIGH FIVE® Accreditation is a unique process for recreation and sport programs that verifies the quality standards organizations are achieving. The HIGH FIVE® Stamp of Approval, awarded to those who achieve the minimum standards and complete the Accreditation process will help give parents confidence that their child will have a safe and fun experience that will also support their healthy development. The HIGH FIVE® Accreditation Process sets the standard organizations strive to achieve while providing the public with a “mark of quality” that can support their decision about which program is best for their child. Accreditation verifiers are professionals from across Ontario, including specialists from the International Standards Organization (ISO) and National Quality Institute (NQI).

The HIGH FIVE® accreditation process involves five (5) levels of achievement that an organization must work through to reach accreditation. These levels include:

- Join HIGH FIVE® - by becoming a registered organization
- Learn – quality awareness
- Measure - quality improvements
- Improve – quality accountability and prepare for verification review
- Achieve – quality assurance

The accreditation process can take three (3) to five (5) years and involves the:

- Training and development of staff
- Completion of program assessments
- Review of all policies and procedures
- Internal and external awareness and promotion

Organizations must sustain and maintain all Accreditation Standards for three (3) years to maintain accredited status. The Town of Essex had its second successful Accreditation Verification review September 26, 2017.

## **Financial Impact**

Costs associated with the HIGH FIVE® program and accreditation process are included and approved within the 2018 budget.

## **Link to Strategic Priorities**

This report contributes to the following Council strategic policies:

- Promote healthy and active living through recreational and cultural opportunities.

Reviewed by: Donna Hunter, Chief Administrative Officer

Concur

Reviewed by: Doug Sweet, Director of Community Services

Concur



## Schedule "A" – Letter of Accreditation Confirmation

February 7, 2018

Doug Sweet  
Director, Recreation and Culture  
Town of Essex  
33 Talbot St S  
Essex ON  
N8M 1A8

Dear Doug,

On behalf of Parks and Recreation Ontario, it is my pleasure to congratulate the Town of Essex upon the successful renewal of your Accredited Organization status with HIGH FIVE®.

We commend your organization for the substantial effort made by staff to maintain the highest standard of quality in your programs for children aged 6 to 12. The Accreditation Verification Committee was impressed by the innovative programming and continuous improvement since the last Verification. It clearly shows a culture of quality that exists at all levels within your service delivery system.

Parks and Recreation Ontario values the leadership your department has shown by providing quality programs and positive experiences for children participating in recreation and sport.

Please accept my sincerest thanks for your commitment to healthy child development and for making quality children's programs a priority in your community. Your actions will inspire others to follow.

Most sincerely,



Bill Allen  
President  
Parks and Recreation Ontario



Parks and Recreation Ontario  
1 Concorde Gate, Suite 302, Toronto, ON M3C 3N6  
T 416.426.7142 F 416.426.7371 E pro@prontario.org  
www.prontario.org www.HIGHFIVE.org

HIGH FIVE® A quality standard for children's sport and recreation  
Founded by Parks and Recreation Ontario







## Report to Council

Department: Fire

Date: March 5, 2018

Prepared by: Richard Arnel, Fire Chief

Submitted by: Richard Arnel, Fire Chief

Report Number: Fire Report 2018-004

Subject: Amendment to User Fee By-Law Number 1331

Number of Pages: 3

### Recommendation(s)/Conclusion(s)

The following recommendation is provided for Council's consideration:

1. That Fire Report 2018-004 entitled "Amendment to User Fee By-Law Number 1331" **be received;**
2. That Council **approve** the addition of the Fire Extinguisher Training fees to By-Law number 1331.

### Reason For Report

In accordance with Town of Essex By-Law number 1331, Council's approval is required to add miscellaneous fees and charges to be collected by the Corporation of the Town of Essex.

### Background

Harrow Rotary approached Essex Fire and Rescue in 2017 and asked if they could do a fundraising event for a fire safety/education initiative for the municipality. Essex Fire attended a meeting in Harrow and provided their organization with a presentation on a fire extinguisher training system, using a sensor technology called the Bullex Intelligent Training System.

Harrow Rotary as a club, decided that this was an initiative that they would like to fund and they began fundraising initiatives for this piece of equipment in 2017.

Harrow Rotary held several fundraising initiatives, which included such events as the Rubber Ducky Race held during the Colchester Walleye Fishing Derby, a pancake breakfast, a haunted house ,50/50 draws and also a Christmas wreath sale. Essex Fire crews, where possible, assisted the Harrow Rotary at some of these events (i.e. selling of tickets, retrieving ducks).

In the past Essex Fire has been requested to provide training on fire extinguishers and those individuals that requested the training would be responsible for arranging the use, filling and cost of chemical extinguishers from a local company. With this new equipment and technology on site at Essex Fire, there is no longer a need or cost for these extinguishers.

In keeping with the Town's Asset Management plan to have funding in place for replacement costs of any new equipment, a nominal fee for the service would be charged.

A benefit of this new extinguisher system is that it is better for the environment trainers will no longer be burning gas in a barrel, and the water extinguishers are used with sensor technology. The system will also be able to simulate different "strengths" or "intensities" of fire to provide a more realistic training atmosphere.

Along with the practical portion, there is an educational handout that the crews will use to teach about fire extinguishers and their use. A requirement of the training is that there will be a quiz by all participants to ensure they have an understanding of how to use the extinguishers.

On January 19, 2018 Essex Fire was contacted by the Harrow Rotary Club and advised that the Club had reached their fundraising goal and invited Essex Fire to attend a meeting on February 27, 2018 to make a formal cheque presentation. Essex Fire would like to thank Harrow Rotary Club for their commitment to enhancing public safety within the community and being a valued community partner. The Harrow Rotary will be attending the March 5, 2018 Council meeting so Council will have an opportunity to recognize their generous donation to the Town.

## **Financial Impact**

There is no capital cost to the Town and the training fee being charged would be put into reserves for future replacement cost. Essex Fire is proposing that a fee of one hundred and fifty dollars (\$150.00) for up to twenty (20) participants be charged, and five dollars (\$5.00) per person over the the twenty (20) participants be charged. All fees charged would have the Harmonized Sales Tax (HST) added to the cost.

## **Link to Strategic Priorities**

This report contributes to the following Council strategic policies:

- Manage the Town's finances and human resources in a responsible manner; and
- Promote a healthy, safe and environmentally conscious community.

Reviewed by: Donna Hunter, Chief Administrative Officer

Concur

Reviewed by: Doug Sweet, Director of Community Services

Concur



## Report to Council

Department: Corporate Services

Date: March 05, 2018

Prepared by: Jackson Tang, Assistant Manager, Business Services

Submitted by: Jeffrey R. Morrison, Director, Corporate Services

Report Number: Corporate Services Report 2018-02

Subject: Results of Request for Proposal – Corporate Banking Services

Number of Pages: 3

### Recommendation(s)/Conclusion(s)

It is recommended that:

1. Corporate Services Report 2018-02 entitled “Results of Request for Proposal – Corporate Banking Services” **be received**; and
2. Council **award** the Request for Proposal Corporate Banking Services to CIBC Commercial Banking for a five (5) year term with an option to extend one or more five (5) year terms subject to satisfactory performance and price negotiation.

### Purpose

In accordance with the Town Procurement By-Law Number 1043, Council approval is required for purchases where the total contract value is in excess of \$100,000. This report is to seek Council’s approval to appoint a qualified financial institution to provide full Corporate Banking Services to the Town of Essex.

## Background

TD Commercial Banking has been providing the Town of Essex's banking services since 2007. This contract will come to an end by the end of March 2018. In October 2017, the Town of Essex was notified that the branch of TD Commercial Banking in Town of Essex was permanently being closed and was being relocated to Walker Road, Windsor, Ontario. Over the past decade, banking services have evolved significantly from manually labour-intensive activities to automated and electronic methods utilized today for many of the daily operational activities including electronic receipt of deposits, payments and bank reconciliations. A Request for Proposal for Corporate Banking Services was issued to ensure the Town of Essex was receiving the best combination of value and services the market has to offer. To ensure that the best value for money is being obtained, a Co-operative Purchasing Strategy according to the Town Procurement By-Law Number 1043, Section 43.02 has been adopted. A Joint Request for Proposal with E.L.K. Energy Inc. was posted on November 9, 2017.

This Joint Request for Proposal following both the guidelines as set out in the Town's Procurement By-Law Number 1043 and E.L.K. Energy Inc.'s Purchasing Policy was published both on the Town's website and Merx, and closed on December 06, 2017 at 3:00:00 PM.

Five proposals were received and evaluated using a balanced scorecard approach taking into consideration the interest revenue, cost of key banking services, transition subsidies, experience and knowledge of municipal and public utility banking functions, understanding of the proposal scope, quality of the proposal, project work plan, service support and staff training.

The joint proposal review process included a team made up of:

- Donna Hunter, Chief Administrative Officer, Town of Essex
- Jeffrey Morrison, Director, Corporate Services, Town of Essex
- Cynthia Cakebread, Manager, Recreation and Culture, Town of Essex
- Mark Danelon, Director, Finance and Regulatory Affairs, E.L.K. Energy Inc.

- Cheryl Duncan, Supervisor, Finance and Customer Service, E.L.K. Energy Inc.
- Jackson Tang, Assistant Manager, Business Services, Town of Essex

After reviewing each proposal as submitted and totaling the scores, the Evaluation Committee Members came to a consensus that CIBC Commercial Banking scored the highest. CIBC Commercial Banking offered very competitive interest rates and addressed all areas of the scope as identified in the Request for Proposal. CIBC Commercial Banking also offered a total amount of \$10,000 to be utilized by both the Town of Essex and E.L.K. Energy Inc. to cover costs being incurred in transitioning the banking arrangements from the existing banking services provider to CIBC. Through the utilization of a Joint Request for Proposal, E.L.K. Energy Inc. was able to benefit from the same interest rate as offered to the Town of Essex.

## **Financial Impact**

All day to day key corporate banking service fees have been waived for all services outlined in the Request for Proposal. The interest rate on balances held being offered by CIBC Corporate Banking is higher than the rate that we have been receiving historically, and therefore interest revenue should increase by an approximate \$104,000 per year.

## **Link to Strategic Priorities**

This report supports the strategic objective:

- Manage the Town's finances and human resources in a responsible manner.

Reviewed by: Donna Hunter, Chief Administrative Officer

Concur

Reviewed by: Jeffrey R. Morrison, Director, Corporate Services

Concur



## Report to Council

Department: Legislative and Legal Services  
Date: March 5, 2018  
Prepared by: Robert W Auger, Clerk/Legislative and Legal Services  
Submitted by: Donna Hunter, Chief Administrative Officer  
Report Number: Clerks 2018-001  
Subject: Court of Revision for Shepley Drain: Bridge for Joseph & Susan Chisholm (Part of Lot 7, Gore Concession) and Updated Maintenance Schedule Geographic Township of Colchester South, Project REI 2016D027 as per the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Ltd. dated December 5<sup>th</sup>, 2017.

Number of Pages: 3

### **Recommendation(s)/Conclusion(s)**

**That** Councillor Bjorkman, Councillor Bondy and Councillor Snively be selected and appointed to sit as members of the Court of Revision for the Shepley Drain: Bridge for Joseph & Susan Chisholm (Part of Lot 7, Gore Concession) and updated Maintenance Schedule, Geographic Township of Colchester South, Project REI 2016D027, pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Ltd. dated December 5<sup>th</sup> 2017 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00pm on May 7<sup>th</sup>, 2018, in the County of Essex Civic Centre Council Chambers, 360 Fairview Avenue West, Essex Ontario; and

**That** By-law 1682 being a by-law to provide for the Shepley Drain: Bridge for Joseph & Susan Chisholm and Updated Maintenance Schedule be read a first and second time and be provisionally adopted on March 5, 2018.

## **Reason for Report**

A Court of Revision, with three or five Council members sitting as members of the Court, is required in accordance with Section 46 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010 (hereinafter the "Drainage Act").

## **Background**

Rood Engineering was instructed by the Town of Essex on or about May 4<sup>th</sup> 2016 to prepare a report for the above referenced Drain pursuant to Section 78 of the Drainage Act.

On December 5<sup>th</sup>, 2017 the Report was prepared by Rood Engineering Inc. to provide the details, estimates and assessments therein.

A Consideration Meeting for this Report was held on February 20<sup>th</sup>, 2018 at which time the following Resolution was adopted:

*Moved by Councillor Larry Snively*

*Seconded by Councillor Randy Voakes*

*(D18-02-001) That the Presentation by Gerard Rood be received and that the Report for Shepley Drain: Bridge for Joseph & Susan Chisholm (Part of Lot 7, Gore Concession and updated Maintenance Schedule, Geographic Township of Colchester South, REI Project 2016D027, Town of Essex, County of Essex) as prepared by Gerard Rood, Professional Engineer dated December 5th, 2017 be approved and adopted, that a provisional by-law be prepared for Council's consideration and that the Report proceed to a Court of Revision to be scheduled but with construction on said Project to be deferred pending further investigation and receipt of information as to the feasibility of certain repairs for the project as compared to total replacement of the access bridge. "Carried"*



**Appointment of Court of Revision Members:**

It is recommended that Councillor Bjorkman, Councillor Bondy and Councillor Snively be therefore selected and appointed to sit as members of the Court of Revision for the Shepley Drain: Bridge for Joseph & Susan Chisholm (Part of Lot 7, Gore Concession) Updated Maintenance Schedule Geographic Township of Colchester South, Project REI 2016D027.

It is further recommended that By-law 1682 adopting the recommendations in the Rood Engineering Report dated December 5<sup>th</sup>, 2017 be provisionally adopted so that said Report can proceed to the Court of Revision as specified in this report.

The Court of Revision is the next step in the process in accordance with Section 46 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010.

**Financial Impact**

There is no financial impact.

**Link to Strategic Priorities**

None

# **The Corporation of the Town of Essex**

## **By-Law Number 1682**

### **Being a by-law to provide for the Shepley Drain: Bridge for Joseph and Susan Chisholm, Part of Lot 7, Gore Concession) and Updated Maintenance Schedule, Geographic Township of Colchester South, Project REI 2016D027, Town of Essex, County of Essex**

**Whereas** the Town of Essex Drainage Department recommended that Council appoint a Drainage Engineer to prepare a drainage report for the Shepley Drain: Bridge for Joseph & Susan Chisholm (Part of Lot 7, Gore Concession) and updated Maintenance Schedule, Geographic Township of Colchester South, Project REI 2016D027, Town of Essex, County of Essex

**And Whereas** Section 78 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010, states that the Council of any municipality whose duty it is to maintain and repair the drainage works or any part thereof, may on the report of an Engineer appointed by it, complete the drainage works as set forth in such report;

**And Whereas** a drainage report dated December 5<sup>th</sup>, 2017 and considered by Council at its February 20, 2018 Consideration of Report meeting, has been procured and made by Gerard Rood, Professional Engineer, Rood Engineering Inc. and that the said report is attached hereto and forms part of this by-law;

And Whereas the Council of The Corporation of the Town of Essex is of the opinion that the said drainage works and/or improvements are warranted and desirable;

Now therefore the Council of The Corporation of the Town of Essex pursuant to the Drainage Act enacts as follows:

1. That the considered report dated December 5<sup>th</sup>, 2017 and attached hereto as Schedule A to this By-law is hereby adopted and the said drainage works and/or improvements as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. That the Corporation of the Town of Essex may borrow on the credit of the Corporation the amount of \$54,000.00, the amount necessary for the construction of the said drainage works.

3. That the Corporation may issue debentures for the amount borrowed less the total amount of:

- Grants received under Section 85 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended, 2010;
- Commuted payments made in respect of lands and roads assessed within the Municipality;
- Money paid under Section 61(3) of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010;

and such debentures shall be made payable: a) in the case of assessments in value of between \$500.00 and \$9,999.99 within (5) five years from the date of the debenture and shall bear interest at a rate not higher than the lending rates published by Infrastructure Ontario for municipalities; or b) in the case of assessments in value of \$10,000.00 and greater, within (10) ten years from the date of the debenture and shall bear interest at a rate not higher than the lending rates published by Infrastructure Ontario for municipalities

4. That a special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the Schedule, to be collected in the same manner as other taxes collected in each year for (5) five or (10) ten years (as applicable) after the passing of this by-law.
5. For paying the amount assessed upon the lands and roads belonging to or controlled by the Municipality, a special rate sufficient to pay the amount assessed plus interest thereon, shall be levied upon the whole rateable property in the Town of Essex, in each year for five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
6. All assessments of \$499.99 or less are payable in the first year in which the assessment is imposed.
7. The by-law comes into force on the passing thereof and may be cited as "Shepley Drain: Bridge for Joseph & Susan Chisholm".

**Read a first and a second time and provisionally adopted on March 5<sup>th</sup> 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally passed on**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## **SCHEDULE A**



## Report to Council

Department: Legal and Legislative Services  
Date: March 5, 2018  
Prepared by: Laurie Brett, Deputy Clerk  
Submitted by: Rob Auger, Clerk  
Report Number: Clerks Report 2018-02  
Subject: Changes to Procedural By-law and Schedule "A" of  
Delegation of Authority By-law re: Addressing and  
Enhancing the Role and Duties of the Deputy Mayor  
Number of Pages: 6

### **Recommendation(s)/Conclusion(s)**

The following four recommendations are provided for Council's consideration:

1. That Clerks Report 2018-02 entitled "Changes to Procedural By-law and Schedule "A" of Delegation of Authority By-law re: Addressing and Enhancing the Role and Duties of the Deputy Mayor" be received;
2. That By-law 1592, being a by-law to provide Rules of Procedure for the Conduct of Meetings of Municipal Council and its Committees and Boards, and all amendments thereto be repealed;
3. That Council approve By-law 1681, being a revised by-law to provide Rules of Procedure for the Conduct of Meetings of Municipal Council and its Committees and Boards, for first and second reading; and
4. That Council approve the proposed revisions to Schedule "A" of By-law 1404, the Delegation of Authority.

## Reason for Report

To propose changes to the procedural by-law that address and enhance the role and duties of the Deputy Mayor, along with minor “housekeeping” changes, and to propose changes to Schedule “A” of By-law 1404, the Delegation of Authority By-law, to ensure that the Deputy Mayor has the legislative authority to carry out the specified duties.

## Background

At the December 18, 2017 Regular Meeting, Council approved Clerks Report 2017-015 which proposed minor “housekeeping” amendments to Procedural By-law 1592 to align that by-law with statutory changes to the Municipal Act, 2001 coming into effect on January 1, 2018. At that time, the Clerk’s Department advised that they would return to Council in early 2018 with a report addressing the establishment of the role and duties of the elected office of Deputy Mayor.

The purpose of this report is to propose by-law changes that will establish the legislative authority for the Deputy Mayor to carry out specific duties. This report is also intended to explain some additional minor “housekeeping” changes, including changes to position titles as a result of the organizational review.

Proposed changes to By-law 1592 and Schedule “A” to By-law 1404 are attached hereto and are shown in red. Further clarification of the major changes is provided below.

## Role and Duties of Deputy Mayor

Bill 68, the Modernizing Ontario’s Municipal Legislation Act, 2017, has amended Section 242 of the Municipal Act, 2001 to limit the scope of that provision as follows:

“A municipality may, by by-law or resolution, appoint a member of the council to act in the place of the head of council or other member of council designated to preside at meetings in the municipality’s procedure by-law when the head of council or designated member is absent or refuses to act or the office is vacant, and while so acting such member has all the power and duties of the head of council or designated member, as the case may be, **with respect to the role of presiding at meetings.**”

Section 2.2 of the procedural by-law originally gave the Deputy Mayor “all of the rights, powers and authority as the position of the Mayor as set out in Section 242 of the Municipal Act.” Now that Bill 68 has restricted the Deputy Mayor’s power under Section 242, municipalities are turning to Section 23.1 of the Municipal Act, which authorizes a municipality to delegate its powers and duties under that statute or any other Act, to a person or body, subject to certain restrictions. None of these restrictions relate to the power and duties outlined in the proposed amendments.

To ensure that the Deputy Mayor has the legislative authority to carry out aspects of the Mayor’s statutory role in addition to the Section 242 duty to preside at meetings, staff are recommending the following wording for Section 2.2 of the procedural by-law:

## **2.2 Deputy Mayor**

2.2.1 It is the role of the Deputy Mayor to:

- 1) fulfill the normal duties of a Member of Council as established in Section 224 of the Municipal Act, 2001, and outlined in section 2.4.1 of this by-law;
- 2) assist the Mayor in carrying out the Mayoral responsibilities as established in Section 225 of the Municipal Act, and **delegated to the Deputy Mayor in the Town of Essex Delegation of Authority By-law**; and
- 3) serve as a member of County Council and attend all regular and special meetings of County Council, as well as any committees to which the Deputy Mayor may be appointed.

2.2.2 In the event the Mayor is absent, refuses to act, has declared a pecuniary interest, or resigns from office, it is the duty of the Deputy Mayor to act in the place of the Mayor and, while so acting, **shall have all of the powers and duties of the Mayor with respect to presiding at meetings and fulfilling the delegated duties set out in the Town of Essex delegation of authority by-law.**

2.2.3 In the event that the Deputy Mayor is unable to act in the place and stead of the Mayor with respect to presiding at meetings, the Clerk shall call the meeting to



order and a Council Member shall be appointed by a resolution of Council Members present to act as the presiding Chair and shall preside over the meeting and have all the powers and authority of the Deputy Mayor while so acting.

2.2.4 This by-law does not authorize the Deputy Mayor to take the place of the Mayor as a municipal representative on, or to assume any of the rights, power and authority of the Head of Council on boards or committees that require a resolution to appoint its members, without being duly appointed.

Schedule "A" to By-law 1404, the Delegation of Authority By-law, has been amended to include a section specifically related to mayoral duties. Item 6.00 delegates "primary authority" to the Mayor and "secondary authority" to the Deputy Mayor on the following matters:

- 6.01 Authority to represent the municipality at official functions
- 6.02 Authority to sign undertakings, certificates, declarations and similar documents required for the completion of any transaction involving the purchase, sale or exchange of any interest in land, including long-term lease agreements
- 6.03 Authority to execute contracts related to the purchase of goods and services
- 6.04 Authority to enter into long-term borrowing arrangements
- 6.05 Authority to sign cheques and any other financial instruments as required by the bank
- 6.06 Authority to sign funding agreements for grants, subsidies or other funding mechanisms
- 6.07 Review and approve agenda items prior to publishing or distributing an agenda to ensure items meet the requirements of the Procedural By-law, and that there is sufficient information provided for each item to facilitate Council deliberations
- 6.08 Authority to authenticate by signature all by-laws and minutes of Council

## Housekeeping Matters

A number of minor “housekeeping” matters have been addressed in both the Procedural By-law and Schedule “A” to the Delegation of Authority By-law. These changes are primarily intended to eliminate inconsistencies or to clarify wording.

Matters of note in the Procedural By-law include the following:

- Staff propose that the agenda item called “Announcements” be merged with “Reports from Council Members” to create one agenda item called “Reports and Announcements from Council Members.”
- “Point of Order” and “Question of Privilege” are now defined in section 1.3, Definitions.
- Section 2.1.3 concerning when the Mayor shall wear the Chain of Office has been added to the Procedural By-law in anticipation of receiving a new Mayor’s Chain of Office.
- Section 2.3, Election of Deputy Mayor, no longer applies and deletion is proposed.
- The list of Closed Meeting exceptions in Section 3.4.1 has been re-drafted to list the seven original exceptions and the four new exceptions approved under Bill 68. Two additional subject matters covered by other legislation are now listed in Section 3.4.2.
- Section 3.8.2 related to Closed Meeting agendas has been amended to eliminate the need for two agendas – one open and one closed – for each Closed Meeting.
- Part VI has been added to address the issues of repealing the former by-law, severing any portion of the by-law found to be invalid, and commencing the new by-law.

Matters of note in the delegation of authority by-law include the following:

- Amendments to position titles for some non-union staff.
- Minor amendments to items 7.05, 13.01 and 19.01 to align with the new item 6.00, Council.
- Addition of item 12.03, giving the Clerk authority to sign vehicle licensing documents.
- Addition of item 21.01, giving the Clerk authority to sign on behalf of the corporation in matters related to shipping and customs.

## **Financial Impact**

There are no financial costs associated with making these changes to the Procedural By-law and Schedule "A" to the Delegation of Authority By-law.

## **Link to Strategic Priorities**

This report meets the strategic goal of enhancing the visibility and transparency of Council to the community.

Reviewed by: Robert Auger, Clerk, Legal and Legislative Services, Concur

Reviewed by: Donna Hunter, Chief Administrative Officer, Concur

# **The Corporation of the Town of Essex**

## **By-Law Number ~~1592~~1681**

### **Being a by-law to provide Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards**

Whereas Section 238 of the *Municipal Act*, 2001, S.O. 2001, c.25 as amended, requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of Meetings;

And whereas on ~~May 16, 2016~~April 3, 2017, Council of the Town of Essex enacted By-Law Number 15~~11~~92 to provide procedural rules for the conduct of its Meetings;

And whereas Council of the Town of Essex deems it expedient to revise the procedural rules to reflect changes to the Municipal Act, 2001 as a result of Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2017;

And whereas Council of the Town of Essex deems it expedient to revise the procedural rules to reflect changes to the position of Deputy Mayor that were approved on October 16, 2017 through By-law 1648;

And whereas Council of the Town of Essex deems it ~~appropriate to revise the procedural rules for the conduct of its meetings and notice requirements;~~desirous to repeal and replace By-law 1592, as amended.

~~And whereas By-Law Number 1511 is hereby repealed as of the date and time of this By-Law coming into force and effect;~~

~~And whereas By-Law Number 1592 shall come into force and take effect upon the final passing thereof;~~

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

## **Part I – Interpretation**

### **1.1 Short Title**

1.1.1 This by-law may be cited as the “Procedural By-Law”.

1.2 Application

- 1.2.1 The rules of procedure contained in this by-law shall be observed in all proceedings of Council and, unless specifically provided otherwise, shall apply to all meetings of Committees, Sub-Committees or Local Boards.
- 1.2.2 All Points of Order or procedure for which rules have not been provided in this by-law shall be decided by the Chair in accordance with, and as far as is reasonably practicable, the rules of parliamentary procedure contained in Robert’s Rules of Order.

1.3 Definitions

In this by-law:

“**Accessible**”, in relationship to documents, means documents that have been prepared using plain language, proper text formatting, alternative text, etc. and that pass the accessibility checking tools provided in software such as Microsoft Word and Adobe Acrobat X Pro without errors;

“**Ad Hoc Committee**” means a Committee appointed by Council to perform a specific task which is dissolved when the task is completed. An Ad Hoc Committee has no authority for decision making or independent actions;

“**Administration**” means an employee or a group of employees who have been charged with the responsibility for administering business operations or segments of business operations of the Town of Essex;

“**Agenda**” means the document issued in accordance with this by-law that sets out the order of proceedings for a meeting and the business to be considered at a meeting;

~~“**Announcements**” as it relates to the Order of Business in an Agenda, means a brief statement about a fact, occurrence or other matter related to the Town, including events occurring within the Town which are of interest to Members, employees or the public in general, with no further discussion or debate permitted on an Announcement and no motion arising from an Announcement;~~

“**By-law**” means an enactment, in a form approved by Council, passed for the purpose of governing matters within the Town of Essex ~~municipality~~ or giving effect to a decision or proceedings of Council;

**“Chair”** means the person presiding over a meeting, including the Mayor, Deputy-Mayor, Chair or Vice-Chair or any other Member of Council, a Committee, Sub-Committee or Local Board appointed to act as Chair and is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceeding;

**“Chief Administrative Officer”** means the Chief Administrative Officer of The Corporation of the Town of Essex or his or her designate;

**“Civic or Public Holiday”** means those dates listed as “Paid Holidays” in the current Collective Agreement between the Town of Essex and the Canadian Union of Public Employees, Local 702.3, and the Agreement between the Town and its non-union employees;

**“Clerk”** means the Clerk of The Corporation of the Town of Essex and includes the Deputy Clerk or his or her designate anyone designated by the Clerk to carry out duties of the Clerk;

**“Closed Meeting”** means a meeting, or a part of a meeting of Council, a Committee, Sub-Committee or Local Board, which is closed by resolution, to the public as permitted by the *Municipal Act*, S.O. 2001, Chapter 25;

**“Committee”** means an Advisory or other Committee, Sub-Committee or similar entity;

**“Confidential Information”** means information in the possession of, or received in confidence by the Town that the Town is either prohibited from disclosing, or is required to refuse to disclose under the *Municipal of Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, Chapter M.56, or other legislation. Confidential information includes information that concerns personnel, labour relations, litigation or potential litigation, advice that is subject to solicitor-client privilege, negotiations, disposal and acquisition of property, the security of property of the Town and matters authorized in other legislation;

**“Council”** means the Council of The Corporation of the Town of Essex, comprised of the Mayor, Deputy Mayor and Councillors;

**“Councillor”** means a Member of Council, other than the Mayor and Deputy-Mayor;

**“Delegation”** means a person or group making a presentation to Council;

**“Deputy Mayor”** means ~~that Member of Council~~ the Councillor elected by Council general vote to assist or act in the place of the Mayor in accordance with this By-Law;

**“Director”** means an employee of the Town of Essex where the designation of Director forms part of his or her formal job title;

**“Disorderly Conduct”** means conduct which results in any obstruction to the deliberations of or impedes the proper action of Council;

**“Employee”** means an employee of the Town of Essex, including any union or non-union employee, regular full-time, part-time, temporary, casual or contract employee, and includes volunteer firefighters;

**“Emergency Meeting”** means a Meeting of the Council called to address circumstances that arise suddenly and require immediate consideration;

~~**“Executive Senior Management Team”** means the Chief Administrative Officer, Directors and the Fire Chief;~~

**“Ex officio”** means that, by virtue of his or her office or position, a person has the right to participate fully in a Committee, Sub-Committee or Local Board and to vote, unless prohibited by law;

**“Friendly Amendment”** means an amendment offered by someone who is in sympathy with the purposes of the main motion, in the belief that the amendment will either improve the statement or effect of the main motion, presumably to the satisfaction of its maker, or will increase the chances of the main motion’s adoption;

**“Inaugural Meeting”** means the first meeting of the term of Council held after a municipal election in a regular election year;

**“Local Board”** means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority;

~~**“Manager”** means an employee of the Town of Essex where the designation of Manager forms part of his or her formal job title, and includes Assistant Managers;~~

**“Majority”** means, for the purpose of voting, more than half the total number of Members of Council, Committee, Sub-Committee or Local Board present at the vote and not prohibited by any Act from voting;

**“Mayor”** means the Head of Council elected by general vote;

**“Meeting”** means ~~a gathering of Members of Council, a Committee, Sub-Committee or Local Board to transact business for a length of time during which there is no cessation of proceedings and the Members do not separate, except for a short recess, and includes regular, special, inaugural, public, committee, closed or other Meetings; any regular, special or other meeting of Council, a Local Board or 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 Council, a Local Board, or a Committee;

**“Member”** means a Member of Council, a Committee, a Sub-Committee or a Local Board of the Town of Essex;

**“Minor”**, for purposes of permitting the addition of New Business to an Agenda, means matters that do not require extensive research and background information and do not have a significant cost or impact on the Town or resident(s) of the Town;

**“Motion”** means a proposed resolution brought forward for adoption by a Member and seconded by another Member, for the consideration of Council, a Committee, Sub-Committee or a Local Board (see Schedule B);

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

**“Municipal Freedom and Protection of Privacy Act (MFIPPA)”** means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, Chapter M.56;

**“Municipality”** means The Corporation of the Town of Essex;

**“Non-Pecuniary (Non-Financial) Interest”** means private or personal interests or advantages that commonly arise out of a family or personal relationship, or involvement in sporting, social or other cultural groups and associations. For purposes of this by-law, the non-pecuniary interest of a



parent, spouse, child, or friend of a Member shall, if known to the Member, be deemed to be also the pecuniary interest of the Member;

**“Notice”** means notice provided to Members and to the public which advises of the time and place of a meeting;

**“Order of Business”** means the sequence of business to be introduced and considered in a meeting;

**“Pecuniary (Financial) Interest”** means an interest that a Member has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Member or another person with whom the Member is associated. For purposes of this by-law, the pecuniary interest of a parent, spouse, child, or friend of the Member shall, if known to the Member, be deemed to be also the pecuniary interest of the Member;

**“Point of Order”** means a matter that a Member wishes to call attention to as a departure from or a violation of the rules of procedure (see Schedule B);

**“Question of Privilege”** means a matter that a Member considers urgent in nature and affecting a right of Council as a whole (for example, noise, inadequate ventilation, introduction of a confidential subject), or of an individual Member (for example, incorrect record of a member’s participation in a meeting or charges against a member’s character) (see Schedule B);

**“Quorum”** means a majority of Members of Council, a Committee, a Sub-Committee or a Local Board;

**“Regular Meeting”** means a scheduled meeting held at regular intervals in accordance with the approved calendar/schedule of Meetings;

**“Reports and Announcements from Council Members”** as it relates to the Order of Business in an Agenda, means a brief statement about a fact, occurrence, event or other matter related to the Town which may be of interest to Members, employees or the public in general, with no further discussion or debate permitted on the matter and no motion arising therefrom;

**“Rules of Procedure”** means the applicable procedural rules and rules of conduct set out in this by-law;

**“Secretary”** means the staff person assigned by the Clerk to attend at and take minutes of any Committee, Sub-Committee or Local Board meeting;

**“Special Meeting”** means a meeting that is separate from a Regular Meeting and is called for a specific time and for specific purposes to deal with important matters that arise between Regular Meetings;

**“Sub-Committee”** means a sub-committee of a Committee appointed by and directly reporting to the Committee on matters which the Committee has deemed appropriate for the Sub-Committee to consider;

**“Task Force”** means a Committee formed by Council with approved terms of reference to examine and provide recommendations related to a specific problem;

**“Unfinished Business”** means matters listed in the meeting agenda which have not been dealt with in their entirety at a previous meeting;

**“Urgent”**, for purposes of permitting the addition of New Business to an Agenda, means a matter that is time sensitive and, if delayed until the next scheduled Meeting, could result in or cause:

- a) danger to the life, health or safety of individuals;
- b) damage to property;
- c) an interruption of essential services provided by the Town;
- d) loss of revenue by the Town, or
- e) prejudice the Town.

**“Vice Chair”** means a Member of a Committee, a Sub-Committee or Local Board appointed by the Committee, Sub-Committee of Local Board who shall have all the power and duties of the Chair in their absence; and

**“Youth Member”** means an individual who is less than eighteen (18) years of age, is enrolled as a full-time student in school, is a resident of the Town of Essex and has been appointed by Council to sit as a Youth Member of Council.

## **Part II – Roles, Responsibilities and Duties**

### **2.1 Mayor**

2.1.1 It is the role of the Mayor to:

- 1) act as the Chief Executive Officer of the municipality;
- 2) review and approve Agenda items in conjunction with the Clerk and Chief Administrative Officer prior to publishing or distributing an Agenda to ensure items meet the requirements of the Procedural By-Law, and that

there is sufficient information provided for each item to facilitate Council deliberations;

- 3) preside over Council meetings so that its business can be carried out efficiently and effectively;
- 4) assign the seating arrangements in Council Chambers for all Members of Council ~~prior to the Inaugural Meeting of Council~~;
- 5) provide leadership to the Council;
- 6) provide, without limiting clause (3) above, information and recommendations to the Council with respect to the role of Council;
- 7) represent ~~or assign a designate to represent~~ the municipality at official functions;
- 8) carry out the duties of the Head of Council under the Municipal Act or any other Act;
- 9) sit as an Ex-officio Member of all Committees of Council with the right to vote at meetings;
- 10) act as Council's representative and provide information/updates to council where appropriate when dealing with other levels of government, their agencies and the private sector; and
- 11) act as head of the municipality for purposes of the Municipal Freedom of Information and Protection of Privacy Act.

2.1.2 It is the duty of the Mayor to preside over meetings and to:

- 1) open the meeting of Council by taking the chair and calling the meeting to order;
- 2) receive and submit, in the proper manner, all motions presented by Members of Council;
- 3) put to a vote all Motions which are moved and seconded, and to announce the result of a vote;
- 4) decline to put Motions to a vote which infringe upon the Rules of Procedure;
- 5) inform the Members of the proper procedure to be followed and to enforce the Rules of Procedure;
- 6) enforce, on all occasions, the observance of order and decorum among all present at a meeting;
- 7) call by name any Member persisting in a breach of the Rules of Procedure and order the Member to vacate the Council Chamber;
- 8) permit questions to be asked through the Mayor of any Member of Administration for information to assist in any debate, when the Mayor deems it proper;

- 9) provide information to Members on any matter relating to the business of the Town;
- 10) authenticate by signature all By-Laws and minutes of Council;
- 11) rule on any points of order raised by Members;
- 12) represent and support the Council;
- 13) maintain order and, where it is not possible to maintain order, to adjourn the meeting to a time to be named by the Mayor without any Motion being put;
- 14) call for adjournment of the meeting when the business is concluded; and
- 15) act in accordance with his or her Declaration of Office.

2.1.3 Only the elected Mayor shall wear the Chain of Office, save and except if the Mayor resigns the office and Council appoints a new Mayor from its own ranks. The Chain of Office shall be worn at all Regular Meetings and otherwise at the discretion of the Mayor.

## **2.2 Deputy Mayor ~~and Acting Deputy Mayor~~**

2.2.1 It is the role of the Deputy Mayor to:

- 1) fulfill the normal duties of a Member of Council as established in Section 224 of the Municipal Act, 2001, and outlined in section 2.4.1 of this by-law;
- 2) assist the Mayor in carrying out the Mayoral responsibilities as established in Section 225 of the Municipal Act, and delegated to the Deputy Mayor in the Town of Essex Delegation of Authority By-law; and
- 3) serve as a member of County Council and attend all regular and special meetings of County Council, as well as any committees to which the Deputy Mayor may be appointed.

2.2.2 In the event the Mayor is absent, ~~refuses to act, has declared a pecuniary interest, or resigns from office,~~ it is the duty of the Deputy Mayor to act in the place of the Mayor and, while so acting, shall have all of the powers and duties of the Mayor with respect to presiding at meetings and fulfilling the delegated duties set out in the Town of Essex delegation of authority by-law. ~~from the Town of Essex, the Deputy Mayor shall act in the absence of the Mayor and shall have all of the rights, powers and authority as the position of the Mayor as set out in Section 242 of the Municipal Act.~~

2.2.32 In the event that the Deputy Mayor is unable to act in the place and stead of the Mayor ~~with respect to presiding at meetings,~~ the Clerk shall call the meeting to order and a Council Member shall be appointed by a resolution of Council Members present to act as the presiding Chair and shall preside over the meeting and have all the powers and authority of the Deputy Mayor while

~~so acting. a Councillor appointed by the majority of Members of Council shall be deemed to be Acting Deputy Mayor and shall act in the absence of the Mayor and shall have all the rights, powers and authority of the Mayor, while acting as Acting Deputy Mayor.~~

~~2.2.4 This by-law does not authorize the Deputy Mayor to take the place of the Mayor as a municipal representative on, or to assume any of the rights, power and authority of the Head of Council on boards or committees that require a resolution to appoint its members, without being duly appointed.~~

## **~~2.3 Election of Deputy Mayor~~**

~~2.3.1 The election of the Deputy Mayor shall be held at Council's Inaugural Meeting as established by the Minister's Order dated November 19, 1997.~~

~~2.3.2 The election of the Deputy Mayor shall be conducted by the Clerk and the Chief Administrative Officer.~~

~~2.3.3 Nominations for Deputy Mayor shall be determined by a roll call process wherein those who aspire to the position of Deputy Mayor make their intentions known.~~

~~2.3.4 The election of Deputy Mayor shall proceed by secret ballot under the authority of the Clerk and the Chief Administrative Officer and all ballots shall be counted by the Clerk and the Chief Administrative Officer.~~

~~2.3.5 The first candidate to receive a majority of the votes present shall be declared elected.~~

~~2.3.6 If no candidate receives a majority of the votes, the candidate receiving the lowest number of votes cast shall be eliminated from the second ballot and the election shall proceed in this manner until a candidate is elected.~~

~~2.3.7 In the case where there is more than one candidate having the lowest number of votes of equal value, the Clerk and the Chief Administrative Officer shall place the names of those candidates on equal sized pieces of paper in a receptacle and names shall be withdrawn by the Clerk or the Chief Administrative Officer until only one name remains undrawn. The name(s) of the candidate(s) drawn shall continue to the next ballot.~~

~~2.3.8 Ballots shall continue to be taken in the manner hereinbefore set out until a candidate is elected.~~

~~2.3.9—Should the number of votes be equal between the final two members running for Deputy Mayor, the successful candidate shall be determined by the Clerk or Chief Administrative Officer placing of the names of the candidates on equal sized pieces of paper in a receptacle and one name being drawn by the Clerk or the Chief Administrative Officer. The name of the candidate drawn shall be declared elected as Deputy Mayor for the term of Council.~~

~~2.3.10—Following the completion of the election of Deputy Mayor, ballots used in the election will be destroyed by the Clerk.~~

~~2.3.11—The results of all ballots used in the election of the Deputy Mayor shall be deemed Confidential Information and shall not be disclosed, released or published by any means by those individuals that are privy to the contents of the ballots.~~

## **2.4 Council**

2.4.1 It is the role of Council to:

- 1) represent the public and to consider the well-being and interests of the municipality;
- 2) develop and evaluate the policies and programs of the municipality;
- 3) determine which services the municipality provides;
- 4) ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;
- 5) ensure the accountability and transparency of the operations of the municipality, including the activities of senior management of the municipality;
- 6) maintain the financial integrity of the municipality; and
- 7) carry out the duties of Council under the Municipal Act or any other Act.

## **2.5 Councillor**

2.5.1 It is the role of a Councillor to:

- 1) participate at Council meetings so that its business can be carried out effectively and efficiently;
- 2) ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- 3) ensure the accountability and transparency of the operations of the municipality, including the activities of Administration of the municipality;
- 4) seek information and recommendations from Administration;

- 5) represent the municipality at official functions, as directed by the Mayor;  
and
- 6) carry out the duties of Council under the Municipal Act or any other Act.

2.5.2 It is the duty of a Councillor to:

- 1) prepare for meetings, including reviewing the Agenda and background information prior to the meeting;
- 2) declare any conflict of interest at a meeting where a conflict exists;
- 3) speak only to the subject under debate at a meeting;
- 4) vote on all Motions before the Council unless prohibited from voting by law;
- 5) observe proper procedure and decorum at all meetings;
- 6) refrain from disturbing, through disorderly conduct, other Members, speakers or Delegations in attendance;
- 7) refrain from the use of profane or offensive words or insulting expressions at a meeting;
- 8) state questions to be asked through the Mayor or Chair at a meeting;
- 9) support the Council;
- 10) act in accordance with his/her Declaration of Office
- 11) notify the Clerk when the Member is aware that he or she will be absent from a scheduled Meeting; and
- 12) attend Meetings of Committees, Sub-Committees, and Local Boards to which the Member has been appointed by Council.

## **2.6 Youth Members**

- 2.6.1 Youth Members shall be appointed by Council after the Inaugural Meeting of the new Council.
- 2.6.2 The number of Youth Members shall be limited to two, with one from Ward 4, the former Town of Harrow or Ward 3, the former Township of Colchester South, and one from Ward 1, the former Town of Essex or Ward 2, the former Township of Colchester North.
- 2.6.3 Youth Members will attend, participate and /or report in Regular Meetings of Council for the purpose of bringing a youth perspective to Council matters or discussions.
- 2.6.4 Youth Members shall not be permitted to move or second any resolution, nor shall the Youth Members be counted for the purpose of deciding a vote of the Council.

- 2.6.5 Youth Members shall not be included in constituting a quorum of Council.
- 2.6.6 The term of office for a Youth Member shall be established with the appointment, but shall not exceed two years.
- 2.6.7 Youth Members shall not be compensated with wage or per diem.

## **2.7 Clerk**

- 2.7.1 It is the duty of the Clerk or Secretary to:
- 1) record, without note or comment, all resolutions, decisions and other proceedings of Council, Committees, Sub-Committees or Local Boards;
  - 2) record the name and vote of every member voting on any matter or question, if required by any member present at a vote;
  - 3) keep the originals or copies of all by-laws and minutes of the proceedings of Council, Committees, Sub-Committees or Local Boards;
  - 4) perform other duties required under the Municipal Act or any other Act; and
  - 5) to perform such other duties as are assigned by the municipality.

## **2.8 Code of Conduct for Members of Council**

- 2.8.1 Members of Council shall adhere to the Code of Conduct for Members of Council, as adopted by Council and, as amended from time to time.

## **2.9 Council-Staff Relationship and Roles**

- 2.9.1 No Member of Council, a Committee, Sub-Committee or Local Board shall have the authority to direct or interfere with the performance of any work being carried out by an employee of the Town of Essex. Employees are subject only to direction provided by their supervisors, as established in the formal organizational structure of the Town.
- 2.9.2 Council shall request reports from Administration by Council motion.
- 2.9.3 The role of Council is to develop policies for the municipality, while the role of Administration, under the direction of the Chief Administrative Officer, is to develop strategies for the implementation of the policies established by Council.
- 2.9.4 Council Members are encouraged to contact the appropriate Director or the Chief Administrative Officer prior to the meeting to raise questions or clarify



issues relevant to matters on the Council meeting agenda and to secure additional information as may be required.

- 2.9.5 Directors shall have regard to providing a verbal response to the matters raised and will make every reasonable effort to provide the information to the Council Member within a reasonable period of time.

**Part III – Meetings, Agendas and Minutes**

**3.1 Inaugural Meeting**

- 3.1.1 The Inaugural Meeting of the newly-elected Council shall be held on the first Monday in December in each regular municipal election year.
- 3.1.2 The location and time of the Inaugural Meeting shall be determined by the Chief Administrative Officer.
- 3.1.3 The Clerk shall prepare the agenda for the Inaugural Meeting and the order of business shall be as follows:
  - 1) Call to Order
  - 2) Declarations of Elected Office
  - 3) Address by the Mayor
  - 4) Address by Councillors
  - ~~5) Election of Deputy Mayor~~
  - ~~6) 5) Business matters incidental to the above or of an urgent matter~~
  - ~~7) 6) Adjournment~~
- 3.1.4 The business of the Inaugural Meeting shall be taken up in the order in which it stands on the Agenda unless otherwise decided by the Mayor or a majority vote of the Members present.
- 3.1.5 No business shall be conducted at the Inaugural Meeting until the Council Members have made their Declaration of Office.

**3.2 Regular Meeting**

- 3.2.1 Regular Meetings of Council shall be held in the County of Essex Civic Centre Council Chambers, 360 Fairview Avenue West, Essex, Ontario on the first and third Mondays of each month commencing at 6:00 PM., unless otherwise decided by a majority of Members.
- 3.2.2 When a Regular Meeting falls on a Monday that is a Civic or Public Holiday or on a day when Town Hall is closed for business, the Regular Meeting shall be

held on the next following date that is not a public holiday or on a date agreed to by Council.

- 3.2.3 Council may, by resolution, alter the time, date and location of any Regular Meeting approved under Section 3.2.1 or Section 3.2.2.
- 3.2.4 The Clerk or Secretary shall prepare the Agenda for Regular Meetings and the order of business shall be as listed on Schedule "A" to this By-Law, as amended from time to time. The Agenda for Regular Meetings of Committees, Sub-Committees and Local Boards may exclude some of the Agenda Sections listed in Schedule "A" that are not relevant to the Committee, Sub-Committee or Local Board, such as Reports from Youth Members, County Council Update, Committee Meeting Minutes.
- 3.2.5 The business of the Regular Meeting shall be taken up in the order in which it stands on the Agenda unless otherwise decided by the Mayor or a majority vote of the Members present.
- 3.2.6 The deadline for receipt of material by the Clerk to be included on the Agenda for Regular Council Meetings shall be the time stated on Schedule "A" attached to this by-law, as amended from time to time.
- 3.2.7 The Mayor, in consultation with the Clerk and Chief Administrative Officer, may defer or remove an item from the Agenda if, in the Mayor's opinion, it does not meet the requirements of the Procedural By-Law, there is insufficient information provided to facilitate Council deliberations or the item is operational and should first be referred to Administration for follow-up.
- 3.2.8 The Mayor, in consultation with the Chief Administrative Officer, may cancel a Regular Meeting if it is determined there is not sufficient business to be conducted or special circumstances or an emergency (for example, weather) has arisen. Council Members, ~~the Executive Senior Management Teams~~senior staff, the public and the media will be advised immediately after making the decision to cancel a Regular Meeting.
- 3.2.9 The Mayor may reschedule a cancelled Regular Meeting or may include the Agenda items from the cancelled meeting on the next Regular Meeting Agenda or a Special Meeting.

### **3.3 Special Meeting**

- 3.3.1 The Mayor or the Clerk, in consultation with the Mayor or the Chief Administrative Officer, may, at any time, call a Special Meeting of Council.

- 3.3.2 The Mayor shall also call a Special Meeting of Council when so requested by a majority of the Members of Council.
- 3.3.3 No business other than the business stated in the Agenda of the Special Meeting shall be transacted at the Special Meeting.
- 3.3.4 The business of the Special Meeting shall be taken up in the order in which it stands on the Agenda unless otherwise decided by the Mayor or a majority vote of the Members present.

### 3.4 Closed Meeting

- 3.4.1 A Meeting that is closed to the public may only be held in accordance with the Municipal Act. The only subject matters that may be considered at a Closed Meeting ~~is are~~ as follows:

- 1) the security of the property of the municipality or local board;
- 2) personal matters about an identifiable individual, including municipal or local board employees;
- 3) a proposed or pending acquisition or disposition of land by the municipality or local board;
- 4) labour relations or employee negotiations;
- 5) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- 6) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 7) a matter in respect of which a Council, a Board, Committee or other body may hold a Closed Meeting under another Act;

~~the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Council, Board, Commission or other body is the head of an institution for the purposes of that Act; or~~

~~an ongoing investigation respecting the municipality, a local board or a municipally controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by Council in accordance with Section 223.13 (1) of the Municipal Act or a closed meeting Investigator appointed by Council in accordance with section 239.2 (1) of the Municipal Act.~~

~~8) 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;~~

~~9) 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;

10) 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

8)11) 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.

3.4.2 As per subsection 3.4.1 (7) above, additional subject matters that may be considered at a Closed Meeting are as follows:

- 1) the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Council, Board, Commission or other body is the head of an institution for the purposes of that Act; or
- 2) an ongoing investigation respecting the municipality, a local board or a municipally controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by Council in accordance with Section 223.13 (1) of the Municipal Act or a closed meeting Investigator appointed by Council in accordance with section 239.2 (1) of the Municipal Act.

**3.4.23** A Meeting of Council, a Committee, Sub-Committee or Local Board may be closed to the public if, as set out in the Municipal Act, the following conditions are both satisfied:

- 1) The Meeting is held for the purpose of educating or training the Members; and
- 2) 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, Committee, Sub-Committee or Local Board.

**3.4.34** The Mayor or the Clerk, in consultation with the Mayor or the Chief Administrative Officer, may, at any time, call a Closed Meeting of Council.

**3.4.45** The Mayor shall also call a Closed Meeting when so requested by a majority of the Members of Council.

**3.4.56** The Clerk may only delegate, in writing, the duties of the Clerk with respect to recording minutes in a Closed Meeting of Council to a full-time employee of the Town.

3.4.~~67~~ The Rules of Procedure, as outlined in the Procedural By-law, shall apply during Closed Meetings.

3.4.~~78~~ The business of the Closed Meeting shall be taken up in the order in which it stands on the Agenda unless otherwise decided by the Chair or a majority vote of the Members present.

### **3.5 Emergency Meeting**

3.5.1 An Emergency Meeting of Council to deal with an emergency or extraordinary situation may be called by the Mayor at any time and at any location within or outside the municipality as may be convenient.

3.5.2 Only business dealing directly with the emergency shall be transacted at the Meeting.

3.5.3 The business of the Emergency Meeting shall be taken up in the order in which it stands on the Agenda unless otherwise decided by the Mayor or a majority vote of the Members present.

### **3.6 Notice of Meetings**

#### **3.6.1 Regular Meeting**

3.6.1.1 The Clerk or Secretary shall electronically deliver to each member of Council, a Committee, Sub-Committee or Local Board, an Agenda for each Regular Meeting of Council, based on the time requirements set out in Schedule "A" to this By-Law. In the case of Regular Council Meetings, the Agenda shall also be electronically delivered to the Chief Administrative Officer and Directors.

3.6.1.2 The Agenda of the Regular Council Meeting shall be posted on the Town's website based on the time requirements set out in Schedule "A" to this By-Law.

3.6.1.3 The order of business for a Regular Meeting will be as set out in Schedule "A" to this By-Law, as amended from time to time.

#### **3.6.2 Special Meeting**

3.6.2.1 The Clerk or Secretary shall electronically deliver to each member of Council, a Committee, Sub-Committee or Local Board, an Agenda for each Special Meeting, based on the time requirements set out in Schedule "A" to this By-Law. In the case of Special Council Meetings, the Agenda shall also be electronically delivered to the Chief Administrative Officer and Directors.

3.6.2.2 The Agenda of the Special Council Meeting shall note the date, time and location of the Special Meeting and shall be posted on the Town's website based on the time requirements set out in Schedule "A" to this By-Law.

### **3.6.3 Closed Meeting**

3.6.3.1 The Clerk or Secretary shall electronically deliver to each member of Council, a Committee, Sub-Committee or Local Board, an Agenda for each Closed Meeting based on the time requirements set out in Schedule "A" to this By-Law. In the case of Closed Council Meetings, the Agenda shall also be electronically delivered to the Chief Administrative Officer and Directors.

3.6.3.2 A notice of the Closed Meeting, including date, time and location shall be posted on the Town's website, based on the time requirements set out in Schedule "A" to this By-Law.

### **3.6.4 Emergency Meeting**

3.6.4.1 The Clerk shall attempt to notify all Council Members of an Emergency Meeting as soon as practicable after the Meeting is called and in the most expedient manner.

3.6.4.2 A notice of the Emergency Meeting, including date, time and location shall be posted on the Town's website based on the time requirements set out in Schedule "A" to this By-Law.

## **3.7 Lack of Notice of Meeting or Agenda**

3.7.1 Lack of receipt of notice or an Agenda by the Members of Council, a Committee, Sub-Committee or Local Board shall not affect the validity of the Meeting or any action lawfully taken at the Meeting.

## **3.8 Closed Meeting Protocol**

3.8.1 Council, a Committee, Sub-Committee or Local Board shall move into a Closed Meeting from a Meeting that is open to the public. To enter into a Closed Meeting from an open Meeting, a motion to move into Closed Meeting is required. Once the matters in the Closed Meeting have been dealt with, the Members shall pass a motion to adjourn the Closed Meeting and if applicable, move back into open session.

3.8.2 The ~~Agenda for the open session prior to a~~ Closed Meeting Agenda, shall note:

- 1) ~~that the Members will move into a Closed Meeting,~~ the general nature of the matter(s) being considered at the Closed Meeting and the appropriate section(s) of the Municipal Act that provide for the Meeting to be closed; or
- 2) in the case of a Closed Meeting for the purpose of educating or training the Members, ~~that the Members will move into a Closed Meeting,~~ the general nature of the subject matter and the relevant section of the Municipal Act that provides for the Meeting to be closed.

3.8.3 The information noted in Section 3.8.2 of this By-Law shall be announced by the Chair, Clerk or Secretary in the open Meeting just prior to considering a Motion to move into a Closed Meeting.

3.8.4 After moving into the Closed Meeting, the Chair, Clerk, or Secretary will remind Members that the Closed Meeting matters are Confidential Information within the meaning of this By-Law and shall not be discussed after the meeting with any person(s) not related to the subject matter outside of the Closed Meeting.

3.85 In a Closed Meeting, the Council, Committee, Sub-Committee or Local Board shall only vote on motions pertaining to procedural matters or for giving directions or instructions to officers, employees or agents of the Town.

3.8.6 Immediately after moving from a Closed Meeting to an open Meeting, the Clerk or Secretary shall disclose, in a general manner, how the agenda items were dealt with in the Closed Meeting.

3.8.7 If an open Meeting does not immediately follow a Closed Meeting, the Clerk or Secretary shall disclose, at the outset of the next Regular Meeting and in a general manner, how the agenda items were dealt with in the Closed Meeting.

### **3.9 Quorum**

3.9.1 As soon after the published time for a Meeting as a quorum is present, the Meeting shall be called to order by the Mayor or Chair.

3.9.2 If there is no quorum present within thirty minutes after the time published for the Meeting, the Meeting shall stand adjourned until the next established Meeting date and the Clerk or Secretary shall record the names of the members present upon adjournment.

3.9.3 If during the course of any type of Meeting, quorum is lost, then the Meeting shall stand adjourned to reconvene as determined by the Chair. If, in the opinion of the Chair, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled Meeting, then the Chair shall announce that the unfinished business will be considered at that time.

## Part IV – Rules of Order and Debate

### 4.1 Formalities to be Observed

- 4.1.1 The Mayor shall be addressed as “Mayor (*surname*) or as “Your Worship”.
- 4.1.2 The Deputy Mayor shall be addressed as “Deputy Mayor (*surname*)”.
- 4.1.3 All Members of Council, except the Mayor and Deputy Mayor, shall be addressed as “Councillor (*surname*).”
- 4.1.4 Chairs or Vice-Chairs of Committees, Sub-Committees and Local Boards shall be addressed as “Chair (*surname*) or “Vice-Chair (*surname*)”, as the case may be.
- 4.1.5 Staff of the Town of Essex shall be addressed as “Mr. or Ms. (*surname*), (*position title*)”;
- 4.1.6 Members of Council, a Committee, Sub-Committee or Local Board, members of Administration, and members of the public shall only speak at a Meeting when they have been recognized by the individual chairing a meeting.
- 4.1.7 Members of Council, a Committee, Sub-Committee or Local Board and members of Administration shall raise their hand at a Meeting and wait to be recognized by the individual chairing a meeting.
- 4.1.8 Members of Council, a Committee, Sub-Committee or Local Board, members of Administration, and members of the public shall address only the individual chairing the meeting, or address each other through the individual chairing the meeting.
- 4.1.9 The observance of order and decorum at all Meetings shall be enforced by the individual chairing the meeting.
- 4.1.10 When, in the opinion of the individual chairing a Meeting, 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, or, in the case of a Council Member, is in contravention of the Town’s Code of Conduct for Council Members, the individual chairing a Meeting may rule the person out of order and require the person to cease the activity. If the person refuses to cease the activity, the Chair may order the person to vacate their seat or leave the meeting.
- 4.1.11 Any Council Member or Member of a Committee, Sub-Committee or Local Board may require that the question or motion under discussion be read by the



Clerk or Secretary at any time during the debate but not so as to interrupt the member who has the floor.

- 4.1.12 When a Member is speaking, no other Member shall pass between that Member and the Chair, or interrupt the Members except to raise a Point of Order or to raise a Question of Privilege.
- 4.1.13 If any person, including a Member, does not leave his or her seat or leave the meeting after being ordered to do so pursuant to Section 4.1.9, such person will be escorted from the Meeting with the assistance of the local police department.
- 4.1.14 No Member shall be permitted to retake his or her seat at any Meeting after being ordered by the Mayor or Chair to vacate the Meeting or his or her seat after committing a breach of any rule of order, without making an apology and without the consent of the Members present at the Meeting, expressed, without debate, by a majority vote.
- 4.1.15 No Member shall walk across the floor, or out of the Meeting room, or make any noise or disturbance when the Chair is putting a question.
- 4.1.16 No Member shall leave his or her seat while a vote is being taken and until the result of the vote is declared.
- 4.1.17 No Member shall leave a Meeting when he or she does not intend to return without first advising the Chair.
- 4.1.18 Members leaving their seats prior to adjournment shall do so in a manner that does not disrupt the proceedings of Council.
- 4.1.19 Members shall respect the rules set out in this By-Law and shall not disobey the decision of the Chair on questions of order or practice, or upon the interpretations of the rules of order.
- 4.1.20 During Meetings, all Members, employees of the Town and members of the public shall have their smart phones or electronic devices turned to vibrate and shall only answer a call in the event of an emergency and only upon leaving the Meeting.
- 4.1.21 No persons, except Members of Council and municipal employees of the Town of Essex, shall be permitted to stand behind Council or advance beyond the delegation table during a Council Meeting.

- 4.1.22 The Chair or Members may call upon the Clerk, Secretary or Chief Administrative Officer to provide advice with respect to interpretation of the Rules of Procedure.

## **4.2 Disclosure of Conflict of Interest**

- 4.2.1 It is the responsibility of each Member to identify and disclose any pecuniary interest, direct or indirect as defined by the *Municipal Conflict of Interest Act*, R.S.O. 1990, Chapter M.50, as amended, on any item or matter before Council, a Committee, Sub-Committee or Local Board and the general nature thereof.
- 4.2.2 Where a Member, either on his or her own behalf or while acting with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting of Council, a Committee, Sub-Committee or Local Board at which the matter is the subject of consideration, the Member shall:
- a) prior to any consideration of the matter at the Meeting, disclose the interest and the general nature thereof;
  - b) abstain from taking part in the discussion of, or vote on, any question in respect of the matter; and
  - c) not attempt in any way, whether before, during or after the meeting, to influence the voting of any such question.
- 4.2.3 In addition to complying with the requirements noted in Subsection 4.2.2 above, when the Meeting is a Closed Meeting, the Member shall leave the Meeting or the part of the Meeting during which the matter is under consideration.
- 4.2.4 Where the interest of a Member has not been disclosed as required by Subsection 4.2.1 above, by reason of a Member's absence from the Meeting referred to therein, the Member shall disclose the interest and otherwise comply with Subsection 4.2.2 at the first Meeting of Council, Committee, Sub-Committee or Local Board, as the case may be, attended by the Member after the Meeting at which the conflict of interest arose.
- 4.2.5 The Clerk or Secretary shall record the declaration of a conflict of interest and the general nature thereof made by a Member and any such record shall appear in the minutes of that particular Meeting. If a Member fails to disclose the nature of the pecuniary interest, the Clerk or Secretary shall immediately request this information.
- 4.2.6 Where the Meeting is not open to the public, every declaration of a conflict of interest made under subsection 4.2.1 above, but not the general nature of that

interest, shall be recorded in the minutes of the next Meeting that is open to the public.

- 4.2.7 Where the number of Members who, by reason of the provisions of the *Municipal Conflict of Interest Act*, R.S.O. 1990, Chapter M.50, are disabled from participating in a Meeting and the remaining Members are not of sufficient number to constitute a Quorum, then, despite any other general or special Act, the remaining number of Members at this meeting shall be deemed to constitute a Quorum for the Meeting, provided such number is not less than two.

### **4.3 Public Presentations and Delegations**

- 4.3.1 Any person who wishes to appear before Council as a Delegation shall submit the prescribed "Delegation Request Form" to the Clerk by 2:00 PM on the Tuesday preceding the Regular Council Meeting.
- 4.3.2 The Clerk, Mayor, Chief Administrative Officer and Director of Corporate Services shall review the Delegation Request Form to determine if the subject matter and nature of the request falls within the jurisdiction of Council, or if the request needs to be referred to Administration for comments.
- 4.3.3 The Clerk shall contact the Delegation to advise if and when their submission will be presented to Council and will ensure that they have been provided with the "Guide to Delegations" information brochure.
- 4.3.4 The Mayor, in consultation with the Chief Administrative Officer, has the authority to deny Delegation requests under the following circumstances:
- 1) the request is not submitted within the time required in Section 4.3.1 of this By-Law;
  - 2) no written submission together with handouts or materials is provided with the request or the submission is incomplete;
  - 3) the subject matter is deemed to be beyond the jurisdiction of Council;
  - 4) the issue is specific to a labour/management dispute, or other matter properly held in closed session;
  - 5) the issue has been or is to be considered by the Committee of Adjustment;
  - 6) Council has previously considered or made a decision on the issue and a Delegation has appeared before Council with respect to the same issue previously considered or decided by council within a period of twelve (12) months following the date on which the issue was last considered or decided by Council.;
  - 7) Council previously indicated it will not hear further from this Delegation; or
  - 8) the issue should be referred to Administration for action.

- 4.3.5 A Delegation shall not be received by Council on matters relating to litigation or potential litigation affecting the Town, including matters which are before and under the jurisdiction of any court or tribunal, unless such matter is referred to Council by the said court or tribunal or, in the alternative, Council deems the matter to be sufficiently important to allow the Delegate to be heard.
- 4.3.6 If applicable, Delegations shall provide a copy of their presentation materials to the Clerk, together with the Delegation Request Form. If using presentation software, such as PowerPoint, Delegations shall provide an electronic version to the Clerk, which shall be uploaded onto a Town-supplied laptop that Delegations will use during the Meeting. Presentation materials shall be attached to the circulated Meeting agenda.
- 4.3.7 Delegations shall not distribute printed materials on the Council floor. All printed materials must be submitted to the Clerk prior to the commencement of the Meeting.
- 4.3.8 The display of placards and signs is not permitted during a Meeting.
- 4.3.9 The Clerk will only circulate material that complies with the provisions of MFIPPA, as amended.
- 4.3.10 Delegations that are for the sole purpose of generating publicity for an event shall not be permitted.
- 4.3.11 Delegations will be scheduled in the order in which they were received by the Clerk.
- 4.3.12 No more than four (4) Delegations shall be permitted at any Meeting.
- 4.3.13 Delegations shall confine their remarks to the business stated in the Delegation Request Form.
- 4.3.14 Delegations shall be permitted to speak for up to five (5) minutes. A Delegation of two (2) or more persons shall be permitted to speak for up to ten (10) minutes.
- 4.3.15 The Chair shall, at the conclusion of the permitted time limit, inform the Delegation that the time limit has expired. An extension to the time limit may be granted by a majority vote of the Members present at the Meeting.
- 4.3.16 Delegations shall address their remarks through the Chair.
- 4.3.17 Except on matters of order, Members shall not interrupt a Delegation while he or she is addressing Council.
- 4.3.18 Members may address a Delegation only to ask questions and not to express opinions or enter into debate or discussion.

- 4.3.19 Once a Motion to receive the presentation has been moved and seconded, no further representation or questions of the Delegation shall be permitted.
- 4.3.20 The Chair may curtail any Delegation, any questions of a Delegation or debate during the presentation, as a result of disorder or other breach of the Procedural By-Law. If the Chair rules that the Delegation is concluded, the person or persons appearing before Council shall withdraw from the table.
- 4.3.21 If a Delegation is not registered with the Clerk, and Council, by a two-thirds vote of the Members present at the Meeting, gives the Delegation permission to address Council, the Delegation shall only address Council with respect to an item on the published Agenda.
- 4.4.22 All of the general rules to address Council as established for Delegations will apply to public presentations unless otherwise noted.

#### **4.4 Public Attendance at Meetings**

- 4.4.1 During Meetings, members of the public shall not:
- 1) speak disrespectfully of Members, employees or any other person;
  - 2) use offensive words or gestures;
  - 3) speak on any subject other than the subject for which they have received approval to address Council;
  - 4) disobey a decision of the Chair;
  - 5) display placards or signs; or
  - 6) enter into debate with other Delegations, Members or employees.
- 4.4.2 During Meetings, members of the public shall:
- 1) conduct themselves respectfully; and
  - 2) refrain from public outbursts, shouting, or behaviour intended to disrupt the debate, discussion and general proceedings of the Meeting.
- 4.4.3 In the event the Chair does not address the member of the public who is disrupting the Meeting, a Member may make a Point of Order.
- 4.4.4 The Chair may request that a Member or members of the public vacate the Council Chambers, or the room in which the Meeting is taking place, if their behaviour is deemed to be disruptive to the business at hand. The Chair may unilaterally recess the Meeting until order is restored.
- 4.4.5 If a member of the public who has been ordered to vacate the Council Chambers or the room in which the Meeting is taking place, refuses to leave the Council Chambers or the room in which the Meeting is taking place, the

member of the public will be escorted from the Meeting with the assistance of the local police department.

- 4.4.6 If a member of the public who has been ordered to vacate the Council Chambers or the room in which the Meeting is taking place, voluntarily offers an apology to Council and/or withdraws objectionable statements or remarks, he or she may be permitted to return or resume his or her presence at a Meeting, provided a majority of the Members present at the Meeting vote in favour.

## **4.5 Reports from Administration**

- 4.5.1 Reports from Administration shall be listed in the section on Regular Meeting Agendas designated for "Reports from Administration". The reports must be prepared using the pre-approved Reports to Council template, must be accessible and must be presented to the appropriate ~~Managers,~~ ~~Director~~senior staff and the Chief Administrative Officer for review and concurrence prior to submitting the report to the Clerk or Secretary.
- 4.5.2 Notwithstanding the foregoing, if a report from Administration relates specifically to a matter located earlier in the Agenda (for example, a Delegation), such report may be listed in the earlier section of the Agenda.

## **4.6 Correspondence**

- 4.6.1 Items of correspondence shall be legible, contain no obscene language or defamatory allegations, and shall be signed by the author(s) together with their return mailing address or email address.
- 4.6.2 No person, except the Clerk or Secretary, shall, before or during a Meeting, place on the desks of Members or otherwise distribute any material whatsoever. Materials for distribution shall be provided to the Clerk or Secretary prior to the commencement of the Meeting.
- 4.6.3 Correspondence or petitions containing obscene or defamatory language shall not be included on the Meeting Agenda, and shall be directed to the Chief Administrative Officer.
- 4.6.4 Requests from persons, organizations, associations and other municipal governments to endorse resolutions shall be included in the Correspondence section of the Agenda.
- 4.6.5 Where the subject matter of the correspondence is within the jurisdiction of a Committee, Sub-Committee or Local Board, such correspondence shall be

forwarded directly to the appropriate Committee, Sub-Committee or Local Board.

- 4.6.6 Correspondence of a routine administrative nature shall be referred directly to the appropriate ~~Director~~ senior staff member ~~or Manager~~.

## **4.7 New Business**

- 4.7.1 Members of Council, a Committee, Sub-Committee or Local Board may, after the Agenda has been published, introduce matters that are minor and urgent in nature to an Agenda during a Regular Meeting under the heading "New Business", if the Member introducing the New Business is able to demonstrate, to the satisfaction of the Chair, that the matter is in fact Minor and Urgent in nature, as defined in Section 1.3 of this By-Law and should be added to the Agenda. The decision of the Chair in determining whether an item will be added as New Business shall be final.
- 4.7.2 If a Member is aware of a New Business item prior to the Meeting, the Member shall contact the Mayor at any time prior to 2:00 p.m. on the day of the meeting to provide details of the New Business item(s), at which time the Mayor may make a determination of whether the New Business item(s) will be added to the Agenda.
- 4.7.3 The general nature of how the New Business item(s) met the requirements of Urgent and Minor in nature will be disclosed by the Mayor at the time that the New Business item(s) is introduced at the Meeting.
- 4.7.4 .At the sole discretion of the Chair, the question of whether a New Business item meets the requirement of being minor and urgent in nature may be referred to the whole of Council, a Committee, Sub-Committee or Local Board to be decided by a majority vote.

## **4.8 Reports and Announcements from Council Members**

- 4.8.1 Each Council Member will be provided with a maximum of five (5) minutes, with no extension of time permitted, to make reports to the rest of Council on matters that they are working on as a Council Member and any announcements or other matters which they deem may be of interest to other Council Members,

- 4.8.2 Items brought forward by Council under Reports from Council Members, shall not be discussed by any other Council Member, are not debatable and shall not be the subject of a motion or resolution of Council.

## **4.9 Discussion with No Motion on the Table**

- 4.9.1 Members are permitted to speak more than once on a matter prior to the introduction of a Motion, provided the information being presented by the Member is new and does not repeat any prior discussion by that Member.
- 4.9.2 At the sole discretion of the Chair, a Member who has spoken on a matter more than once may be asked to cease speaking if, in the opinion of the Chair, the information being presented is not new and repeats prior discussion by that Member.

## **4.10 Motions**

- 4.10.1 Motions shall be seconded before being debated or put to a vote.

### **4.10.2 Types of Motions**

- 4.10.2.1 Schedule "B" to this By-Law provides a description of the most common types of Motions encountered at a Meeting, together with a table entitled "Rules Relating to Motions". This table summarizes the ranking of Motions and other characteristics of Motions, such as whether a Motion can be amended, debated, etcetera.

### **4.10.3 Speaking to a Motion**

- 4.10.3.1 Each Member shall be permitted to speak only once to a Motion.
- 4.10.3.2 When speaking to a Motion, a Member shall confine his or her discussion to the Motion and, in speaking, will be limited to a maximum of 5 minutes unless otherwise decided by the Chair.
- 4.10.3.3 Notwithstanding Section 4.8.2.1, the Member who made the Motion shall be permitted to reply for a maximum of five (5) minutes, after all other Members who wish to speak to the Motion have spoken.
- 4.10.3.4 When a Motion is under debate, a Member may ask a concisely worded question through the Chair to the Chief Administrative Officer, the Clerk or another Employee of the Town regarding the Motion, prior to the Motion being put to a vote by the Mayor.



4.10.3.5 A Member may request that the Motion under debate be read at any time during the debate, but shall not interrupt a Member who is speaking.

4.10.3.6 If the Chair wishes to speak to a Motion for the purposes of taking a position on the Motion and endeavouring to persuade other Members to support his/her position, the Chair shall first leave his or her chair and request that the Deputy Mayor, Vice Chair or another Member, take over as Chair until such time as the Chair has finished speaking to the Motion.

#### **4.10.4 Friendly Amendment**

4.10.4.1 A friendly amendment to a Motion may be offered by someone who is in sympathy with the purpose of the main Motion, in the belief that the amendment will either improve the statement or effect of the main Motion, or will increase the chances of the main Motion's adoption.

4.10.4.2 A friendly amendment to a Motion may be made providing there is consent from the mover and the seconder.

#### **4.10.5 Motion to Direct Administration**

4.10.5.1 A Motion directing Administration to undertake certain action with respect to any item on the Agenda shall be in order, provided it is moved, seconded and carried by Council.

#### **4.10.6 Notice of Motion**

4.10.6.1 A Notice of Motion is an advance notice to Members regarding a matter on which Council, a Committee, Sub-Committee or Local Board will be asked to make a decision.

4.10.6.2 A Notice of Motion shall be given in writing to the Clerk or Secretary during a Regular Meeting and shall include the name of the mover. The Clerk or Secretary shall then advise that the Motion will be brought to the next Regular Meeting.

4.10.6.3 A Notice of Motion once presented, shall not be debated or discussed by Members until the next Regular Meeting.

#### **4.10.7 Motion to Change the Order of Business**

4.10.7.1 A motion changing the order of business shall not be amendable or debatable and requires a majority vote of Council, a Committee, Sub-Committee or Local Board.

### **4.11 Rules of Voting**

- 4.11.1 Every Member present at an open or Closed Meeting of Council, a Committee, Sub-Committee or Local Board, when a question is put, shall vote, unless prohibited by statute. If prohibited, the Clerk or Secretary shall record the name of the Member and the reason that he or she is prohibited from voting.
- 4.11.2 A Member of Council may request that the Chair “call the question”, at which time the Chair may accept or deny the request with the decision of the Chair being final.
- 4.11.3 If any Member does not vote when a question is put, they shall be deemed to have voted in the negative, except where the Member has not voted as a result of declaring a conflict of interest in the matter or question before Council.
- 4.11.4 After a question is put by the Chair, no Member shall speak to the question nor shall any other Motion be made until after the vote is taken and the result has been declared.
- 4.11.5 When the Chair calls for a vote on a question, each Member shall occupy their seat and shall remain in their seat until the result of the vote has been declared by the Chair.
- 4.11.6 When a vote is taken and a tie results, the motion is defeated.
- 4.11.7 Upon making a Motion to Divide the Question, the question may be divided, and the vote upon each question shall be taken separately. The parts of the motion must be able to stand alone for division of a question to be in order (refer to Schedule B, “Motions”, Section B.3).
- 4.11.8 A Motion to amend an amendment shall be voted on first.
- 4.11.9 Voting of the main Motion and amending Motions shall be conducted in the following order:
- 1) a Motion to amend a Motion to amend the main Motion;
  - 2) a Motion, as amended, to amend the main Motion; and
  - 3) the main Motion, as amended.
- 4.10.10 Voting for a Motion shall not be permitted by ballot or by any other method of secret voting, except where a vote is taken for purposes of electing the Deputy Mayor (refer to Section 2.3, “Election of the Deputy Mayor”) and every vote so taken will be of no effect.
- 4.11.11 The Chair shall announce the result of every vote taken as either Carried or Defeated.

4.11.12 If a Member disagrees with the result announced by the Chair, he or she may object immediately and the vote shall be retaken, and this shall be noted in the minutes by the Clerk.

4.11.13 The Clerk shall not record dissenting votes in the Minutes unless the member(s) of Council voting against the motion has made such a request.

4.11.14 In any vote required of the whole Council, a Committee, Sub-Committee or Local Board, the number of members constituting the whole Council, a Committee, Sub-Committee or Local Board shall be determined by excluding:

- 1) the number of Members who are present at the Meeting but who are excluded from voting by reason of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended; and
- 2) the number of Member seats that are vacant by reason of Section 259 of the *Municipal Act*, "Vacant Seat".

4.11.15 The Chair, except where disqualified from voting by reason of interest or otherwise, may vote with the Members on all questions. If the Chair desires to introduce a Motion, he or she shall leave the Chair for that purpose and shall call upon the Deputy Mayor or Vice Chair to fill his or her place while the matter is being considered. Upon completion of the matter, the Chair shall resume the Chair and preside over the Meeting.

## **4.12 Recorded Vote**

4.12.1 A Recorded Vote shall be taken when called for by any Member. The Clerk or Secretary shall call upon each Member of Council, a Committee, Sub-Committee or Local Board entitled to vote on the Motion, to answer "support" or "opposed" beginning with the member who requested the recorded vote and then proceeding in a clock-wise direction to the other Members.

4.12.2 A Member may call for a Recorded Vote immediately prior to or immediately after the taking of the vote.

4.12.3 When a Recorded Vote is taken, the names of the Members who voted in support and those who voted in opposition to the motion shall be entered in the minutes. The names of the members declaring a conflict of interest shall be entered in the minutes.

4.12.4 All Members present shall vote when a Recorded Vote is called for, except when they have been disqualified from voting by reason of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50 or any other Act.

## 4.13 By-Laws

- 4.13.1 By-Laws shall be introduced in the section on the Council agenda designated for By-Laws. However, if a By-Law is attached to a Report from Administration, the By-Law may be given the required readings at the time the report is received and the recommendations contained therein are approved.
- 4.13.2 Every By-Law shall receive First Reading, Second Reading and Third Reading by Council before being enacted, unless provided otherwise by law.
- 4.13.3 Unless prohibited by law, a By-Law may proceed to second reading at the same Meeting that it received first reading, provided the first reading was supported by at least two-thirds of the Members of Council present and entitled to vote. A By-Law shall not proceed to third reading at the same Meeting that it received first and second reading unless specifically approved by the Clerk, and the third reading was supported by at least two-thirds of the members of Council present and entitled to vote.
- 4.13.4 By-Laws of an urgent nature that were not included on the Regular Council Meeting Agenda prior to distribution, may be included as "New Business" and introduced as an addition to the published Agenda prior to adoption of the published Agenda.
- 4.13.5 Every By-Law shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act.
- 4.13.6 Every By-Law enacted by Council shall be numbered and shall be signed by the Mayor and the Clerk, sealed with the seal of the Corporation and shall show the dates of the three readings by Council.
- 4.13.7 Every By-Law shall be kept in numerical order in the specified By-Law book and in the electronic filing system.
- 4.13.8 A confirmatory By-Law should be considered at the end of each Regular Meeting, immediately prior to adjournment, to confirm all proceedings and resolutions passed by Council, except for those resolutions that require or are still subject to the approval of the Ontario Municipal Board or other mandatory statutory approval.
- 4.13.9 The Clerk may make changes to By-Laws or resolutions to:
- 1) correct spelling, punctuation or grammatical errors, or errors that are of a clerical, typographical or similar nature;

- 2) alter the style or presentation of text or graphics to improve electronic or print presentation and accessibility;
- 3) replace a description of a date or time with the actual date or time;
- 4) if a provision provides that it is contingent on the occurrence of a future event and the event occurs, remove text referring to the contingency and make any other changes that are required as a result;
- 5) when the name, title, location or address of a body, office, person, place or thing has been altered, change any reference to the name, title, location or address to reflect any alteration in name, title, location or address;
- 6) correct errors in the numbering of provisions or other portions of a By-Law and make any changes in cross-references that are required as a result;
- 7) if a provision of a transitional nature is contained in a By-Law, make any changes that are required as a result;
- 8) make a correction, if it is apparent both that an error has been made and what the correction should be;

#### **4.14 Petitions**

4.14.1 Petitions must adhere to guidelines provided in the Town of Essex Petition Policy.

4.14.2 Petitions from residents requesting Council to consider the introduction, expansion, enhancement, restoration, reduction, alteration or cessation of a service or program of the Town of Essex, must be directed to the Clerk for inclusion on an agenda, including those received by the Mayor or a Member of Council.

4.14.3 A motion directing receipt of the petition and the action required shall be in order.

4.14.4 Petitions to Council to be included on the agenda may be submitted by residents and included under Correspondence. Any such petition must be submitted to the Clerk, in accordance with Section 4.3.1 of this By-Law regarding Public Presentations and Delegations.

### **Part V – Committees, Sub-Committees and Local Boards of Council**

#### **5.1 Appointments to Committees, Sub-Committees and Local Boards of Council**

- 5.1.1 Council shall appoint Council Members and members of the public to its Committees, Sub-Committees and Local Boards after the Inaugural Meeting of the new Council.
- 5.1.2 Immediately after the municipal election, the Clerk shall provide the Mayor-elect, Deputy Mayor-elect, and Councillors-elect with a list of Committees, Sub-Committees and Local Boards to which Council appoints member(s) to sit.
- 5.1.3 By December 1 in an election year, Members of Council-elect shall meet to consider and make recommendations related to committee structure and composition and to select the Committees, Sub-Committees and Local Boards to which they seek appointment.
- 5.1.4 Appointments of Council Members and the public will be made during a Special Council Meeting.

## **5.2 Committee, Sub-Committee and Local Board**

### **Meeting Minutes**

- 5.2.1 Committee, Sub-Committee and Local Board Meeting minutes must be completed and circulated by the Secretary to the Committee, Sub-Committee or Local Board Chair and then forwarded to the Clerk within one week of the Meeting date.
- 5.2.2 Recommendations to Council as a result of Committee, Sub-Committee or Local Board Meeting Minutes shall be listed with the Minutes on the Council Agenda. Council may vote on the recommendations collectively or may vote on each resolution separately if it is capable of standing on its own.

## **5.3 General Information for Committees and Local**

### **Boards**

- 5.3.1 The Mayor is Ex-officio of all Committees of Council.
- 5.3.2 Where a Committee or Sub-Committee is established with a specified number of Members that does not provide for the membership of the Mayor as an Ex-Officio Member, such number of committee members will be automatically increased by one, except where prohibited by law. The Mayor, as an Ex-Officio Member, may vote and otherwise participate in such Committee or Sub-Committee on the same basis as any other Member.
- 5.3.3 The term of the Committee, Sub-Committee or Local Board shall be for four (4) years and generally ends at the conclusion of Council's term.
- 5.3.4 The Clerk will advertise for interested citizens to make application to serve on Committees, Sub-Committees and Local Boards prior to the conclusion of the

current Council's term of office. Once applications have been received, they will be reviewed by the Clerk and Council Members elected to the new term of Council.

- 5.3.5 The election of public Committee, Sub-Committee and Local Board members to the various Committees, Sub-Committee and Local Board will be done via a roll call.
- 5.3.6 Vacancies on Committees, Sub-Committees and Local Boards that occur during the term will be filled as soon as practicable.
- 5.3.7 Council shall establish Ad Hoc Committees or Task Forces, as required and shall provide a mandate for each Ad Hoc Committee or Task Force.
- 5.3.8 Committee, Sub-Committee and Local Board members will be provided with a copy of the Town of Essex Local Boards/Committees Procedures and Best Practices Manual adopted by Council, as amended from time to time, and will be required to adhere to the procedures and best practices outlined in the manual.

## **Part VI – General**

### **6.1 Repeal**

6.1.1 By-law 1592 and all amendments thereto are hereby repealed.

### **6.2 Severability**

6.2.1 Should any section, subsection, clause, paragraph or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the provision so declared to be invalid.

### **6.3 Effective Date**

6.3.1 This by-law shall come into force and take effect on the final passing.

Read a first and a second time and provisionally adopted on March ~~20~~5, 2017~~8~~.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Read a third time and finally passed on ~~April 3~~March 19, 2017~~8~~.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



**Schedule “A” to By-Law Number ~~1592~~1681**

**Agenda - Order of Business, Deadlines and Notice**

**(Revised March ~~65~~, 20178)**

**A.1 Order of Business for Regular Meetings**

A.1.1 The order of business for Regular Meetings shall be as follows:

- 1. Call to Order
- 2. Closed Meeting Report
- 3. Declarations of Conflict of Interest
- 4. Adoption of Published Agenda
- 5. Adoption of Minutes
- 6. Public Presentations
- 7. Unfinished Business
- 8. Reports from Administration
- 9. Reports from Youth Members
- 10. County Council Update
- 11. Correspondence
- 12. Committee Meeting Minutes
- 13. Financial
- 14. New Business
- 15. Notices of Motion
- 16. Reports and Announcements from Council Members
- ~~17. Announcements~~
- ~~18.~~17. By-Laws
- ~~19.~~18. Adjournment

**A.2 Deadline for Material Included in Regular Meeting**

**Agenda**

A.2.1 The deadline for receipt of material by the Clerk to be included on the Agenda for Regular Meetings shall be 2:00 PM on the Tuesday preceding the Regular Meeting.

**A.3 Notice of Meetings**

**A.3.1 Regular Meeting**

A.3.1.1 The Agenda for a Regular Meetings shall be posted on the Town of Essex website and electronically delivered in accordance with Section 3.6.1 of this By-

Law, by no later than ninety-six (96) hours before the hour appointed for the holding of the Regular Meeting.

### **A.3.2 Special Meeting**

A.3.2.1 The Agenda for a Special Meeting shall be posted on the Town of Essex website and electronically delivered in accordance with Section 3.6.2 of this By-Law by no later than 24 hours before the hour appointed for the holding of the Special Meeting.

### **A.3.3 Closed Meeting**

A.3.3.1 Notice for a Closed Meeting shall be posted on the Town's website no later than twenty-four (24) hours before the hour appointed for the holding of the Closed Meeting. The Agenda for the Closed Meeting shall be electronically delivered in accordance with Section 3.6.3 of this By-Law.

### **A.3.4 Emergency Meeting**

A.3.4.1 Notice for an Emergency Meeting shall be posted on the Town of Essex website no less than two (2) hours before the hour appointed for the holding of the Emergency Meeting.

**Schedule “B” to By-Law Number ~~1592~~1681**

**Motions**

**B.1 Point of Order**

- B.1.1 When a Member desires to call attention to a departure from or a violation of the rules of procedure, including a breach of the rules of procedure related to Delegations and members of the public, he or she shall ask leave of the Chair to raise a Point of Order promptly and at the time that the breach occurs.
- B.1.2 After leave is granted, he or she shall briefly state the reasons for a Point of Order and the Chair shall then decide upon the Point of Order and advise the Members of his or her decision.
- B.1.3 The Mayor or Chair has the ability to refer the Point of Order to the rest of Council for debate when in doubt as how to rule on an important point.
- B.1.4 Points of Order shall be noted in the Minutes by the Clerk and shall include any rulings made by the Chair or the Members.
- B.1.5 Unless a Member immediately appeals the Chair’s decision to the Council, the decision of the Chair shall be final.
- B.1.6 When the Chair calls a Member to order, that Member shall immediately refrain from speaking until the Point of Order is dealt with. The Member shall not speak again to the matter under discussion without the permission of the Chair.

**B.2 Appeal the Decision of the Chair**

- B.2.1 Any two Members have the right to Appeal the decision of the Chair on a Point of Order by one Member making the Appeal and another seconding it.
- B.2.2 An appeal has the effect of taking the question from the Chair and vesting it with the Members for a final decision.
- B.2.3 If any debate or business has intervened since the Chair made the decision on a Point of Order, it is too late to appeal.

**B.3 Motion to Divide the Question**

- B.3.1 Where a series of resolutions related to a single subject exist, a Member may request one or more of the resolutions be considered separately by making a Motion to Divide the Question, which is adopted by a majority vote.

- B.3.2 Where a series of resolutions relate to completely different subjects and a Motion to Divide is adopted, any resolutions in the series must be voted on separately.

#### **B.4 Motion to Withdraw**

- B.4.1 If a Motion has not been received by the Chair, it is the property of its mover, who can withdraw it or modify it without asking the consent of anyone.
- B.4.2 After a Motion is received by the Chair, it is deemed to be in possession of Council, a Committee, Sub-Committee or Local Board, but may, at the request of the mover and with the permission of Members, be withdrawn at any time before decision or amendment.

#### **B.5 Motion to Adjourn**

- B.5.1 A Motion to Adjourn is made for the purpose of closing a Meeting and, once adopted, has the effect of closing the meeting immediately.
- B.5.2 All Regular Council Meetings shall stand adjourned when Council, a Committee, Sub-Committee or Local Board has completed the business as listed on the Agenda, or upon the arrival of 11:00 PM.

#### **B.6 Motion to Recess (while business is pending)**

- B.6.1 Members may make a motion to recess while another question is pending for the purpose of securing information relevant to the pending question or to allow for informal consultation on the pending question.
- B.6.2 A Motion to Recess while business is pending provides for an immediate intermission which does not close the meeting. A Motion to Recess can only be amended as to the length of the recess.
- B.6.3 Following the recess, the meeting immediately resumes at the exact point where it was interrupted.
- B.6.4 When a Motion to Recess has been adopted for the purpose of informal discussion on the pending question, all Members shall be present at the discussion.

#### **B.7 Motion to Recess (while no business is pending)**

- B.7.1 Members may make a Motion to Recess while no business is pending, with the recess either beginning immediately or at a future time.

## **B.8 Question of Privilege**

- B.8.1 Raising a Question of Privilege permits a Member to make a request relating to the rights and privileges of the Members as a whole or any one Member.
- B.8.2 A Question of Privilege with respect to the Members as a whole may be related to the comfort of the Members (for example, heating, ventilation, lighting, noise, etcetera), the conduct of employees or visitors, the accuracy of published reports, etcetera.
- B.8.3 A Question of Privilege with respect to a Member, may relate to an incorrect record of a Member's participation in a meeting contained in minutes adopted in that Member's absence, a factual error relating to a Member that arises during debate or discussion, or to charges against a Member's character.
- B.8.4 A Question of Privilege shall take precedence over all other matters.
- B.8.5 If a Question of Privilege related to the Members as a Whole and a Question of Privilege related to any one Member are raised consecutively, the Question of Privilege relating to the privileges of the Members as a whole takes precedence over the Question of Privilege relating to an individual Member.
- B.8.6 In raising a Question of Privilege, a Member addresses the Chair who will ask the Member to state the Question of Privilege at which time the Member will either describe the situation briefly and ask that it be remedied, or if the Member believes that the matter will require formal action by Council, make a Motion covering the Question of Privilege.
- B.8.7 When the Question of Privilege has been disposed of, the business of the Meeting is resumed at the point at which it was interrupted.
- B.8.8 Questions of Privilege shall be noted in the Minutes, including any rulings by the Chair or Motions.
- B.8.9 A Member may appeal a decision by the Chair immediately after the Chair has rendered a decision, at which time the Chair will turn the appeal over to the Members as a whole.

## **B.9 Motion to Table**

- B.9.1 A Motion to Table a particular matter removes the subject from consideration until Members vote to take it from the table. A matter can be tabled for a specific period of time or tabled indefinitely.

- B.9.2 A Motion to Table applies to the main Motion and any amendments to it under debate at the time the Motion to Table was made. A Motion to Table shall not include additional statements.
- B.9.3 A Motion to Take from the Table is required to bring the matter back before the Members for consideration.

## **B.10 Motion to Postpone (or Defer) to a Certain Time**

- B.10.1 A Motion to Postpone or Defer to a Certain Time is a motion requesting that a pending question be delayed to a definite day, Meeting, or hour, or until after a certain event.
- B.10.2 A Motion to Postpone or Defer to a Certain Time is debatable as to its merits only, with no discussion of the main question and is amendable only to change the length of the postponement.
- B.10.3 A Motion to Postpone or Defer to a Certain Time shall include a fixed date for the question to come back before consideration, must be made while the main Motion or an amendment is on the floor and takes precedence over that motion or amendment.

## **B.11 Motion to Refer**

- B.11.1 A Motion to Refer is a Motion to request that a pending Motion be referred to Administration, a Committee, Sub-Committee, a Local Board, or elsewhere to be investigated before bringing the matter back to the Members for consideration.
- B.11.1 A Motion to Refer should include:
- 1) the name of the Department, Committee , Sub-Committee, Local Board or other body to whom the request is to be referred; and
  - 2) instructions or directions respecting the information requested.

## **B.12 Motion to Amend**

- B.12.1 A Motion to Amend is a Motion to modify the wording of a pending Motion before the pending motion is acted upon.
- B.12.2 A Motion to Amend is debatable if the Motion to be amended is debatable.
- B.12.3 A Motion to Amend shall:

- 1) be made only to a previous Motion or to amend an amendment to the Motion;
- 2) be relevant to the question to be decided; and
- 3) take precedence over the Motion to which it is applied, even if that Motion ranks higher than Motion to Amend in the regular order of precedence of Motions.

### **B.13 Motion to Reconsider**

- B.13.1 A Motion to Reconsider is a Motion requesting to bring back, for further consideration, a Motion that has already been decided on by Council, a Committee, Sub-Committee or Local Board.
- B.13.2 If the action approved in the original Motion cannot be reversed, the Motion cannot be reconsidered.
- B.13.3 A Motion may be reconsidered at the same Meeting or any Meeting following the Meeting when the Motion was considered provided that a Member who voted with the majority on the original Motion moves for reconsideration of the original Motion.
- B.13.4 Each Member shall be responsible for making a determination on how the Member voted on a specific matter.
- B.13.5 A Motion to reconsider a decided matter shall only be moved and seconded by two members who voted with the majority on the original Motion.
- B.13.6 A Motion to Reconsider suspends action on the Motion to which it applies until it has been decided.
- B.13.7 No discussion of the main question which is proposed for reconsideration shall be allowed until the Motion to reconsider is carried.
- B.13.8 No motion shall be reconsidered more than once during a period of twelve (12) months following the date on which the question was decided.
- B.13.9 When a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.
- B.13.10 The following motions cannot be reconsidered:
- 1) Motion to Adjourn;
  - 2) Motion to Recess;
  - 3) Motion to Suspend the Rules; and

4) Motion to Reconsider.

B.13.11 A Motion to Reconsider a decided matter shall require the approval of two-thirds support of the whole of Council, a Committee, Sub-Committee or Local Board.

**B.14 Motion to Rescind**

B.14.1 A Motion to Rescind is a motion requesting that a previous action or resolution be cancelled or reversed. Motions cannot be rescinded when something has been done as a result of the vote on the main Motion that is impossible to undo.

**B.15 Motion to Extend**

B.15.1 In the event that the business before Council has not been completed by 11:00 PM, then Council, by majority vote of the Members present, may approve an extension of the Meeting in thirty (30) minute increments.

B.15.2 If other business on the Agenda is not completed after an extension or extensions, the Meeting shall reconvene at 6:00 PM on the subsequent day or on another day and time as agreed upon by Council by a majority vote.



# Rules Relating to Motions

## (Based on Robert’s Rules of Order)

Order of Preference	In Order when Member has Floor	Must be Seconded	Is Amend-able	Is Debat-able	Vote Required for Adoption
<b>No Ranking</b>					
Point of Order	Yes	No <sup>1</sup>	No	No	No Vote (Ruled on by Chair)
Appeal the Decision	No	Yes	No	Yes	50% vote sustains the Chair
Divide the Question	No	Yes	Yes	No	Majority
Withdraw	Yes/No <sup>2</sup>	Yes/No <sup>2</sup>	No	No	Majority
<b>Ranked</b>					
Adjourn	No	Yes	No	No	Majority
Recess (while business is pending)	No	Yes	Yes	No	Majority
Recess (while no business is pending)	No	Yes	Yes	Yes	Majority
Question of Privilege	Yes	No/Yes <sup>3</sup>	No	No	No Vote (Chair decides)
Table	No	Yes	No	No	Majority
Postpone Definitely	No	Yes	Yes	Yes	Majority
Refer to Committee	No	Yes	Yes	Yes	Majority
Amend	No	Yes	Yes	Yes (motion to be amended is)	Majority
Postpone Indefinitely	No	Yes	No	Yes	Majority
Main Motion	No	Yes	Yes	Yes	Majority

<sup>1</sup>Chair can permit full explanation and can submit question to Members.

<sup>2</sup>If not granted by unanimous consent, can be moved by person requesting permission, or by another while the former has the floor. Motion must be seconded if

motion is made by person requesting permission, but does not need to be seconded if it is made by another Member.

<sup>3</sup>Does not need to be seconded unless the Question of Privilege raised is in the form of a Motion, in which case the Motion must be seconded.

The order of precedence of the motions in the chart above is **top to bottom**. A motion higher in precedence (rank) is higher in the chart. If a motion is pending, any motion listed above it is in order. Those listed below it are not in order.

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~~1592~~1681<sup>1</sup>

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<sup>1</sup> The Table of Contents is provided for reference purposes only.

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
1.00 Administration							
1.01		Authority to oversee, direct and control all day-to-day municipal operations and services, including all related administrative tasks and processes.	Chief Administrative Officer	Deputy Chief Administrative Officer or designate(s) appointed by Chief Administrative Officer		In accordance with policies and procedures and by-laws of the Town, as well as relevant legislation, including the Municipal Act, Planning Act, etc.	
2.00 Cemeteries and Interment rights							
2.01	Interment rights	Authority to enter into agreements for the sale of interment rights	<del>Manager of Legislative Services and</del> Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by <del>Manager of Legislative Services and</del> Clerk		In accordance with the <del>Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 33</del> as amended and the tariff of rates contained in the by-law respecting the maintenance, management, regulation and control of cemeteries owned by the Town of Essex.	Annual report on Care and Maintenance Fund and Headstone Maintenance Fund and annual report on Cemetery/ Crematorium Operator Licensure Report
2.02		Authority to direct the day-to-day control and management of cemeteries owned by the Town of Essex	<del>Manager of Legislative Services and</del> Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by <del>Manager of Legislative Services and</del> Clerk		In accordance with the <del>Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 33</del> as amended and the by-law respecting the maintenance, management, regulation and control of any cemetery owned by the Town of Essex	Annual report on Care and Maintenance Fund and Headstone Maintenance Fund and annual report on Cemetery/ Crematorium Operator Licensure Report
3.00 Claims for Damages							
3.01	Claims for Damages	Authority to execute, subject to <del>approval</del> review and advice of legal counsel acting on behalf of the Town of Essex, any and all forms by which the Corporation's claims for damages against other parties and their insurers are released	Chief Administrative Officer	Deputy Chief Administrative Officer or Director, Corporate Services and Treasurer			
4.00 Claims for Losses of Livestock							
4.01	Claims for Losses of Livestock	Authority to approve a claim for livestock or poultry losses	<del>Manager of Legislative Services and</del> Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by <del>Manager of Legislative Services and</del> Clerk		In accordance with Protection of Livestock and Poultry from Dogs Act	

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
<b>5.00 Communications and Media Relations</b>							
5.01	Public Relations and Media Communications	Authority to speak on behalf of the municipality	As set out in the Communications and Media Relations Policy and Media Inquiries Procedure		Communications and Media Relations Policy and Media Inquiries Procedure		
<b>6.00 Council</b>							
6.01	Mayoral Duties	Authority to represent the municipality at official functions	Mayor	Deputy Mayor or designate appointed by Mayor or Deputy Mayor	Procedural By-law		
6.02		Authority to sign undertakings, certificates, declarations and similar documents required for the completion of any transaction involving the purchase, sale or exchange of any interest in land, including long-term lease agreements	Mayor in conjunction with the Clerk or Deputy Clerk	Deputy Mayor in conjunction with the Clerk or Deputy Clerk		In accordance with 19.01 of this schedule.	
6.03		Authority to execute contracts related to the purchase of goods and services	Mayor in conjunction with the Treasurer or Deputy Treasurer, or Mayor in conjunction with the Clerk or Deputy Clerk	Deputy Mayor in conjunction with the Treasurer or Deputy Treasurer, or Deputy Mayor in conjunction with the Clerk or Deputy Clerk		In accordance with 7.05 of this schedule.	
6.04		Authority to enter into long-term borrowing arrangements	Mayor in conjunction with the Treasurer or Deputy Treasurer	Deputy Mayor in conjunction with the Treasurer or Deputy Treasurer		In accordance with 13.01 of this schedule. Subject to approval of a by-law by Council.	
6.05		Authority to sign cheques and any other financial instruments as required by the bank	Mayor in conjunction with the Treasurer or Deputy Treasurer	Deputy Mayor in conjunction with the Treasurer or Deputy Treasurer			
6.06		Authority to sign funding agreements for grants, subsidies or other funding mechanisms	Mayor in conjunction with the Clerk or Deputy Clerk	Mayor in conjunction with the Clerk or Deputy Clerk			

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
6.07		Review and approve agenda items prior to publishing or distributing an agenda to ensure items meet the requirements of the Procedural By-law, and that there is sufficient information provided for each item to facilitate Council deliberations	Mayor in conjunction with Clerk and Chief Administrative Officer	Deputy Mayor in conjunction with Clerk and Chief Administrative Officer	Procedural By-law		
6.08		Authority to authenticate by signature all by-laws and minutes of Council	Mayor in conjunction with Clerk or Deputy Clerk	Deputy Mayor in conjunction with Clerk or Deputy Clerk	Procedural By-law		
<b>7.00 Financial</b>							
7.01	Operating Expenditures	Authorize operating expenditures required to carry on normal municipal operations in an amount not to exceed forty percent (40%) of the prior year's approved operating budget prior to adoption of the current year's operating budget by Council	Chief Administrative Officer	Deputy Chief Administrative Officer or designate(s) appointed by Chief Administrative Officer, in conjunction with Director, Corporate Services and Treasurer		Purchasing related to operating expenditures must be in accordance with the Procurement and Disposal of Goods Policy.	Not applicable.
7.02	Capital Expenditures - Projects in Progress	Authorize capital expenditures for projects in progress and spanning more than one budget year and contained in the prior year's approved capital budget or otherwise approved by Council prior to the adoption of the current year's capital budget by Council	Chief Administrative Officer	Deputy Chief Administrative Officer or designate(s) appointed by Chief Administrative Officer, in conjunction with Director, Corporate Services and Treasurer	Town of Essex Procurement and Disposal of Goods and Services Policy.	Purchasing for projects spanning more than one budget year must be in accordance with the Procurement and Disposal of Goods and Services Policy.	Not applicable.
7.03	Purchase of Goods and Services	Authority to purchase goods and services	As prescribed in the Procurement and Disposal of Goods and Services Policy		Town of Essex Procurement and Disposal of Goods and Services Policy.	Up to amounts contained in approved budgets and with required authorizations based on purchase values as specified in the Procurement of Goods and Services Policy	
7.04		Authority to approve Purchase Orders	As prescribed in the Procurement and Disposal of Goods and Services Policy		Town of Essex Procurement and Disposal of Goods and Services Policy.	Up to amounts contained in approved budgets and with required authorizations based on purchase values as specified in the Procurement of Goods and Services Policy	



Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
7.05		Authority to execute <del>other</del> contracts related to the purchase of goods and services	<del>Chief Administrative Officer</del> <b>Treasurer or Clerk</b> , in conjunction with the Mayor or Deputy Mayor	<del>Director, Corporate Services and Treasurer</del> <b>Deputy Treasurer or Deputy Clerk</b> , in conjunction with the Mayor or Deputy Mayor	Town of Essex Procurement and Disposal of Goods and Services Policy.	Up to amounts contained in approved budgets and with required authorizations based on purchase values as specified in the Procurement of Goods and Services Policy	
7.06		Authority to approve Change Orders to capital projects	Chief Administrative Officer	<b>Deputy Chief Administrative Officer or Director, Corporate Services and Treasurer</b>	Town of Essex Procurement and Disposal of Goods and Services Policy.	Authorization required for a Change Orders is based on purchase values as specified in the Procurement of Goods and Services Policy or as approved by Council for a specific project.	
7.07		Authority to sign agreements, contracts and other documents (i.e. software maintenance agreements, website maintenance agreement) related to the usual operations of the Information Technology division of the Corporate Services Department that are not subject to the Town's Procurement and Disposal of Goods and Services Policy	Director, Corporate Services and Treasurer	Manager, Finance and Business Services and Deputy-Treasurer			
8.00 Grant Applications							
8.01	Grant Applications and Related Documents	Authority to execute and submit applications to any Federal or Provincial department, ministry, agency or fund for compensation, funding or other forms of subsidy related to any Town programs, operations or capital projects as approved by Council and subsequent submissions, declarations or representations required for processing the application or the receipt of funds	<del>Director of Corporate Services and</del> <b>Chief Administrative Officer or Treasurer</b>	<del>Manager of Finance and Business Services and</del> <b>Deputy Chief Administrative Officer or Deputy Treasurer</b>		Town programs or operations must be contained within the approved operating budget. Council approval to execute and submit an application for a capital project must be obtained in advance of executing and submitting an application.	As required as a result of the execution and submission of an application.

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
9.00 Hiring, Discipline or Termination of Employees							
9.01	Hiring of Director	Authority to select successful candidate	Chief Administrative Officer, in consultation with Council	Not applicable			
9.02	Hiring of <del>Senior Manager, Other Manager</del> , Full-Time Non-Union, Full-Time Union, Part-Time Non-Union and Part-Time Union	Authority to select successful candidate	Director, in consultation with Chief Administrative Officer	Not applicable	Hiring of Employees Policy	In accordance with Hiring of Employees Policy	
9.03	Hiring of Casual or Student Employees	Authority to select successful casual or student candidate	Immediate supervisor of casual or student employee, in consultation with Director	Not applicable	Hiring of Employees Policy	In accordance with Hiring of Employees Policy	
9.04	Consideration of Family Relationship Declaration	Authority to approve or deny the hire, transfer or promotion of a person who discloses an immediate relative	Chief Administrative Officer	Deputy Chief Administrative Officer or designate(s) appointed by Chief Administrative Officer	Hiring of Employees Policy	In accordance with Hiring of Employees Policy	
9.05	Discipline of Employees	Authority to discipline employees	Immediate supervisor of employee		Collective Agreement with unionized employees and By-Law to enter into an Agreement with Non-Union Employees		
9.06	Termination of Director	Authority to terminate Director	Chief Administrative Officer, in consultation with Manager, Human Resources and Council	Not applicable			

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
9.07	Termination of <del>Senior Manager, Other Manager,</del> Full-Time Non-Union, Full-Time Union, Part-Time Non-Union and Part-Time Union	Authority to terminate employee	Director, in consultation with Manager, Human Resources and Chief Administrative Officer	Not applicable			
9.08	Termination of Casual or Student Employees	Authority to terminate casual or student employees	Immediate supervisor of casual or student employee, in consultation with Director	Not applicable			
10.00 Insurance Claims							
10.01		Authority to settle claims within the existing insurance deductibles up to \$50,000	Chief Administrative Officer	<del>Deputy Chief Administrative Officer or designate appointed by Chief Administrative Officer</del> Director of Corporate Services and Treasurer			
11.00 Letter of Support							
11.01		Authority to prepare and issue Letters of Support for applications being made by outside not-for-profit or charitable groups or agencies where there is no financial commitment required from the Town	Mayor	Deputy Mayor			
12.00 Licensing							
12.01	Animal Licences	Authority to issue and renew animal licences	<del>Manager of Legislative Services and</del> Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by <del>Manager of Legislative Services and</del> Clerk	Town of Essex Animal Care and Control By-Law		

Schedule "A" to Delegation of Authority By-Law Number 1404 (Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
12.02	Dog Kennel Licences	Authority to approve and renew Dog Kennel Licences	<del>Manager of Legislative Services and</del> Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by <del>Manager of Legislative Services and</del> Clerk	Town of Essex Animal Care and Control By-Law	In accordance with the Town's Zoning By-Law	
12.03	Vehicle Licences	Authority to sign vehicle licensing documents	Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by Clerk			
<b>13.00 Long-Term Debt</b>							
13.01		Authority to enter into long-term borrowing arrangements	Treasurer, in conjunction with the Mayor or Deputy Mayor	<del>Deputy Treasurer Chief Administrative Officer,</del> in conjunction with the Mayor or Deputy Mayor	Municipal Act, 2001	Subject to approval of a by-law by Council	
<b>14.00 Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, Chapter M.56 (MFIPPA)</b>							
14.01	Act as Head of the Municipality for purposes of MFIPPA	Authority to act as Head for purposes of the Municipal Freedom of Information and Protection of Privacy Act	Mayor	Deputy Mayor	MFIPPA	In accordance with the MFIPPA	
14.02	Act on Behalf of and in Conjunction with the Designated Head for purposes of MFIPPA	Authority to act on behalf of and in conjunction with the Designated Head of the municipality for purposes of the Municipal Freedom of Information and Protection of Privacy Act	<del>Manager of Legislative Services and</del> Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by <del>Manager of Legislative Services and</del> Clerk	MFIPPA	In accordance with MFIPPA	Year End Statistical Report for Information Privacy Commissioner of Ontario
14.03	Calculate and Submit Fees	Authority to calculate and submit fees for requests for information under the Municipal Freedom of Information and Protection of Privacy Act.	<del>Director, Corporate Services and Clerk in conjunction with Treasurer or Deputy Treasurer</del>	<del>Manager, Finance and Business Services and</del> Deputy Clerk in conjunction with Treasurer or Deputy Treasurer	MFIPPA and By-Law to Confirm the Policy for Establishing and Collecting Fees pursuant to the Municipal Freedom of Information and Protection of Privacy Act	By-Law to Confirm the Policy for Establishing and collecting fees pursuant to the Municipal Freedom of Information and Protection of Privacy Act	Not applicable.

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
<b>15.00 Planning and Zoning</b>							
15.01	Consents	Authority for giving of consents	Committee of Adjustment	Not applicable	Planning Act, R.S.O. 1990, Chapter P. 13 and By-Law Delegating the Authority for the Giving of Consents	Subject to the conditions of all consents as noted in the By-Law	Agendas and Minutes of Meetings of Committee of Adjustment to be provided to Council
15.02	Minor Variances	Authority for giving of minor variances	Committee of Adjustment	Not applicable	By-Law Delegating the Authority for the Giving of Minor Variances	Subject to the conditions as provided in the Planning Act, R.S.O. 1990	Agendas and Minutes of Meetings of Committee of Adjustment to be provided to Council
15.03	Community Improvement Plan	Authority to approve applications and execute agreements under a Community Improvement Plan, excluding a Tax Increment Equivalent Program and applications for demolition without a re-development plan.	Director, Development Services or Senior Planner	Assistant Planner, Development Services		Subject to the conditions and requirements of the Community Improvement Plan as approved by Council	Annual report to Council on all applications approved
<b>16.00 Policies and Procedures</b>							
15.01	Policies and Procedures	Authority to ensure compliance with all corporate policies and procedures	Chief Administrative Officer	Deputy Chief Administrative Officer or Designate(s) appointed by Chief Administrative Officer			

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
<b>17.00 Property Taxes and Late Payment Charges</b>							
17.01	Property Taxes	Write off taxes in accordance with the provisions of Section 357, 358 and 359 of the Municipal Act.	<del>Director, Corporate Services and</del> Treasurer	<del>Manager, Finance and Business Services and</del> Deputy-Treasurer	Municipal Act, 2001, Sections 357, 358 and 359	Within the limitations prescribed by Section 357, 358 and 359 of the Municipal Act and within approved budget for the write-off of taxation revenue.	Annual report to Council on tax write offs and increases pursuant to this delegation of authority.
17.02	Land Apportionments	Authority to divide land which is assessed in one block into two or more parcels and/or apportion unpaid taxes on land among parcels	<del>Director, Corporate Services and</del> Treasurer	<del>Manager, Finance and Business Services and</del> Deputy-Treasurer	Municipal Act, 2001, Section 356 upon receipt of a Severance and Consolidation Plan Information Form from the Municipal Property Assessment Corporation	Within the limitations prescribed by Section 356 of the Municipal Act	Not applicable.
17.03	Late Payment Charges, Penalties and Interest on Overdue Tax Accounts	Reduce, waive or cancel late payment charges, penalties and interest on overdue tax accounts.	<del>Director, Corporate Services and</del> Treasurer	<del>Manager, Finance and Business Services and</del> Deputy-Treasurer	Municipal Act, 2001, Section 345	Up to \$150.00 per tax account. Amounts over \$150.00 require report to and approval of Finance Committee.	Annual report to Council on reductions, waiver or cancellation of late payment charges, penalties and interest on overdue tax accounts.
17.04	Minutes of Settlement	Authority to execute Minutes of Settlement arising out of tax appeals at the Assessment Review Board or the Ontario Municipal Board for properties that, in the opinion of the signing officer, are in the best interests of the Town	<del>Director, Corporate Services and</del> Treasurer	<del>Manager, Finance and Business Services and</del> Deputy-Treasurer			

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
<b>18.00 Protection of Livestock and Poultry</b>							
18.01		Authority to approve a claim for livestock and poultry killed	<del>Manager of Legislative Services and</del> Clerk, <del>Legal and Legislative Services</del>	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by <del>Manager of Legislative Services and</del> Clerk		In accordance with Protection of Livestock and Poultry from Dogs Act	
<b>19.00 Real Estate</b>							
19.01	Purchase, Sale and Exchange of Interest in Land	Authority to sign Undertakings, certificates, declarations and similar documents required for the completion of any transaction involving the purchase, sale or exchange of any interest in land, including long-term lease agreements	<del>Chief Administrative Officer, Clerk</del> in conjunction with the Mayor or Deputy Mayor	<del>Director, Corporate Services and Treasurer</del> Deputy Clerk, in conjunction with the Mayor or Deputy Mayor		In accordance with the by-law establishing policies and procedures for the sale and disposition of surplus lands, as applicable, and where the purchase, sale or exchange of land, and the terms thereof, have been approved by Council.	Not applicable.
19.02	Short-Term Rental Agreements	Authority to execute rental agreements for occupancy of Town-owned or leased land and facilities on a short-term basis.	Director, Community Services	Designate(s) appointed by the Director, Community Services		Rental fees based on rate schedule for such rentals.	Not applicable.
<b>20.00 Sale of Land for Tax Arrears</b>							
20.01		Authority to prepare and sign Tax Arrears Certificates, Notices of Registration of Tax Arrears Certificate (Form 1), Statutory Declaration regarding notices sent, Final Notice (Form 3) and Cancellation of Tax Arrears Certificate	<del>Director, Corporate Services and</del> Treasurer	<del>Manager, Finance and Business Services and</del> Deputy-Treasurer	Municipal Act, 2001	Subject to the requirements of Part XI of the Municipal Act, 2001	

Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
<b>21.00 Shipping/Customs</b>							
21.01		Authority to sign on behalf of the corporation in matters related to shipping and customs.	Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by Clerk			
<b>22.00 Social Media</b>							
22.01	Social Media Accounts	Authority to manage and monitor all corporate social media accounts	Manager, Strategic Communications	Chief Administrative Officer		In accordance with Corporate Use of Social Media Policy and Corporate Social Media Procedure	
22.02	Social Media Content	Authority to use corporate social networking tools to communicate with the public	Manager, Strategic Communications	Authorized social media contributors		In accordance with Corporate Use of Social Media Policy and Corporate Social Media Procedure	
<b>23.00 Special Occasion and Parade Permits</b>							
23.01	Special Occasion Permits	Authority to approve Special Occasion Permits for a private or public event involving liquor sales or the serving of alcohol.	Director, Community Services	Town of Essex Special Events Resource Team as designated by the Director, Community Services		In accordance with rules and regulations for Special Occasion Permits as issued by the Alcohol and Gaming Commission of Ontario	
23.02	Parade Permits	Authority to approve Parade Permits	Director, Community Services	Town of Essex Special Events Resource Team as designated by the Director, Community Services		In accordance with the Town's Public Notice Policy (i.e. road closure) where applicable.	
<b>24.00 Travel and Business Expenses</b>							
24.01	Travel and Business Expense Requests	Authority to approve Travel and Business Expense Requests under \$3,000 per event	As prescribed in the Travel and Business Expense Policy		Town of Essex Travel and Business Expense Policy		
24.02		Authority to approve Travel and Business Expense Requests over \$3,000 per event	Chief Administrative Officer	Deputy Chief Administrative Officer or designate(s) appointed by Chief Administrative Officer	Town of Essex Travel and Business Expense Policy		



Schedule "A" to							
Delegation of Authority By-Law Number 1404							
(Revised March 5, 2018)							
	Description	Delegated Authority	Primary Authority Delegated To	Secondary Authority Delegated To	Source of Duty	Delegation Restrictions	Communication Requirements
<b>25.00 Video Surveillance Cameras, Recordings and Records</b>							
25.01	Video Surveillance Cameras and Signage	Authority to approve the position and location of video surveillance cameras and related signage	Director responsible for the facility		Town of Essex Video Surveillance Policy		
25.02	Live Video Surveillance	Authority to monitor live video surveillance recordings	Persons designated by the Director responsible for the facility		Town of Essex Video Surveillance Policy		
25.03	Record of Video Surveillance Recordings	Authority to determine when a record will be created of video surveillance recordings	Chief Administrative Officer <del>Director, Corporate Services and Treasurer</del>	Deputy Chief Administrative Officer or designate(s) appointed by Chief Administrative Officer	Town of Essex Video Surveillance Policy		
25.04	Requests to Access Video Surveillance Recordings	Authority to approve a Request to Access Video Surveillance Recordings or Records related to investigations of serious employee misconduct	Chief Administrative Officer	Deputy Chief Administrative Officer or designate(s) appointed by Chief Administrative Officer	Town of Essex Video Surveillance Policy		
25.05		Authority to approve a Request to Access Video Surveillance Recordings or Records related to investigations of insurance claims	<del>Manager of Legislative Services and</del> Clerk, Legal and Legislative Services	Deputy Clerk, Legal and Legislative Services or designate(s) appointed by <del>Manager of Legislative Services and</del> Clerk	Town of Essex Video Surveillance Policy		
25.06		Authority to approve a Request to Access Video Surveillance Recordings, excluding those related to an investigation of serious employee misconduct or insurance claims	Chief Administrative Officer <del>Director, Corporate Services and Treasurer</del>	Deputy Chief Administrative Officer or designate(s) appointed by Chief Administrative Officer	Town of Essex Video Surveillance Policy		



## Report to Council

Department: Legal and Legislative Services  
Date: February 20, 2018  
Prepared by: Laurie Brett, Deputy Clerk  
Submitted by: Rob Auger, Clerk  
Report Number: Clerks Report 2018-03  
Subject: Fees for Civil Marriage Officiants  
Number of Pages: 3

### **Recommendation(s)/Conclusion(s)**

The following two recommendations are provided for Council's consideration:

1. That Clerks Report 2018-01 entitled "Fees for Civil Marriage Officiants" be received; and
2. That the recommendations concerning fees and mileage be adopted.

### **Reason for Report**

To propose changes to the fees charged by officiants authorized by the Town of Essex to solemnize marriages.

### **Background**

At the June 8, 2007 Regular Council Meeting, Council considered Report CLK07-11 prepared by then-Clerk Jerry Marion on the topic of civil marriages. By Resolution R07-06-306, Council adopted the report and concurred with its recommendations.

Report CLK07-11 gave the Clerk the power to delegate authority for performing civil marriage ceremonies to suitable candidates. As a result, three individuals are currently authorized to perform civil marriage ceremonies in the Town of Essex.

Report CLK07-11 also set the fee that marriage officiants are allowed to charge. The recommendation was as follows:

“That a fee of \$200 to \$250 (plus GST) be initially established, with the higher amount charged when travel is involved, and that \$50 of the above amount be given to the Town of Essex for administration purposes.”

This fee statement has remained unchanged for nearly 11 years.

A recent survey of fees charged by local municipalities suggests that the Town of Essex fee structure requires amendment. Amherstburg LaSalle, Kingsville and Windsor offer standard **onsite** marriage ceremonies for \$250. Lakeshore charges \$260 and Leamington charges \$290 for onsite ceremonies. These ceremonies generally consist of a 20-minute ceremony using a standardized script.

The Town of Essex has set fees that are comparable to the onsite fees charged by the above-noted municipalities, but we only offer **offsite** ceremonies that are generally customized to the couple. Municipalities that offer offsite or after-hours ceremonies charge a higher fee. Leamington charges \$367.25, Amherstburg \$350, and Kingsville \$350.

In addition to the ceremony fee, Leamington, Kingsville and Amherstburg charge for mileage based on the Automobile Allowance Rate set by the Government of Canada. For 2018, that mileage rate has been set at 55 cents per kilometer.

When Report CLK07-11 was prepared, a general guideline of two hours was set for each ceremony and described as follows:

“Approximately one hour is required to interview the bride and groom regarding such items as the type of ceremony, ring bearers, witnesses, readings, how many guests will attend, etc. The wedding will take about one hour to perform. This permits time to complete the marriage papers, the Register, assemble the participants, provide some brief instructions and perform the ceremony.”

This assessment did not take into account the time each officiant needs to prepare for the “customized” ceremony after receiving instructions from the couple, the travel time involved both to meet with the couple and attend the ceremony, or the extra time required to attend

rehearsals that typically last an hour. Our officiants have indicated that the two-hour window allotted is insufficient to prepare, rehearse, and conduct most ceremonies.

Based on a review of other municipal fees charged for offsite wedding ceremonies and an assessment of the actual time commitment required of officiants, the following revised fee schedule is proposed:

Offsite Wedding Ceremony: \$350.00

Mileage: \$0.55 per kilometer

The fee for the ceremony and the mileage charge are applied by the officiant and collected by the officiant in advance of each ceremony.

As per Report CLK07-11, officiants would continue to remit \$50 of the revised fee to the Town of Essex for administration of marriage services.

## **Financial Impact**

There are no financial costs associated with making these changes to the fees associated with solemnizing marriages.

## **Link to Strategic Priorities**

This report meets the strategic goal of enhancing communications and community engagement by offering relevant services to members of the public.

Reviewed by: Robert Auger, Clerk, Legal and Legislative Services, Concur

Reviewed by: Donna Hunter, Chief Administrative Officer, Concur

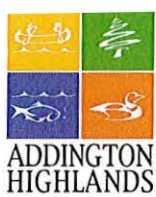
Reviewed by: Jeffrey Morrison, Director, Corporate Services and Treasurer, Concur

**From:** Hunter, Donna  
**Sent:** Wednesday, February 28, 2018 8:38 AM  
**To:** Auger, Robert <[rauger@essex.ca](mailto:rauger@essex.ca)>  
**Subject:** Mar. 5 Agenda

Hi Rob,

Can you add a Verbal Report by myself to provide an update on ELK - Harrow Service Area – Momentary Outages. Thank you,

**Donna E. Hunter**  
**Chief Administrative Officer**  
Town of Essex  
33 Talbot St. S., Essex, ON N8M 1A8  
Telephone: 519.776.7336 x1119  
Fax: 519.776.8811  
Email: [dhunter@essex.ca](mailto:dhunter@essex.ca)  
Web: [www.essex.ca](http://www.essex.ca)  

# Township of Addington Highlands

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February 26, 2018

The Town of Essex  
33 Talbot St. S.  
Essex, ON N8M 1A8  
emailed to: [rauger@essex.ca](mailto:rauger@essex.ca)

Re: Offering School Properties to Municipalities

To Whom It May Concern,

Please be advised that at their February 20<sup>th</sup>, 2018 meeting, the Council of the Corporation of the Township of Addington Highlands resolved to support your resolution requesting that when school boards make decisions to close schools that they have to offer the building to the local municipality for a dollar.

I trust you will find this letter of support satisfactory.

Sincerely,

Christine Reed  
CAO/Clerk-Treasurer

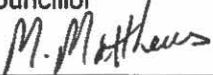

cc. ROMA – [roma@roma.on.ca](mailto:roma@roma.on.ca)  
Randy Hillier, MPP Lanark, Frontenac, Lennox & Addington - [randy.hillier@pc.ola.org](mailto:randy.hillier@pc.ola.org)

**The Corporation of the Township of Prince**  
**3042 Second Line West,**  
**PRINCE TOWNSHIP, ON P6A 6K4**  
**Phone: 705-779-2992 Fax: 705-779-2725**

**COUNCIL RESOLUTION**

**Date: February 13, 2018**

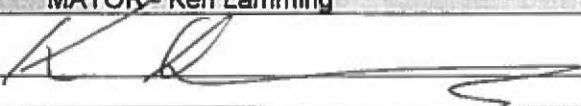
**AGENDA ITEM**  
**13 I)**

Resolution 2018 – 54	
Moved by: Councillor 	Seconded by: Councillor 

**Moved by: Councillor M. Matthews**

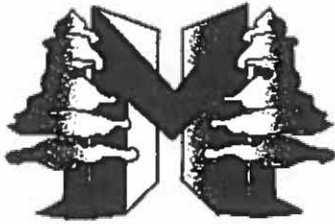
**Seconded by: Councillor I. Chambers**

**Be it resolved that this Council agrees supports the resolution of the Town of Essex, regarding the purchase of closed school properties by municipalities.**

RESOLUTION RESULT				
<input checked="" type="checkbox"/>	CARRIED	Mayor & Council	YES	NO
<input type="checkbox"/>	DEFEATED	Ken Lamming		
<input type="checkbox"/>	DEFERRED	David Amadio		
<input type="checkbox"/>	REFERRED	Ian Chambers		
<input type="checkbox"/>	PECUNIARY INTEREST DECLARED	Michael Matthews		
<input type="checkbox"/>	RECORDED VOTE (SEE RIGHT)	Enzo Palumbo		
<input type="checkbox"/>	WITHDRAWN			
MAYOR: Ken Lamming				
				

The above is a certified to be true copy of resolution number 2018 –

Peggy Greco  
 CAO/CLERK-TREASURER



TOWNSHIP OF MACHAR  
www.machartownship.net  
Res End

February 27, 2018

Association of Municipalities of Ontario (AMO)  
200 University Avenue, Suite 801  
Toronto ON  
M5H 3C6

Rural Ontario Municipalities Association  
200 University Avenue, Suite 801  
Toronto ON  
M5H 3C6

Via fax 416-971-6191

Dear Sir/Madam:

Re: Offering School Properties to Municipalities

We're in receipt of correspondence dated February 27, 2018 from the Town of Essex, regarding Offering School Properties to Municipalities. The Council of the Township of Machar passed the following Resolution at their Regular meeting February 26, 2018:

50-18 McLaren, Flowers

THAT we support Town of Essex Resolution; ongoing issue of school closures throughout Ontario, many cases result in properties that are left as vacant and unused for substantial periods, municipalities might be interested in purchasing, however feasibility becomes more daunting when municipalities must purchase these properties at fair market value with taxpayer dollars and then may need to spend further taxpayer monies to retrofit and/or remediate, properties were already originally purchased and developed into schools using taxpayer dollars, taxpayers should not again have to purchase these properties, requesting that when school boards make decisions to close schools, that they have to offer to the municipality for \$1. CARRIED.

We are pleased to lend our support in this very important matter.

Yours truly,

Heather Whitehead  
Administrative Assistant

c. Town of Essex via fax # 519-776-8811

# 73 Municipal Rd. N., P.O. Box 70, South River, ON P0A 1X0

Phone 705-386-7741 Fax 705-386-0765





THE CORPORATION OF THE TOWN OF  
**LAURENTIAN HILLS**

34465 HIGHWAY NO. 17, POINT ALEXANDER, R. R. # 1, DEEP RIVER, ONTARIO K0J 1P0

File No. 03 -18  
26 February, 2018

Association of Municipalities of Ontario  
200 University Avenue, Suite 801  
Toronto, ON M5H 3C6

Dear Sir/Madam:

By their resolution attached the Council of the Town of Laurentian Hills does endorse the position of the Town of Essex requesting that when School Boards make the decision to close school buildings that the local Municipalities be offered these buildings for a dollar.

Yours truly,

A handwritten signature in blue ink that reads "Sherry Batten".

Sherry Batten  
Chief Administrative Officer/Clerk

Encl.

cc [amo@amo.on.ca](mailto:amo@amo.on.ca)  
Rural Ontario Municipal Association [roma@roma.on.ca](mailto:roma@roma.on.ca)  
Robert Auger, Clerk Town of Essex [rauger@essex.ca](mailto:rauger@essex.ca)



THE CORPORATION OF THE TOWN OF  
**LAURENTIAN HILLS**

34465 HIGHWAY NO. 17, POINT ALEXANDER, R.R. # 1, DEEP RIVER, ONTARIO K0J 1P0

Moved by:

A handwritten signature in black ink, appearing to be "John H. H.", written over a horizontal line.

Seconded by:

A handwritten signature in black ink, appearing to be "Anne Gaudin", written over a horizontal line.

Resolution No. 33 -18

Date: 21 February, 2018

**Be it Hereby Resolved That:**

the resolution from Essex requesting that when School Boards make a decision to close schools that they offer the building to the local municipality for a dollar be:

filed

endorsed

Carried / Defeated

A handwritten signature in black ink, appearing to be "John H. H.", written over a horizontal line.  
Mayor

February 27, 2018

Town of Essex  
33 Talbot Street South  
Essex, Ontario  
N8M 1A8

email: [rauger@essex.ca](mailto:rauger@essex.ca)

**Re: Offering School Property to Municipalities**

Please be advised that the Council of the Municipality of North Middlesex received your letter dated February 1, 2018 addressed to AMO and ROMA regarding the above noted matter, at their last regular meeting on February 21, 2018. As a result the following motion was approved:

***"MOTION #040/2018***

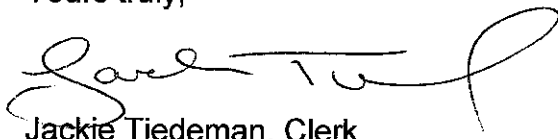
***MOIR/NICHOL:*** *That the Council of the Municipality of North Middlesex supports the motion from the Town of Essex as follows:*

*"That the Town of Essex send a request to the Association of Municipalities of Ontario (AMO), ROMA and all other municipalities in Ontario requesting that when school boards make decisions to close schools, that they have to offer the building to the local municipality for a dollar."*

**CARRIED"**

On behalf of Council thank you for the opportunity to provide support to such an important matter affecting small Ontario municipalities.

Yours truly,



Jackie Tiedeman, Clerk  
Municipality of North Middlesex



THE CORPORATION OF THE TOWN OF  
**LAURENTIAN HILLS**

34465 HIGHWAY NO. 17, POINT ALEXANDER, R. R. # 1, DEEP RIVER, ONTARIO K0J 1P0

File No. 03 -18  
26 February, 2018

Association of Municipalities of Ontario  
200 University Avenue, Suite 801  
Toronto, ON M5H 3C6

Dear Sir/Madam:

By their resolution attached the Council of the Town of Laurentian Hills does endorse the position of the Town of Essex requesting that when School Boards make the decision to close school buildings that the local Municipalities be offered these buildings for a dollar.

Yours truly,

A handwritten signature in blue ink that reads "Sherry Batten".

Sherry Batten  
Chief Administrative Officer/Clerk

Encl.

cc [amo@amo.on.ca](mailto:amo@amo.on.ca)  
Rural Ontario Municipal Association [roma@roma.on.ca](mailto:roma@roma.on.ca)  
Robert Auger, Clerk Town of Essex [rauger@essex.ca](mailto:rauger@essex.ca)



THE CORPORATION OF THE TOWN OF  
**LAURENTIAN HILLS**

34465 HIGHWAY NO. 17, POINT ALEXANDER, R.R. # 1, DEEP RIVER, ONTARIO K0J 1P0

Moved by:

A handwritten signature in black ink, appearing to be "John H. H.", written over a horizontal line.

Seconded by:

A handwritten signature in black ink, appearing to be "Anne Gaudin", written over a horizontal line.

Resolution No. 33 -18

Date: 21 February, 2018

**Be it Hereby Resolved That:**

the resolution from Essex requesting that when School Boards make a decision to close schools that they offer the building to the local municipality for a dollar be:

filed

endorsed

Carried / Defeated

A handwritten signature in black ink, appearing to be "John H. H.", written over a horizontal line.  
Mayor



MUNICIPALITY OF MARMORA AND LAKE  
P.O. Box 459, 12 Burstall Street, Marmora, ON, K0K 2M0  
PH. (613)472-2629 FAX (613)472-5330  
[www.marmoraandlake.ca](http://www.marmoraandlake.ca)

Clerk, Legal and Legislative Services  
Town of Essex  
33 Talbot Street South  
Essex, ON  
N8M 1A8

February 21, 2018

Re: Letter of Resolution, Offering School Property to Municipalities

At its Regular Meeting of Council on February 20, 2018 Council of the Corporation of the Municipality of Marmora and Lake passed the following motion:

MOTION2018FEB20-48

Moved by: L. Bracken

Seconded by: M. Stevens

That Council receive the correspondence for Information and support the resolution made by the Town of Essex.

Carried

Yours truly,

Tonia Bennett, CMO, Dipl. M.A.  
Municipal Clerk



## Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario POG 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

February 20, 2018

Association of Municipalities of Ontario (AMO)  
200 University Avenue, Suite 801  
Toronto, ON M5H 3C6

Rural Ontario Municipal Association  
200 University Avenue, suite 800  
Toronto, ON M5H 3C6

**Re: Offering School Property to Municipalities**

Dear Sir/Madam

Please be advised that the Council of the Township of McKellar, at its regular meeting on February 20, 2018 passed the following resolution in support of the Town of Essex resolution:

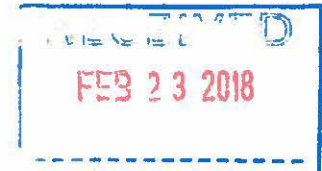
**18-52** That the Township of McKellar endorse the Town of Essex's resolution "requesting that when school boards make decisions to close schools, that they have to offer the building to the local municipality for a dollar."

Your consideration of Council's position in this matter is appreciated.

Yours truly,

Ina Watkinson  
Administrative/Treasury Assistant  
Township of McKellar

CC: Town of Essex





February 22, 2018

Association of Municipalities of Ontario (AMO)  
200 University Avenue, Suite 801  
Toronto, Ontario M5H 3C6

Rural Ontario Municipal Association  
200 University Avenue, suite 800  
Toronto, Ontario M5H 3C6

Robert Auger, Clerk, Legal and Legislative Services  
Town of Essex  
33 Talbot Street South  
Essex, Ontario N8M 1S8

Dear Sir/Madam:

**Re: Offering School Property to Municipalities**

The Council of the Township of North Huron at their regular meeting held February 20, 2018, adopted Resolution M85/18, advising that Council supports the resolution of the Town of Essex regarding Offering School Properties to Municipalities.

A copy of the Council Resolution has been enclosed for your information.

Should you have any questions or require additional information concerning this matter, I may be contacted at the Municipal Office.

Yours truly,

Richard Al, Clerk  
Township of North Huron

/b  
Encl.

P.O. Box 90, 274 Josephine Street, Wingham, Ontario N0G 2W0  
Phone: 519-357-3550 Fax: 519-357-1110

[www.northhuron.ca](http://www.northhuron.ca)



RELEVANT EXCERPT FROM THE MINUTES OF THE  
TOWNSHIP OF NORTH HURON COUNCIL MEETING  
HELD TUESDAY, FEBRUARY 20, 2018

Town of Essex - Offering School Properties to Municipalities

**M85/18**

**MOVED BY:** B. Vodden

**SECONDED BY:** B. Knott

*THAT the Council of the Township of North Huron hereby supports the resolution of the Town of Essex regarding Offering School Properties to Municipalities; AND FURTHER, that the Clerk is directed to send a letter of support to the Town of Essex, AMO and ROMA.*

**CARRIED**



# *The Corporation of the Town of Bruce Mines*

PO Box 220  
9126 Hwy. 17 East  
Bruce Mines ON P0R 1C0

MAYOR: LORY PATERI  
CLERK: DONNA BRUNKE

Phone: (705)785-3493  
Fax: (705)785-3170  
Email: [brucemines@bellnet.ca](mailto:brucemines@bellnet.ca)  
[www.brucemines.ca](http://www.brucemines.ca)

February 21, 2018

Town of Essex  
33 Talbot Street, South  
Essex ON N8M 1A8

**Attention: Robert Auger, L.L.B.**  
**Clerk, Legal and Legislative Services**

Dear Mr. Auger:

**RE: Offering School Property to Municipalities**

Please be advised that the following resolution was passed at our regular council meeting of February 20, 2018:

**RESOLUTION NUMBER: 2018-49**

**MOVED BY: HOWIE BOWES**

**SECONDED BY: MARIOLA MORIN**

**BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF BRUCE MINES SUPPORTS THE RESOLUTION OF THE TOWN OF ESSEX IN THEIR REQUEST TO AMO, ROMA AND ALL OTHER MUNICIPALITIES IN ONTARIO REQUESTING THAT WHEN SCHOOL BOARDS MAKE DECISIONS TO CLOSE SCHOOLS, THAT THEY HAVE TO OFFER THE BUILDING TO THE LOCAL MUNICIPALITY FOR A DOLLAR. CARRIED.**

Yours truly,  
CORPORATION OF THE TOWN OF BRUCE MINES

Jamie Hunter, AMCT  
EXECUTIVE ASSISTANT



Embracing the Future  
while Remembering our Past  
[www.stirling-rawdon.com](http://www.stirling-rawdon.com)



February 23, 2018

Town of Essex  
Attn: Robert Auger  
33 Talbot Street South  
Essex, ON N8M 1A8

Dear Mr. Auger:

**Re: Offering School Property to Municipalities**

At a meeting of the Council of the Township of Stirling-Rawdon held on February 20, 2018 the following resolution was made:

*"That Council acknowledge receipt of a letter from the Town of Essex seeking support for their resolution requesting that when school boards make decisions to close schools that they have to offer the building to the local municipality for a dollar*

*and further that Council support the said resolution." Carried.*

I trust that Council's support may be beneficial to your pursuit of this matter.

Yours truly,

Tawnya Donald  
Clerk

February 7, 2018

Robert Auger  
Town of Essex  
33 Talbot St S  
Essex ON  
N8M 1A8

Dear Robert,

On behalf of Parks and Recreation Ontario, it is my pleasure to congratulate the Town of Essex upon the successful renewal of your Accredited Organization status with HIGH FIVE®.

We commend your organization for the substantial effort made by staff to maintain the highest standard of quality in your programs for children aged 6 to 12. The Accreditation Verification Committee was impressed by the innovative programming and continuous improvement since the last Verification. It clearly shows a culture of quality that exists at all levels within your service delivery system.

Parks and Recreation Ontario values the leadership your department has shown by providing quality programs and positive experiences for children participating in recreation and sport.

Please accept my sincerest thanks for your commitment to healthy child development and for making quality children's programs a priority in your community. Your actions will inspire others to follow.

Most sincerely,



Bill Allen  
President  
Parks and Recreation Ontario



Parks and Recreation Ontario  
1 Concorde Gate, Suite 302, Toronto, ON M3C 3N6  
T 416.426.7142 F 416.426.7371 E [pro@prontario.org](mailto:pro@prontario.org)  
[www.prontario.org](http://www.prontario.org) [www.HIGHFIVE.org](http://www.HIGHFIVE.org)

**HIGH FIVE® A quality standard for children's sport and recreation**  
Founded by Parks and Recreation Ontario



**From:** OMBReview (MMA) [[mailto:CSC\\_OMBReview@ontario.ca](mailto:CSC_OMBReview@ontario.ca)]

**Sent:** Tuesday, February 27, 2018 11:03 AM

**To:** OMBReview (MMA) <[CSC\\_OMBReview@ontario.ca](mailto:CSC_OMBReview@ontario.ca)>

**Subject:** RE: Proclamation of the Building Better Communities and Conserving Watersheds Act, 2017 changes to the land use planning and appeal system

We are writing to provide an update on the *Building Better Communities and Conserving Watersheds Act, 2017*, which was passed by the Legislature on December 12, 2017.

## **In Effect Date**

The changes the Act makes to the land use planning and appeal system will come into effect on April 3, 2018, as specified by proclamation.

This includes changes to:

- establish the Local Planning Appeal Tribunal (the Tribunal) as the province-wide appeal body for land use planning matters;
- improve the hearing process at the Tribunal;
- establish the Local Planning Appeal Support Centre to provide legal and planning support services to eligible Ontarians for matters before the Tribunal;
- limit the Tribunal's ability to overturn municipal decisions that adhere to municipal official plans, provincial plans and the Provincial Policy Statement;
- give municipalities more control over local planning, resulting in fewer decisions being appealed; and
- shelter certain major planning decisions from appeal.

These changes are in response to the province-wide consultation undertaken as part of the [Ontario Municipal Board Review](#).

## **Regulations**

To facilitate implementation of the *Building Better Communities and Conserving Watersheds Act, 2017*, several new and amended regulations have been proposed.

Proposals for the regulations under the Act were posted on Ontario's Regulatory and Environmental Registries for a 45-day public consultation period from December 7, 2017 to January 21, 2018.

We anticipate providing you with an update on the proposed regulation changes and finalized approach to transition in the near future.

## **Questions**

If you have any questions about the changes to the land use planning and appeal system, please email [OMBReview@ontario.ca](mailto:OMBReview@ontario.ca).



Sincerely,

Laurie Miller, Director  
Provincial Planning Policy Branch  
Ministry of Municipal Affairs

Mariela Orellana, Director (Acting)  
Agency and Tribunal Relations Branch  
Ministry of the Attorney General

---

Vous trouverez ci-dessous des renseignements à jour sur la *Loi de 2017 visant à bâtir de meilleures collectivités et à protéger les bassins hydrographiques* qui a été adoptée par l'Assemblée législative le 12 décembre 2017.

### **Date d'entrée en vigueur**

Les changements apportés par la Loi au système d'aménagement du territoire et à son mécanisme d'appel entreront en vigueur le 3 avril 2018 comme le précise la proclamation.

Ces changements visent notamment à :

- établir le Tribunal d'appel de l'aménagement local (Tribunal) comme organisme d'appel provincial chargé de traiter des questions d'aménagement du territoire à l'échelon local;
- améliorer le processus d'audience du Tribunal;
- créer le Centre d'assistance pour les appels en matière d'aménagement local chargé de fournir aux Ontariens et Ontariennes admissibles des conseils juridiques et de l'aide en matière d'aménagement pour les questions dont est saisi le Tribunal;
- limiter la capacité du Tribunal d'annuler les décisions municipales qui se conforment aux plans officiels, aux plans provinciaux et à la Déclaration de principes provinciale;
- donner aux municipalités plus de pouvoir en matière d'aménagement local afin qu'un moins grand nombre de décisions fassent l'objet d'un appel;
- soustraire du processus d'appel certaines décisions importantes en matière d'aménagement.

Ces changements font suite à la consultation menée à l'échelle de la province dans le cadre de l'[Examen de la Commission des affaires municipales de l'Ontario](#).

### **Règlements**

Pour faciliter la mise en œuvre de la *Loi de 2017 visant à bâtir de meilleures collectivités et à protéger les bassins hydrographiques*, le gouvernement a prévu de prendre ou de modifier plusieurs règlements.

Les propositions visant les règlements pris en application de la Loi ont été affichées sur le Registre environnemental et le Registre de la réglementation de l'Ontario pendant

une période de consultation publique de 45 jours, du 7 décembre 2017 au 21 janvier 2018.

Nous devrions pouvoir vous fournir bientôt des précisions sur les règlements ainsi que l'approche sur le plan de transition adopté.

## Questions

Si vous avez des questions concernant les changements au système d'aménagement du territoire et à son mécanisme d'appel, veuillez envoyer un courriel à [OMBReview@ontario.ca](mailto:OMBReview@ontario.ca).

Veuillez agréer l'expression de nos sentiments distingués.

La directrice,

Laurie Miller  
Direction des politiques provinciales  
d'aménagement  
Ministère des Affaires municipales

La directrice (int.),

Mariela Orellana  
Direction des relations avec les  
organismes et les tribunaux  
Ministère du Procureur général

**Ministry of  
Municipal Affairs**

Provincial Planning Policy  
Branch  
777 Bay Street, 13<sup>th</sup> Floor  
Toronto ON M5G 2E5  
Tel. 416-585-6014  
Fax 416-585-6870

**Ministère des  
Affaires municipales**

Direction des politiques provinciales  
d'aménagement  
777, rue Bay, 13<sup>e</sup> étage  
Toronto ON M5G 2E5  
Tél. 416-585-6014  
Téléc. 416-585-6870



**Ministry of  
the Attorney General**

Agency and Tribunal Relations  
Division  
720 Bay St, 3<sup>rd</sup> Floor  
Toronto ON M7A 2S9  
Tel. 416-326-3723  
Fax 647-723-2051

**Ministère du  
Procureur général**

Direction des relations avec les  
organismes et les tribunaux  
720, rue Bay, 3<sup>e</sup> étage  
Toronto ON M7A 2S9  
Tél. 416-326-3723  
Téléc. 647-723-2051

**Date:** February 27, 2018

**Subject:** Proclamation of the *Building Better Communities and Conserving Watersheds Act, 2017* changes to the land use planning and appeal system

---

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These changes are in response to the province-wide consultation undertaken as part of the [Ontario Municipal Board Review](#).



## Regulations

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Proposals for the regulations under the Act were posted on Ontario's Regulatory and Environmental Registries for a 45-day public consultation period from December 7, 2017 to January 21, 2018.

We anticipate providing you with an update on the proposed regulation changes and finalized approach to transition in the near future.

## Questions

If you have any questions about the changes to the land use planning and appeal system, please email [OMBReview@ontario.ca](mailto:OMBReview@ontario.ca).

Sincerely,

Laurie Miller, Director  
Provincial Planning Policy Branch  
Ministry of Municipal Affairs

Mariela Orellana, Director (Acting)  
Agency and Tribunal Relations Branch  
Ministry of the Attorney General

RECEIVED

FEB 27 2018

February 16, 2018

Town of Essex  
Attention: Mr. Robert Auger, Clerk  
33 Talbot St. South  
Essex, ON  
N8M 1A8

**Sent By Email: [rauger@essex.ca](mailto:rauger@essex.ca)**

Dear Mr. Auger,

**Re: Essex County Council Resolution RE Essex County Library Reserve Funds**

At their regular meeting on February 7, 2018 Essex County Council considered a recommendation from the Essex County Library Board to approve requests from local municipalities to utilize some or all of their allocated portions of the reserve set aside in a library reserve fund. Council resolved as follows:

**24-2018****Moved By: Al Fazio****Seconded by: Marc Bondy**

That Essex County Council approve the recommendation of the Essex County Library Board as follows:

- Support the transfer of \$92,396 to the Town of Amherstburg for the remediation and repair of the Amherstburg Branch, 232 Sandwich Street South, Amherstburg.
- Support the transfer of \$75,013 to the Town of Essex for the planned roofing, canopy and HVAC unit replacements at the Essex Branch, 35 Gosfield Townline, Essex.
- Support the transfer of \$40,000 to the Town of Kingsville for the accessibility improvements to the Kingsville – Highline Branch, 40 Main Street West, Kingsville; and the installation of windows and doors at the Ruthven Branch, 1695 Elgin Street, Ruthven.
- Support the transfer of \$32,000 to the Town of Lakeshore for the installation of cement walkways at both the Toldo Branch, 447 Renaud Line, Belle River, and the Stoney Point Branch, 6690 Tecumseh Road, Stoney Point.
- Support the transfer of \$98,951 to the Municipality of Leamington for the 2018 renovation project to the Leamington Branch, 1 John Street, Leamington. **Carried**

February 15, 2018

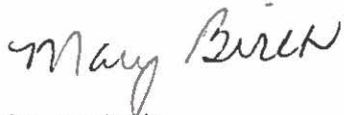
---

Council has further requested that upon completion of the projects, municipalities forward a letter to County Council advising them of the project completion, confirming how the allocated library reserve funds were used.

Enclosed please find the cheque for the requested allocation from your municipality.

If you have any questions or concerns regarding the noted resolution, please feel free to contact this office.

Regards,



Mary Birch

Director of Council and Community Services / Clerk

Encl.

CC: Robin Greenall, Essex County Library - [rgreenall@essexcountylibrary.ca](mailto:rgreenall@essexcountylibrary.ca)

**From:** [Tracey.Ramsey.C1@parl.gc.ca](mailto:Tracey.Ramsey.C1@parl.gc.ca) [<mailto:Tracey.Ramsey.C1@parl.gc.ca>]

**Sent:** Monday, February 26, 2018 3:53 PM

**To:** Moroz, Lynn <[LMoroz@essex.ca](mailto:LMoroz@essex.ca)>; Auger, Robert <[rauger@essex.ca](mailto:rauger@essex.ca)>; Hunter, Donna <[dhunter@essex.ca](mailto:dhunter@essex.ca)>

**Subject:** Federal Action on Conservation of Heritage Properties.

Good Day,

Please find attached a letter that MP Ramsey sent to Minister McKenna regarding the support for Federal Action on Conservation of Heritage Properties.

We would really appreciate it if the letter can be shared with **all Members of Council**.

Regards,



Nadine Abi Raad

Constituency and Outreach Assistant | Assistante de Circonscription et Relations communautaires

Office of Tracey Ramsey, MP for Essex | Bureau de Tracey Ramsey, députée fédérale d'Essex

NDP International Trade Critic | Porte-Parole de Commerce international de NPD

316 Talbot Street N, Unit 6  
Essex, ON N8M 2E1  
(tel): 519-776-4700  
(fax): 519-776-1383

UFCW Local 232 / TUAC 232





HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

*Tracey Ramsey*  
Member of Parliament  
Essex

February 22, 2018

Honourable Catherine McKenna,  
Minister of Environment and Climate Change  
200 Sacre-Coeur; 2<sup>nd</sup> Floor  
Building Fontaine  
Gatineau, QC K1A 0H3

RE: Support for Federal Action on Conservation of Heritage Properties

Dear Minister McKenna,

On the 13<sup>th</sup> of February, I received a copy of a letter addressed to you from the Town of Essex, offering their support for the recommendations made in report 10 from the House of Commons Standing Committee on Environment and Sustainable Development. I would like to take this opportunity to echo the wishes of the Town of Essex, offer my support to the initiative taken in this report and urge that action is taken for the preservation of Canada's heritage.

For the Town of Essex, their support for report 10 cannot be timelier because in our community, this week is Heritage Week. This is an annual celebration focuses upon Essex's heritage in all its forms, and recognizes the people who work to protect and preserve it. The theme that was chosen for this year was "Heritage Stands the Test of Time." It is in this year's theme that the Town of Essex put into words the spirit of the recommendations made by the Committee on Environment and Sustainable Development.

In the context of Essex, many historical projects are seen to be very important to a community's local identity; in addition to adding to the larger part of Canadian heritage and history. Essex hosted a community event featuring guest speaker, Bill Brundage, who spoke about the importance of the restoration of the Bois Blanc or Boblo Island Blockhouse. Built in 1839, this building was constructed to defend Canada against American sympathizers just after the War of 1812. Through the tireless hard work of Mr. Brundage and dedicated volunteers, much of the Blockhouse – once on the verge of collapse- has been restored.

The Town of Essex has worked hard to preserve important cemeteries that hold the history of the region. For example, the British Methodist Episcopal Cemetery, the final resting place from those fleeing slavery along the Underground Railroad. This cemetery holds a key piece of the region's history,

*Parliamentary Office*

Room 910, Justice Building  
Ottawa, Ontario  
K1A 0A6  
Tel: 613-992-1812

Tracey.Ramsey@parl.gc.ca

*Constituency Office*

316 Talbot Street North, Unit 6  
Essex, ON N8M 2E1  
Tel: 519-776-4700  
Fax: 519-776-1383

Tollfree: 1-866-776-5333  
www.traceyramsey.ca

including such prominent people as Delos Rogest Davis, the second Black lawyer in Canada, and the first Black person appointed as King's Council in the British Empire. The Town of Essex's recognition of this cemetery and five others in the area is a prime example of the different types of places that need report 10 to be implemented.

Across Essex and Canada there are heritage sites that need federal action in order to ensure their preservation. Within the report, there are specific recommendations that make it easier areas of cultural heritage to be protected. I would like to highlight just a few of these.

Recommendation 11 recommends that the federal government establish a tax credit for the restoration and preservation of buildings listed on the Canadian Register of Historic Places. This would make it easier for sites such as Belle Vue Historical Site in Amherstburg, Ontario to receive funding for its restoration. In 2009, this place was put on the Top Ten Endangered Places List by Heritage Canada Foundation, and is only still standing due to dedication of lovers of architecture, local advocates, and the work of the Town of Amherstburg. Places like this need federal assistance to preserve their contributions to our heritage.

Recommendation 14 recommends that the Canadian Government adopt an initiative that would encourage public and private investment in commercial historic buildings in rural areas and small cities as a catalyst for community sustainability and economic development. I believe that this would be hugely influential for towns such as Essex

Canadians take their heritage seriously, and the preservation of local history is integral to making that identity both communal and lasting. The Town of Essex and their Heritage Committee has done an amazing job with the preservation of their culturally important historical sites. However, not all of our towns and communities have been as successful as Essex.

We need to move on federal protections for our heritage and the Blockhouses and cemeteries that represent it. Canada is the only G7 country that does not have a national legislation to protect historic places and archeological resources. According to the Canadian Register, over 20% of Canada's historic buildings have already been demolished. The preservation of the Canadian identity, in all its unique forms across this country, should be a national priority.

Therefore, I offer my support for moving forward on and discussing the recommendations made in report 10, and commend the Town of Essex for extending their support for this initiative. Through these recommendations, we can take the steps need to create a heritage that does truly, stand the test of time.

Sincerely,

A handwritten signature in black ink that reads "Tracey Ramsey". The script is cursive and fluid, with the first name "Tracey" and last name "Ramsey" clearly legible.

Tracey Ramsey,  
Member of Parliament, Essex

## Erie St. Clair Local Health Integration Network (LHIN)

### Open Board Meeting

**Wednesday, February 28, 2018**

1:00 pm

ESC LHIN  
Lake Erie Boardroom  
180 Riverview Drive, Chatham, ON

### A G E N D A

TIMING	ITEM	TOPIC	PRESENTER/ DISCUSSANT	OUTCOME REQUIRED		
				I	D	M/R
1:00 pm	1	Call to Order	Martin Girash			
	2	Approval of the Agenda	Martin Girash		✓	✓
	3	Declaration of Conflict of Interest	All		✓	
~ 1:05 pm	4	OPEN MIC (PATIENT EXPERIENCE -VIDEO /STORY)				
~ 1:25 pm	5	REPORT				
		5.1 Board Chair	Martin Girash	✓	✓	✓
~ 1:40 pm	6	PRESENTATION				
		6.1 Hospital Service Accountability Agreements (H-SAAs) 6.1.1 OHA Webcast Presentation - New HSAA (Feb. 15.18)	Ralph Ganter / Dereck Cyrus / Jean-François Gauthier			
~ 2:10 pm	7	NEW BUSINESS				
		7.1 Hospital Service Accountability Agreements (H-SAAs) 7.1.1 PAN-LHIN Briefing Note – HSAAs 2018-19 7.1.2 OHA Summary of New Features – HSAAs 2018-20 7.1.3 HSAA Template (Version 5) – 2018-19	Ralph Ganter	✓	✓	✓
~ 2:25 pm	8	FUNDING				
		8.1 Erie Shore HealthCare 8.1.1 Funding Allocation – Extraordinary Pressures	Ralph Ganter	✓	✓	✓
...2						

~2:35 pm	<b>9</b>	<b>COMMITTEE / COUNCIL RECOMMENDATIONS (STANDING ITEM)</b>			
<i>If Comm. Mtg. in February 2018</i>		<b>9.1 CEO Performance Evaluation &amp; Compensation Committee</b> 9.1.1 Recommendations – Committee 9.1.1.1	Lindsay Boyd	✓	✓
~2:40 pm	<b>10</b>	<b>COMMITTEE / COUNCIL RECOMMENDATIONS (STANDING ITEM)</b>			
<i>If Comm. Mtg. in February 2018</i>		<b>10.1 Finance &amp; Audit Committee</b> 10.1.1 Recommendations – Committee 10.1.1.1	Lindsay Boyd (Acting Comm. Chair)	✓	✓
~2:45 pm	<b>11</b>	<b>COMMITTEE / COUNCIL RECOMMENDATIONS (STANDING ITEM)</b>			
<i>If Comm. Mtg. in February 2018</i>		<b>11.1 Governance &amp; Nominating Committee</b> 11.1.1 Recommendations – Committee 11.1.1.1	Sheila MacKinnon	✓	✓
~2:50 pm	<b>12</b>	<b>COMMITTEE / COUNCIL RECOMMENDATIONS (STANDING ITEM)</b>			
<i>If Comm. Mtg. in February 2018</i>		<b>12.1 Quality Committee</b> 12.1.1 Recommendations – Committee 12.1.1.1	Sharon Pillon	✓	✓
~2:55 pm	<b>13</b>	<b>BY CONSENT</b>			
		<b>13.1 Approval – Open Board Meeting Minutes</b> 13.1.1 Open Board Meeting – January 24, 2018	Martin Girash		✓
~ 3:00 pm	<b>14</b>	<b>REPORT</b>			
		<b>14.1 Chief Executive Officer</b>	Ralph Ganter	✓	✓
~ 3:10 pm	<b>15</b>	<b>Action Items – Review Status &amp; Update New Items</b>			
			Ruth Augi	✓	✓
~ 3:15 pm	<b>16</b>	<b>ADJOURNMENT</b>			
		<b>16.1 Adjourn to In Camera Session</b>	Martin Girash		✓
		<b>16.2 Reconvene Open Board Meeting</b>	Martin Girash		✓
	<b>17</b>	<b>ADJOURNMENT</b>			
			Martin Girash		

**Legend:** I (Information) / D (Discussion) / M/R (Motion / Resolution)

*We strive to make the ESC LHIN office a scent-safe work environment*





## Report to Council

Board/Committee: Essex Centre BIA

Date: March 5, 2018

Prepared by: Sylene Argent, Essex Centre BIA Coordinator

Subject: Essex Centre BIA 2017 Highlights

Number of Pages: 5

### **Recommendation(s)/Conclusion(s)**

It is recommended the report "Essex Centre BIA 2017 Highlights" be received for information.

### **Purpose**

To provide Council with a summary of the events, projects, and programs the Essex Centre BIA hosted or sponsored in 2017, in addition to outlining changes in the Essex Centre BIA business directory.

### **Background**

The Essex Centre Business Improvement Area (BIA) is a volunteer Board of Management for the business core of Essex Centre. There are currently eight volunteer members on the Board and an Essex Council rep, including: Ann Pittao, Vice-Chairperson (Stepping Out); Richard Banwell, Treasurer (Erika Banwell Professional Corporation); Mary-Anne Bjorkman, Director (Golden Girls Fashion); Liz Semperger, Director (Essex Stained Glass); Pauline Gemmell, Director (Essex County Nurse Practitioner-Led Clinic); Dr. Mark Belisle, Director (Essex Chiropractic, Rehabilitation & Massage); Liz Engert, Director (local Real Estate Broker); Shelly Anne Hodare, Director (Employment Assessment Centre); and Ron McDermott, Director and Council Liaison (Mayor of Essex).

The Essex Centre BIA has one part-time paid employee, who took on the position of Coordinator in November of 2015.

2017 was a busy, and successful, year for the Essex Centre BIA. The Board on Management hosted an array of events for the community to enjoy. The BIA's mandate is to promote Essex Centre, attracting visitors, shoppers, and service-users to the downtown business core, and improve the physical environment of the business corridor.

### **Events:**

***Spring Cleanup:*** On Saturday, May 6, the Essex Centre BIA was pleased to provide lunch to the volunteers who kindly participated in Essex Centre portion of the Town's 3rd

Annual Community Spring Cleanup. They were treated to soup, sandwiches, and sweets at the Essex Railway Station in recognition of their participation.

**Classic Car Show:** The 20th Annual Classic Car Show & Side Walk Sales took place on July 8, 2017. As is tradition, the event took place over the Fun Fest Weekend, following the Saturday afternoon parade.

As this was a special anniversary event, the BIA entered the around 300 event participants into a raffle for a chance to win a two-hour chauffeured cruise in a '39 Packard and a \$200 gift card for Divino Trattoria, and each were given a free Essex Centre BIA promotional pen. Event attendees had an opportunity to win one of two prizes of \$150 worth of vouchers for the 2017 Essex Centre Downtown Dollar\$ program. Dash plaques also showcased a Canada Day theme.

**Street Party:** On the evening of Friday, September 29, The Essex Centre BIA hosted the very first "Fall in Love with Our Local Street Party." The BIA, after hearing from its membership the desire to further engage the community in a fun and interactive manner, hosted this first annual event on Talbot Street. It offered live music entertainment from the Rio Michael's Trio, sidewalk sales, and two large festival tents featuring around 20 of our local businesses. A few businesses also took to the streets to hand out goodie bags or coupons.

A Business Scavenger Hunt offered a list of ten clues, each directing participants into local businesses. Completed submissions were entered into a draw for a chance to win \$200, \$150, and \$100 worth of vouchers for the 2017 Essex Centre Downtown Dollar\$ program. Patrons were able to vote on best display at the event, which was recognized at the Essex Centre Business Excellence Awards.

**Excellence Awards:** On the evening of Friday, October 13, the Essex Centre BIA and the Rotary Club of Essex co-hosted the Essex Centre Business Excellence Awards inside the basement of Essex United Church.

Thanks to nominations from the community, and selection through a panel of volunteer judges, ten businesses were recognized for their outstanding effort: Best Interior Renovation, Essex Guardian Pharmacy; Best Exterior Renovation, A-1 Chinese Restaurant; Service Expansion of the Year, Story Book Early Learning Centre; Rotary's Four Way Test, Brady's Drug Store; Best Year-Round Window Display, Essex Flower Basket; Outstanding Beautification/Landscaping, Kennedy Funeral Home; Community "Service Above Self" for a Business Chain, Canadian Tire; Community "Service Above Self" for an Independent Business, A-1 Chinese Restaurant; Outstanding New Business, Sunsations Tanning and Resort Wear; Best Display at the "Fall in Love with Our Local Street Party," Essex Party & Discount.

The BIA offered eight \$50 vouchers for the 2017 Essex Centre Downtown Dollars program as door prizes. Nearly 70 individuals attended this celebratory event. The BIA also paid half the ticket cost for each attendee to make the event affordable and sponsored the event with an additional \$3000.

**Tiny Tot Parade:** On Tuesday, October 31, the BIA, with help from several local businesses and some EDHS students, handed out candy along Talbot Street during the annual Essex Centre BIA Tiny Tot Trick-or-Treat Parade. Well over 200 youngsters participated, dressed in their costumes.

**Tree Lighting:** On Friday, November 24, The Essex Centre BIA teamed up with the Essex Salvation Army to host the annual Essex Centre Tree Lighting and Kettle Campaign Kick Off event on the front lawn of the Essex Municipal Building. The event featured live music from The Essex Public School Band and the Salvation Army South Windsor Band, as well as free hot dogs, hot chocolate, and horse-drawn carriage rides.

**Santa Parade:** On the evening of Saturday, December 9, The Essex Centre BIA sponsored the Essex Centre Santa Claus Parade, which the Windsor Parade Corps hosted. The 2017 theme was "A Canadian Red and White Coloured Christmas." It featured many floats and marching bands. Before the parade, the Essex Centre BIA also sponsored a meet and greet with Santa and his Missus at Essex United Church.

## **Projects:**

**Pavilion:** In 2014, the Essex Centre BIA approached Council to note it would put \$150,000 into the Essex Centre Pavilion project. The Town of Essex further agreed to put \$100,000 into the project that was highlighted as needed through the 2014 Stempski, Kelly Associates' Essex Centre Streetscape & Silo District Plan.

Over the next two years, the BIA would work with Town staff and engineers to choose the design, stone work, timber styles, and all materials that will be used for construction. Visible timber rafters were ultimately chosen, as opposed to steel, so the pavilion would mimic a train platform, which added time to the design phase.

At the November 6, regular Council meeting, Council approved site plan approval for the Essex Centre Pavilion. Nine contractors attended a site-meeting, following the official issuance of the RFT for supply and install. Proposals were accepted until November 15. A total of six tenders were received.

At the December 18 meeting, Essex Council awarded the request for tender for the construction of the Essex Centre BIA Pavilion to Goodreau Sawmill Inc. in the amount of \$319,564.

Council further moved to put an additional \$12,800 into the project from the 2017 Heritage Park capital project as the pavilion will be one of the focal points for the Heritage Park. And, the BIA decided to forward an additional \$25,000.

It is hoped a spring build will take place.

**Parkette:** In July, the Essex Centre BIA Board members implemented elements into the new Essex Centre BIA Parkette, located adjacent to Deluxe Restaurant. The Essex Centre BIA installed two shade sails, two chess tables, planters, and signage into the parkette to date. The shrubbery was recently decorated for the Christmas season as well. We are working with the ACT Committee to look into installing murals in the green space.

**Marketing Flyer:** In the first quarter of 2017, the Essex Centre BIA created and distributed to various tourism and information kiosks, through Daytripping Magazine, a marketing flyer, highlighting the business core and historical components in an attempt to attract visitors and businesses to the area.

**Canadian Flags:** In Celebration of Canada Day, the Essex Centre BIA distributed Canadian flags for businesses to hang up in their windows.

**Bench Report:** In the early part of 2017, the Essex Centre BIA wrote a letter to Essex Council and administration in hopes of upgrading and adding more benches in the downtown corridor. The letter was written as a result of hearing concerns from the business community. As a result, six benches were installed.

**Website Workshop:** On Thursday, November 16, the Essex Centre BIA hosted an essexbia.com website workshops with Webmaster Daryl Driedger of Cowlick Studios. The Board also voted in November to have Cowlick Studios upgrade the current website in the early part of 2018.

## **Programs:**

**More Windsor:** As a way to engage potential shoppers and visitors outside of the regional catch-basin, the Essex Centre BIA took part in the More Windsor campaign, which was developed, in its inaugural year in 2017, to attract Americans and those outside of the region into the Windsor-Essex County area. This was a regional BIA/Chamber collaborative project.

**Downtown Dollar\$:** From November 14-24, Essex Centre Downtown Dollar\$ were made available for purchase at the Essex Branch of the RBC. Patrons were able to purchase \$10 voucher at a 15 percent discount, with the Essex Centre BIA covering the cost difference, to promote shopping locally around the holiday season. Patrons were asked to abide by a \$250 voucher purchase max, and businesses were asked to abide by a \$250 voucher max per transaction.

This was the second year the BIA has offered this program. In 2016, the BIA printed \$25,000 worth of vouchers, of which \$22,600 was sold. Due to the success of the program, the BIA increased the total number of vouchers available to the value of \$40,000 in 2017. \$36,940 worth of vouchers were sold.

Patrons could use the Essex Centre Downtown Dollar at the 54 participating businesses until January 31, 2018. Businesses had until Friday, February 9 to hand in vouchers submitted to them to the Essex RBC in exchange for the full cash value.

The BIA continues to review the program to ensure it is as beneficial for all participating businesses as possible.

### **Changes to the business district**

In latter part of 2016 and in 2017, there were many changes in the business corridor of Essex Centre.

#### **Moves:**

Sunsations Tanning and Resort Wear rebranded and moved to 46 Talbot Street N. Massage Therapist Nicole Kennedy moved in to share space within Essex Community Services. Farm Credit Canada moved into one of the units in the new facility located at 319 Talbot Street North. Bright Yoga is now located at 70B Talbot Street North. Story Book Early Learning Centre moved its operation to the former Sun Parlour Junior Public School. Sewcraft Quilting Fabrics and More moved to 41 Talbot Street North, then to 39 Talbot Street North, and rebranded to be named The Sewing Shoppe. Eh Little Bit has move down the road to 10 Talbot Street South.

#### **New to Town:**

Essex Family Dental, Big Dog Vapory, Talbot Massage Therapy, Tricon Electrical Contractor & Heating/Cooling, Shaggy Chic Pet Grooming, Collins Barrow, Yummy's Restaurant, Sales Rep Stephanie Winger and Broker Liz Engert, Olde School Deli & Café. Dr. D's Gastro Brew House took over 19 Laird Avenue in the spring, this facility was later taken over by Brenko's House of Pizza.

### **Financial Impact**

The Essex Centre BIA is funded through the Essex Centre commercial tax levy.

### **Link to Strategic Priorities**

This report is linked to the following Strategic Priority:

- Enhance communication between the Essex Centre BIA and the members of Essex Council and administration.

**THE UNION WATER SUPPLY SYSTEM**  
**JOINT BOARD OF MANAGEMENT**  
**MINUTES OF MEETING**  
**HELD DECEMBER 20, 2017 AT 9 AM**  
**IN KINGSVILLE COMMUNITY ROOM - KINGSVILLE ARENA**

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**Members Present:** Deputy Mayor MacDonald (Chair); Mayor Paterson, Councillors Jacobs, Verbeke - Leamington  
Mayor Nelson Santos (Vice-Chair); Councillors Gaffan, Neufeld, Patterson - Kingsville

**Members Absent:** Councillors Dunn and Hammond - Leamington  
Mayor McDermott - Essex  
Councillor Diemer - Lakeshore

**Staff Present:** John Kehoe - Leamington

**OCWA Staff Present:** Susan Budden, Dave Jubenville  
Dale Dillen, Ken Penney, Marco Albano (LSW)

**Call to Order:** 9:07 am

**Disclosures of Pecuniary Interest:** none

**Adoption of Council Minutes:**

**No. UW-57-17**

**Moved by:** Councillor Patterson

**Seconded by:** Councillor Jacobs

That Minutes of the UWSS Joint Board of Management meeting of October 18, 2017 be received.

Carried

**Business Arising Out of the Minutes:**

There was none.

**Report UW/31/17 dated December 15, 2017 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to December 15, 2017**

The Manager indicates that it has been a few months since the last UWSS meeting and as such many projects have been completed. He reviews those items including the installation of Low Lift Pump #2. However, upon inspection it was noted that there was a vibration in the new pump that was cause for some concern. The engineers will return to the site in January to evaluate.

The Manager notes that the old mechanical billing meters have all been replaced, with magnetic flow meters. Now communications between them and the Ruthven WTP can be completed and therefore the data will be available right at the WTP rather than sending employees out into the system to read them.

The temporary coagulant being used over the summer and late fall, Hyperion, to address high aluminum residuals in the treated water has now been switched back to the regular coagulant DelPac 2020. This was completed because of the decrease in the raw water temperature and pH which would allow the use of the regular coagulant without increasing aluminum results. He further explains that the aluminum residuals have been in the proper range since the switch.

An ongoing project throughout the year has been the removal of microstrainer #1 and installing an engineered floor over the large hole in the floor left by this equipment removal. The floor enclosure has now been completed and will provide staff with more space for potential lab and storage.

The Manager notes that annual maintenance on Clarifiers #1, #2 and #4 has been completed. Also there was an attempted break in at the Albuna Water Tower site during the weekend of November 11<sup>th</sup>-12<sup>th</sup>, 2017. The fence was pulled back and the handle on the door was ripped off. He noted that there is potential for injuries and therefore cameras have been installed at the Albuna Water Tower for security purposes/.

The MOECC inspections for both Kingsville and Leamington have been received, with Leamington receiving 100% and Kingsville receiving a 97.52%. Kingsville's result was not a reflection the quality of water.

The Manager then speaks on the SCADA replacement project. He notes that the three (3) proposals were received prior to the deadline. He reminds members that the budget was \$1.2 million. The lowest bid received was \$603,000 and the highest bid was \$1.7 million. He then confirms that an evaluation regarding the technical aspect of the proposals should be completed by January and results will be available for the next meeting.

He then discusses the pH Adjustment project and confirms that an updated report was received in late November. He confirms that staff are reviewing and evaluating options presented in the report. However, construction of a CO2 pH raw water adjustment system has been included in the proposed 2018 Capital Budget with a budget of \$950,000. This project is to improve the coagulant function and address the aluminum residual issue.

The Manager then reviews the flows for the year noting that they are down slightly from last year but well above budgeted flows for 2017.

The Board asks for a further explanation regarding the changeover of the coagulant. They are curious as to whether the change is seamless or are there noticeable affects? The Manager explains that everything is seamless and the change really depends on the temperature of the water. Once the raw water reaches a certain level then the change can occur with little or minimal affect.

#### **No. UW-58-17**

Moved by: Larry Verbeke

Seconded by: Mayor Santos

That report UW/31/17 dated December 15, 2017 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to December 15, 2017 is received.

Carried (UW/31/17)

#### **Report UW/32/17 dated December 8, 2017 re: Proposed 2018 UWSS Operations and Capital Budget**

The Manager reviews his report for the proposed 2018 UWSS Budget. He reviews the report highlights, revenues and other figures, such as reserve income and investments. He reminds members that in 2017 the UWSS transferred \$10 million into a GIC with the WFCU earning 2.55% and the remainder of the funds are sitting in a bank account earning 1.95%, which is still earning more than they had been previously.

He then reviews the UWSS expenditures and notes that there is an anticipated surplus of \$1.926 million, however, this is due to several large capital projects that were delayed and will be implemented in 2018.

The Manager does indicate that the capital program is robust for 2018 coming in at \$3.925 million, however this includes two (2) very large projects, which were not completed in 2017 (the Essex Water Tower rehabilitation and the SCADA system upgrade). He reminds members that this information has been brought to their attention earlier in 2017.

There is then a brief discussion regarding the reserves and how much money will be taken from them in order to cover some of the projects. The Manager indicates that yes there will be some monies taken from the reserves, however he is anticipating returning some of the monies through surplus revenues.

The Manager also informs members that looking into the 6 Year Capital Plan they will note that those years will be capital heavy. Councillor Patterson again notes that the watermain from Ruthven to Cottam is in need of replacement as it is prone to leaking and supports this being a priority. He asks if there is any funding that is available for this project. The Manager reminds members that with the UWSS structured the way it is there is no government funding available. Perhaps with the possible restructuring UWSS will qualify for some of the funding that is out there.



The Manager then answers questions regarding specific things. For example there is a question regarding the budget item for kitchen renovations. He notes that right now the kitchen is very small, which gets very crowded as everyone eats at the same time. It was built in 1960 so it is very old. He is hoping to make better use of a different space and turn the current kitchen into storage/lab area.

There is a question regarding the operations contract assessment. The Manager reminds members of the board that the OCWA Operating Contract is due to expire at the end of 2018. He feels it is everyone's interest to have a review to ensure that UWSS is receiving the best approach. Once that happens then negotiations can begin. There is a brief discussion regarding the length of the OCWA contract, which currently sits at five (5) years, with the option to extend.

The members note there is no money for restructuring. The Manager explains that he is still awaiting comments from the member municipalities and they have committed to mid-January 2018 for those responses. Once a decision has been made on whether to move forward (by the municipalities) then a report on next steps for restructuring, including costs, will be brought forth to the UWSS Board for approval.

#### **No. UW-59-17**

Moved by: Councillor Patterson

Seconded by: Councillor Jacobs

That the Union Water Supply System Joint Board of Management (UWSS Board) adopts the Draft 2018 Operational and Capital Budget for the Union Water Supply System;

And further, that the UWSS Board endorses an increase of \$0.05 per thousand gallons (\$0.0109 per cubic metre) for UWSS wholesale Rate 1 from \$2.72 per thousand gallons (\$0.5978 per cubic metre) to \$2.77 per thousand gallons (\$0.6088 per cubic metre) to be put into effect on April 1, 2018.

Carried (UW/32/17)

#### **Dates for the Union Water Supply System Joint Board of Management 2018 meetings**

The dates provided are for information purposes.

#### **Report UW/33/17 dated December 15, 2017 re: Payments from October 13 to December 15, 2017**

#### **No. UW-60-17**

Moved by: Mayor Paterson

Seconded by: Councillor Gaffan

That report UW/33/17 dated December 15, 2017 re: Payments from October 13 to December 15, 2017 are received.

Carried (UW/33/17)

## **Adjournment**

**No. UW-61-17**

Moved by: Councillor Neufeld

Seconded by: Councillor Gaffan

That the meeting adjourn at 9:39 am

Carried

**Date of Next Meeting:** Wednesday, January 17, 2018 at 9:00 am in the Community Room of the Kingsville Arena

/kmj



**Ontario Clean Water Agency**  
**Agence Ontarienne Des Eaux**

405 Clitherow Street  
P.O. Box 909  
Harrow, ON N0R 1G0  
Tel: (519) 738-3038  
Fax: (519) 738-3993  
whiggins@ocwa.com

February 20, 2018

Mr. Andy Graf  
Manager, Environmental Services  
Town of Essex  
120 Sinasac St.  
P.O. Box 359  
Harrow, ON N0R 1G0

Dear Mr. Graf:

**Re: Safe Drinking Water Act, O. Reg. 170/03 Schedule 22 Summary Report**

Attached is the 2017 Summary Report for the Harrow-Colchester South Water Treatment Plant. This report has been completed based on the information obtained from the water treatment plant records and in accordance with Schedule 22 of O. Reg. 170/03, under the Safe Drinking Water Act, which requires a Summary Report to be prepared not later than March 31<sup>st</sup> of each year for the preceding calendar year. This report covers the period of January 1 to December 31, 2017.

Please remember that any Orders that you have received directly from the MOE should be reviewed. Where non-compliance with the Order is evident and it is not included in the attached 2017 Summary Report, then we recommend that this information be added to the Summary Report. Note: Schedule 22-2 (a) specifies that the summary report is given to, in the case of a drinking water system owned by a municipality, the members of the municipal council for the Town of Essex, and is not intended for distribution to the Ministry of the Environment.

After your review and inclusion of any additional information, these Summary Reports are to be provided to the members of the municipal council. Please ensure this distribution.

Section 12 of O. Reg. 170/03, requires the Summary Reports be made available for inspection by any member of the public during normal business hours without charge. The reports should also be made available for inspection at the office of the municipality or at a location that is reasonably convenient to the users of the water system.

Sincerely,

Warren Higgins  
Process & Compliance Tech.  
Ontario Clean Water Agency

cc: Chris Nepszy, Director of Infrastructure and Development, Town of Essex  
Karen Burgess, Senior Operations Manager, OCWA



**Ontario Clean Water Agency**  
**Agence Ontarienne Des Eaux**

**Annual Summary Report**

**Harrow-Colchester South Water Treatment Plant**

**2017**

**Prepared for: The Corporation of the Town of Essex**

**By: Warren Higgins**  
**Ontario Clean Water Agency**

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## **SECTION 1**

### **Compliance with the Safe Drinking Water Act and Regulation 170/03**

This report is a summary of water quality information for the Harrow-Colchester South Water Treatment Plant and published in accordance with Schedule 22 of Ontario's Safe Drinking Water Act, Ontario Regulation 170/03 for the reporting period of January 1, 2017 to December 31, 2017. The Harrow-Colchester South Water Treatment Plant is categorized as a Large Municipal Residential Drinking Water System.

This report was prepared by the Ontario Clean Water Agency on behalf of the Town of Essex.

### **Compliance with the Municipal Drinking Water License 029-101**

The Harrow-Colchester South Water Treatment Plant was operated and maintained in such a manner that the water supplied to the consumers serviced by the system satisfied all the requirements in the Safe Drinking Water Act, the Regulations and the MDWL 029-101.

## **SECTION 2**

### **Non-Compliance with the Safe Drinking Water Act, Regulation 170/03 and MDWL & DWWP**

<b>Incident Date</b>	<b>Parameter</b>	<b>Result</b>	<b>Unit of Measure</b>	<b>Corrective Action</b>	<b>Notice of Resolution</b>
January 31, 2017	Microbiological	Lab reported one Total Coliform	N/A	Ministry of Health required resampling - one upstream and one downstream, and again 24 hours later. All resample results were negative.	Feb 03, 2017
March 7, 2017	Physical/ Chemical	PLC maintenance resulted in the Alum pumps not feeding.	N/A	Alum pumps were returned to service and filter effluent turbidity's were monitored for breakthrough. No breakthrough was observed.	March 7, 2017
August 2, 2017	Physical/ Chemical	It was identified in the annual MOECC Inspection that since June 25, 2015 there have been three instances of significant coagulant loss. As per O. Reg. 170/03, s. 1-2(2). The owner of a drinking water system and the operating authority for the system shall ensure the following: 3. The water treatment equipment required by section 1-3 or 1-4 is	N/A	A flow sensor device was installed on the coagulant feed system that alarms to Security One which then notifies an operator when no flow is detected.	December 01, 2017

		operated in a manner that achieves the design capabilities it is required to have under that section. To meet the disinfection credits, the filtration process must use a chemical coagulant at all times when the treatment plant is in operation.			
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### **SECTION 3**

#### **Summary and discussion of quantity of water supplied**

In accordance with Schedule 22-2 (3) *"the report must also include the following information for the purpose of enabling the owner of the system to assess the capability of the system to meet existing and planned uses of the system."*

1. *A summary of the quantities and flow rates of the water supplied during the period covered by the report, including monthly average and maximum daily flows and daily instantaneous peak flow rate.*
2. *A comparison of the summary referred to in paragraph 1 to the rated capacity and flow rates approved in the system's approval must be discussed.*

The rated capacity specified in the Municipal Drinking Water License 029-101 for the Harrow-Colchester South Water Treatment Plant is 10,228 m<sup>3</sup>/day. The maximum daily flow for the reporting period was 5,086 m<sup>3</sup>/day on June 17, 2017.

The Permit to Take Water (Number 4088-9KDN6D) states the maximum amount of water taken is 21,154 L/min and 30,458,000 L/day. The maximum amount of water flow taken in 2017 was 5,940 L/min on June 17 and again on Aug 17. The maximum amount of water taken in 2017 was 5,086,000 L/day on June 17<sup>th</sup>. The Permit to Take Water limit was not exceeded during this reporting period.

Attached in Appendix A, are the average daily volume (m<sup>3</sup>) and maximum daily volume (m<sup>3</sup>). Also noted is the % of Design Volume for each.

The quantity of water supplied during the reporting period did not exceed the rated capacity of this facility.

## Appendix A

### Harrow-Colchester South Water Treatment Plant Annual Volume Record for 2017

Design Treated Flows: 10, 228 m<sup>3</sup>/day

Month	Average Daily Volume (m <sup>3</sup> )	% of Design Volume	Maximum Daily Volume (m <sup>3</sup> )	% of Design Volume
January	2,223	22	2,546	25
February	2,225	22	2,596	25
March	2,281	22	2,556	25
April	2,654	26	3,549	35
May	3,011	29	4,232	41
June	3,777	37	5,086	50
July	3,540	35	4,560	45
August	3,640	36	4,363	44
September	3,066	30	3,622	35
October	2,667	26	3,421	33
November	2,337	23	2,863	28
December	2,227	22	2,806	27





<b>Drinking-Water System Number:</b>	<b>210000130</b>
<b>Drinking-Water System Name:</b>	<b>Harrow-Colchester South Water Treatment Plant</b>
<b>Drinking-Water System Owner:</b>	<b>Corporation of the Town of Essex</b>
<b>Drinking-Water System Category:</b>	<b>Large Municipal Residential System</b>
<b>Period being reported:</b>	<b>January 1, 2017 to December 31, 2017</b>

**Complete if your Category is Large Municipal Residential or Small Municipal Residential**

**Does your Drinking-Water System serve more than 10,000 people? Yes [ ] No [ x ]**

**Is your annual report available to the public at no charge on a web site on the Internet? Yes [ x ] No [ ]**

**Location where Summary Report required under O. Reg. 170/03 Schedule 22 will be available for inspection.**

Town of Essex Municipal Office  
33 Talbot St. S.  
Essex, ON

**Complete for all other Categories.**

**Number of Designated Facilities served:**

**Did you provide a copy of your annual report to all Designated Facilities you serve?**

**Yes [ ] No [ ]**

**Number of Interested Authorities you report to:**

**Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility?**

**Yes [ ] No [ ]**

**Note: For the following tables below, additional rows or columns may be added or an appendix may be attached to the report**

**List all Drinking-Water Systems (if any), which receive all of their drinking water from your system:**

<b>Drinking Water System Name</b>	<b>Drinking Water System Number</b>
<b>Harrow-Colchester South Distribution System</b>	<b>210000130</b>

**Did you provide a copy of your annual report to all Drinking-Water System owners that are connected to you and to whom you provide all of its drinking water?**

**Yes [ x ] No [ ]**



Indicate how you notified system users that your annual report is available, and is free of charge.

- ☒ Public access/notice via the web
- ☐ Public access/notice via Government Office
- ☐ Public access/notice via a newspaper
- ☒ Public access/notice via Public Request
- ☐ Public access/notice via a Public Library
- ☒ Public access/notice via other method As when requested

**Describe your Drinking-Water System**

A surface water treatment plant, with a rated capacity of 10,228 m<sup>3</sup>/day consisting of:

1. An intake system is a rock-filled timber structure with a vertical steel bellmouth; an installed chlorination solution diffuser ring at bottom of the bellmouth for Zebra Mussel chemical control.
2. A low lift pumping station consisting of an inlet chamber, two screen chambers, two micro strainer chambers and one pump well.
3. A solids contact up-flow clarifier.
4. Two dual media type filters.
5. Chemical storage and feed equipment consisting of a storage tank and two chemical metering pumps.
6. Two clearwells following filters.
7. A two celled, in-ground treated water storage reservoir.
8. A high lift pumping station consisting of one, two-compartment, high lift pump well with three vertical turbine pumps.
9. The Harrow-Colchester South Distribution System supplies water to a population of approximately 9,900 persons. It consists of approximately 145 km of water lines ranging in size from 2" to 16". Operation and maintenance of the system is performed by the Essex Water Department. All regulatory sampling for the Distribution System is conducted by the Ontario Clean Water Agency staff. All water for this system is supplied by the Harrow-Colchester South Water Treatment Plant.

**List all water treatment chemicals used over this reporting period**

1. Clarion A5
2. Polymer
3. Powered Activated Carbon
4. Chlorine Gas
5. Sodium Hypochlorite
6. Cat-Floc 8103 PLUS

Were any significant expenses incurred to?

- ☒ Install required equipment
- ☒ Repair required equipment
- ☒ Replace required equipment

Please provide a brief description and a breakdown of monetary expenses incurred

Replace Clarifier motor	\$781.80
Supply/Install Garage Door Opener	\$2,076.42
Filter #1 ABB Flowmeter	\$4,321.70
Filter #2 ABB Flowmeter	\$4,321.70
Lab equipment DR3900	\$5,662.94
Rebuild 30 HP electrical Vertical motor	\$2,809.35
Turbidity Meter (Filter #1)	\$4,449.54
Turbidity Meter (Filter #2)	\$4,864.84
Alum Pump Flow Sensor	\$2,034.20
Emergency Repair HL Pump #2	\$3,066.96
New Low Lift Transfer switch	\$5,040.17
Distribution System: Miscellaneous upgrades and repairs.	\$30,000.00
<b>Total</b>	<b>\$69,429.62</b>

Provide details on the notices submitted in accordance with subsection 18(1) of the Safe Drinking-Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre

Incident Date	Parameter	Result	Unit of Measure	Corrective Action	Corrective Action Date
01/31/17	Microbiological	1 Total Coliform	n/a	Resample upstream and downstream, and again 24 hrs later. All results were negative.	02/03/17
03/07/17	Physical /Chemical	PLC maintenance resulted in the Alum pumps not feeding.	NTU	Alum pumps were returned to service and filter effluent turbidity's were monitored for breakthrough. No breakthroughs were observed.	03/07/17



**Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.**

	Number of Samples	Range of E.Coli Or Fecal Results (min #)-(max #)	Range of Total Coliform Results (min #)-(max #)	Number of HPC Samples	Range of HPC Results (min #)-(max #)
<b>Raw</b>	52	0 - 400	8 - 400	N/A	N/A
<b>Treated</b>	54	0 - 0	0 - 0	52	10 - 20
<b>Distribution</b>	405	0 - 0	0 - 1	104	10 - 30

**Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.**

	No. of Samples Collected for period being reported	Range of Results	
		Minimum	Maximum
<b>Turbidity, On-Line (NTU) - Filt1</b>	8760	0	0.25
<b>Turbidity, On-Line (NTU) - Filt2</b>	8760	0	0.29
<b>Free Chlorine Residual, On-Line (mg/L) - TW</b>	8760	0.87	2
<b>Total Chlorine Residual, In-House (mg/L) - TW</b>	365	1.09	1.88
<b>Free Chlorine Residual, In-House (mg/L) - DW1</b>	104	0.55	1.54
<b>Free Chlorine Residual, In-House (mg/L) - DW2</b>	104	0.61	1.58
<b>Free Chlorine Residual, In-House (mg/L) - DW3</b>	103	0.53	1.42
<b>Free Chlorine Residual, In-House (mg/L) - DW4</b>	50	0.58	1.1

**Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.**

Date of legal Instrument issued	Parameter	Date Sampled	Result	Unit of Measure
<b>MDWL 029-101</b> <b>Dated: April 18, 2016</b>	<b>Backwash Water</b>	<b>01/24/17</b>	<b>2.0</b>	<b>mg/L</b>
	<b>Decant</b>	<b>02/15/17</b>	<b>2.0</b>	<b>mg/L</b>
	<b>Suspended Solids</b>	<b>03/07/17</b>	<b>&lt;2.0</b>	<b>mg/L</b>
	<b>Annual Average</b>	<b>04/06/17</b>	<b>5.0</b>	<b>mg/L</b>
	<b>&lt;25 mg/L</b>	<b>05/04/17</b>	<b>&lt;2.0</b>	<b>mg/L</b>
		<b>06/12/17</b>	<b>&lt;2.0</b>	<b>mg/L</b>
		<b>07/03/17</b>	<b>2.0</b>	<b>mg/L</b>
		<b>08/02/17</b>	<b>&lt;2.0</b>	<b>mg/L</b>
		<b>09/06/17</b>	<b>&lt;2.0</b>	<b>mg/L</b>
		<b>10/10/17</b>	<b>&lt;2.0</b>	<b>mg/L</b>
		<b>11/06/17</b>	<b>2.0</b>	<b>mg/L</b>
		<b>12/05/17</b>	<b>&lt;2.0</b>	<b>mg/L</b>
	<b>Annual Average</b>		<b>1.67</b>	<b>mg/L</b>



**Summary of Inorganic parameters tested during this reporting period or the most recent sample results**

TREATED WATER	Sample Date (yyyy/mm/dd)	Sample Result	MAC	No. of Exceedances	
				MAC	1/2 MAC
Antimony: Sb (ug/L) - TW	2017/01/16	0.11	6.0	No	No
Arsenic: As (ug/L) - TW	2017/01/16	0.2	25.0	No	No
Barium: Ba (ug/L) - TW	2017/01/16	14.6	1000.0	No	No
Boron: B (ug/L) - TW	2017/01/16	15.0	5000.0	No	No
Cadmium: Cd (ug/L) - TW	2017/01/16	0.009	5.0	No	No
Chromium: Cr (ug/L) - TW	2017/01/16	0.73	50.0	No	No
Mercury: Hg (ug/L) - TW	2017/01/16	<MDL 0.01	1.0	No	No
Selenium: Se (ug/L) - TW	2017/01/16	0.18	50.0	No	No
Uranium: U (ug/L) - TW	2017/01/16	0.029	20.0	No	No
<b>Additional Inorganics</b>					
Fluoride (mg/L) - TW	2017/01/16	0.06	1.5	No	No
Nitrite (mg/L) - TW	2017/01/16	<MDL 0.003	1.0	No	No
Nitrite (mg/L) - TW	2017/04/19	<MDL 0.003	1.0	No	No
Nitrite (mg/L) - TW	2017/07/10	<MDL 0.003	1.0	No	No
Nitrite (mg/L) - TW	2017/10/16	<MDL 0.003	1.0	No	No
Nitrate (mg/L) - TW	2017/01/16	0.342	10.0	No	No
Nitrate (mg/L) - TW	2017/04/19	0.608	10.0	No	No
Nitrate (mg/L) - TW	2017/07/10	0.35	10.0	No	No
Nitrate (mg/L) - TW	2017/10/16	0.263	10.0	No	No
Sodium: Na (mg/L) - TW	2017/01/16	5.37	20*	No	No
<p>*There is no "MAC" for Sodium. The aesthetic objective for sodium in drinking water is 200 mg/L. The local Medical Officer of Health should be notified when the sodium concentration exceeds 20 mg/L so that this information may be communicated to local physicians for their use with patients on sodium restricted diets.</p>					



## Summary of lead testing under Schedule 15.1 during this reporting period

(Applicable to the following drinking water systems; large municipal residential systems, small

Municipal residential systems and non-municipal year-round residential systems)

Location Type	Number of Samples	Range of Results		MAC (ug/L)	Number of Exceedances
		Minimum	Maximum		
Distribution - Lead Results (ug/L)	13	0.21	0.59	10	0
Distribution - Alkalinity (mg/L)	13	58	67	n/a	n/a
Distribution - pH Lab	13	7.27	7.6	n/a	n/a

## Summary of Organic parameters sampled during this reporting period or the most recent sample results

TREATED WATER	Sample Date (yyyy/mm/dd)	Sample Result	MAC	Number of Exceedances	
				MAC	1/2 MAC
Alachlor (ug/L) - TW	2017/01/16	<MDL 0.02	5.00	No	No
Atrazine + N-dealkylated metabolites (ug/L) - TW	2017/01/16	<MDL 0.01	5.00	No	No
Azinphos-methyl (ug/L) - TW	2017/01/16	<MDL 0.05	20.00	No	No
Benzene (ug/L) - TW	2017/01/16	<MDL 0.32	1.00	No	No
Benzo(a)pyrene (ug/L) - TW	2017/01/16	<MDL 0.004	0.01	No	No
Bromoxynil (ug/L) - TW	2017/01/16	<MDL 0.33	5.00	No	No
Carbaryl (ug/L) - TW	2017/01/16	<MDL 0.05	90.00	No	No
Carbofuran (ug/L) - TW	2017/01/16	<MDL 0.01	90.00	No	No
Carbon Tetrachloride (ug/L) - TW	2017/01/16	<MDL 0.16	2.00	No	No
Chlorpyrifos (ug/L) - TW	2017/01/16	<MDL 0.02	90.00	No	No
Diazinon (ug/L) - TW	2017/01/16	<MDL 0.02	20.00	No	No
Dicamba (ug/L) - TW	2017/01/16	<MDL 0.2	120.00	No	No
1,2-Dichlorobenzene (ug/L) - TW	2017/01/16	<MDL 0.41	200.00	No	No
1,4-Dichlorobenzene (ug/L) - TW	2017/01/16	<MDL 0.36	5.00	No	No
1,2-Dichloroethane (ug/L) - TW	2017/01/16	<MDL 0.35	5.00	No	No
1,1-Dichloroethylene (ug/L) - TW	2017/01/16	<MDL 0.33	14.00	No	No
Dichloromethane (Methylene Chloride) (ug/L) - TW	2017/01/16	<MDL 0.35	50.00	No	No
2,4-Dichlorophenol (ug/L) - TW	2017/01/16	<MDL 0.15	900.00	No	No
2,4-Dichlorophenoxy acetic acid (2,4-D) (ug/L) - TW	2017/01/16	<MDL 0.19	100.00	No	No
Dicofop-methyl (ug/L) - TW	2017/01/16	<MDL 0.4	9.00	No	No
Dimethoate (ug/L) - TW	2017/01/16	<MDL 0.03	20.00	No	No
Diquat (ug/L) - TW	2017/01/16	<MDL 1.0	70.00	No	No
Diuron (ug/L) - TW	2017/01/16	<MDL 0.03	150.00	No	No
Glyphosate (ug/L) - TW	2017/01/16	<MDL 1.0	280.00	No	No





Malathion (ug/L) - TW	2017/01/16	<MDL 0.02	190.00	No	No
Metolachlor (ug/L) - TW	2017/01/16	<MDL 0.01	50.00	No	No
Metribuzin (ug/L) - TW	2017/01/16	<MDL 0.02	80.00	No	No
Monochlorobenzene (Chlorobenzene) (ug/L) - TW	2017/01/16	<MDL 0.3	80.00	No	No
Paraquat (ug/L) - TW	2017/01/16	<MDL 1.0	10.00	No	No
PCB (ug/L) - TW	2017/01/16	<MDL 0.04	3.00	No	No
Pentachlorophenol (ug/L) - TW	2017/01/16	<MDL 0.15	60.00	No	No
Phorate (ug/L) - TW	2017/01/16	<MDL 0.01	2.00	No	No
Picloram (ug/L) - TW	2017/01/16	<MDL 1.0	190.00	No	No
Prometryne (ug/L) - TW	2017/01/16	<MDL 0.03	1.00	No	No
Simazine (ug/L) - TW	2017/01/16	<MDL 0.01	10.00	No	No
Terbufos (ug/L) - TW	2017/01/16	<MDL 0.01	1.00	No	No
Tetrachloroethylene (ug/L) - TW	2017/01/16	<MDL 0.35	10.00	No	No
2,3,4,6-Tetrachlorophenol (ug/L) - TW	2017/01/16	<MDL 0.2	100.00	No	No
Triallate (ug/L) - TW	2017/01/16	<MDL 0.01	230.00	No	No
Trichloroethylene (ug/L) - TW	2017/01/16	<MDL 0.44	5.00	No	No
2,4,6-Trichlorophenol (ug/L) - TW	2017/01/16	<MDL 0.25	5.00	No	No
Trifluralin (ug/L) - TW	2017/01/16	<MDL 0.02	45.00	No	No
Vinyl Chloride (ug/L) - TW	2017/01/16	<MDL 0.17	1.00	No	No
DISTRIBUTION WATER					
Trihalomethane: Total (ug/L) Annual Average - DW	2017/01/01	17.0	100.00	No	No

List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.

Parameter	Result Value	Unit of Measure	Date of Sample
None			

**From:** AMO Communications [<mailto:communicate@amo.on.ca>]  
**Sent:** Tuesday, January 30, 2018 6:01 PM  
**To:** Auger, Robert <[rauger@essex.ca](mailto:rauger@essex.ca)>  
**Subject:** AMO Policy Update - Draft Fire Regulations for Municipal Comments

January 30, 2018

## **Draft Fire Regulations for Municipal Comments**

On January 25, 2018, the Ministry of Community Safety and Correctional Services (MCSCS) released two proposed regulations under the Fire Protection and Prevention Act, 1997 related to new requirements for:

- Mandatory training and certification for firefighters; and
- Community risk assessments.

MCSCS is seeking public feedback on both regulations by March 11, 2018. View a summary of the regulations [here](#).

A third regulation on Public Reporting of Fire Responses is still under development. We understand that it is to be released shortly and will likely be due on March 11, 2018.

In January 2017, MCSCS established an advisory Fire Safety Technical Table (the Table) as part of a mandate commitment to provide recommendations to modernize fire service delivery and to address public safety and firefighter safety gaps identified by the Coroner's Inquests over the last several years.

The Table consists of MCSCS and Ontario Fire Marshal (OFM) executive and staff, the Ontario Professional Fire Fighters Association, the Toronto Fire Fighters Association, the Ontario Fire Chiefs Association (O AFC), Fire Chiefs from full-time, composite and volunteer services, Toronto Fire Services, and for the municipal government perspective- an AMO staff member and a lower tier CAO representative. Having been informed by the Table, MCSCS has developed these draft regulations. After receiving responses from this consultation, the ministry will develop recommendations for the MCSCS Minister's final approval of the regulations- expected later this spring.

The attached briefing note has been prepared to assist AMO members in the development of their municipal responses to the draft MCSCS fire regulations. Please work with your Fire Chief and fire services to develop a comprehensive response for



your municipality. There are fiscal, risk management, timing and technical aspects that require local consideration and comment.

We encourage all municipal councils with fire services to comment on these draft regulations so that the province receives a full set of consultation responses that reflect the diversity of Ontario's municipalities. AMO will also be commenting on these draft regulations in early March.

**Contact:** Monika Turner, Director of Policy, [mturner@amo.on.ca](mailto:mturner@amo.on.ca), 416-971-9856 ext. 318.

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**PLEASE NOTE:** AMO Breaking News will be broadcast to the member municipality's council, administrator, and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

**DISCLAIMER:** Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

**OPT-OUT:** If you wish to opt-out of these email communications from AMO please click [here](#).



January 30, 2018

## **Draft MCSCS Regulations on Mandatory Certification and Training for Firefighters and Community Risk Assessments by Municipalities- Briefing Note**

### **ISSUE:**

On January 25, 2018, The Ministry of Community Safety and Correctional Services (MCSCS) released draft regulations under the *Fire Protection and Prevention Act* (FPPA) regarding:

- 1) Mandatory Certification and Training for Firefighters; and
- 2) Community Risk Assessments by Municipalities.

### **Responses to these draft regulations are due March 11, 2018.**

The draft regulation on Public Reporting on Fire Responses by Municipalities has not been shared for review or consultation. We understand that it is to be released shortly and will also be due March 11, 2018.

This briefing note has been prepared to assist AMO members in the development of their municipal responses to the draft MCSCS fire regulations. Please work with your Fire Chief and fire services to develop a comprehensive response for your municipality.

### **BACKGROUND:**

#### **WHAT:**

- In January 2017, the MCSCS established an advisory Fire Safety Technical Table (the Table) as part of a mandate commitment to provide recommendations to modernize fire service delivery.
- The Table consists of MCSCS and Ontario Fire Marshal (OFM) executive and staff, the Ontario Professional Fire Fighters Association, the Toronto Fire Fighters Association, the Ontario Fire Chiefs Association (OAFC), Fire Chiefs from full-time, composite and volunteer services, Toronto Fire Services, and for the municipal government perspective- an AMO staff member and a lower tier CAO representative.
- The Table was established to review new and emerging challenges in fire safety with a view to identifying opportunities to enhance delivery in Ontario, such as:
  - Firefighter training and professionalism (e.g., identification of specialized knowledge requirements and core competencies);
  - Public education and prevention measures, including community risk assessments;
  - Provincial standards for fire services, such as fire service dispatch; and
  - Public reporting of fire service data.
- It must be emphasized that the Table has only been advisory. MCSCS, as informed by the Table, will develop recommendations for the MCSCS Minister's final approval.

- Municipal governments under the FPPA are required to:

### **Municipal responsibilities**

2. (1) Every municipality shall,

- (a) establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and
- (b) provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances.

### **Methods of providing services**

(2) In discharging its responsibilities under subsection (1), a municipality shall,

- (a) appoint a community fire safety officer or a community fire safety team; **or**
- (b) establish a fire department

### **WHY:**

- The Fire Safety Technical Table was established to address public safety and firefighter safety gaps identified by the Coroner's Inquests over the last several years.
- The Table has had active discussions on modernizing fire standards for firefighters' training and certification, community risk assessment, and public reporting on fire responses.
- Third party training for technical rescues, such as the tragic ice-training incident in SW Ontario that was the subject of a 2017 Coroner's inquest, is not addressed in these draft regulations.
- There appears to be a past informal agreement made around 2012 between MCSCS, OFM, the OAFC, and fire services that Ontario would use the National Fire Protection Association (NFPA) standards going forward. Neither AMO nor its members were part of this discussion or decision.
- The [National Fire Protection Association](#) is a United States trade association, with some international members, that creates and maintains private, copyrighted standards and codes for usage and adoption by local governments.
- One of the most notable features about NFPA's code development process is that it is open and consensus-based. That means anybody can participate in the development of these important documents. More than 9,000 volunteer committee members with a wide range of professional expertise periodically review all NFPA codes and standards.

## THE REGULATIONS:

### 1. The draft Mandatory Certification and Training for Firefighters and Other Persons Providing Fire Protection Services includes:

- Every municipality, and in unorganized areas where the Province is responsible for certification and training, must make sure that its fire service is responsible for compliance.
- Mandatory certification is to occur for those firefighters who are performing the fire protection service: fire suppression exterior and interior attack (if provided), pump operations, fire suppression supervision, fire public education, fire prevention, fire instruction, fire dispatch, fire investigation, technical rescue, and hazardous materials to respective NFPA standards.
- Existing firefighters can be grandfathered if they can demonstrate that they have met the standard by an alternate/previous means. Grandfathering requirements are outlined in a Fire Marshal guideline (link is below). Fire chiefs are responsible for ensuring that their Firefighters have achieved the standard by courses/exams or alternate means.
- It is proposed that these standards are to be achieved by January 1, 2019 except for the following that come into force on January 1, 2020 – fire inspection, fire instruction, fire dispatch, fire investigation, hazardous materials, and technical rescue.
- Fire dispatch certification currently is only for fire services who do dispatch themselves. It does not include 3<sup>rd</sup> party dispatch at this time.
- The OFM is updating its educational offerings and approach so that all required courses and exams can be accessed online 24/7 in 2018 free of charge. Practical exams will still need to be done in person under the direction of a certified fire instructor in each area of competence.

### Analysis:

- Although a complete gap analysis of firefighters who meet the NFPA standards and/or can be grandfathered was requested throughout this exercise and MCSCS surveys were attempted, the full impact of the mandatory training and certification regulation will not be known until the regulation is consulted on and/or goes into force.
- We understand that under the proposed mandatory training and certification regulation, the minimum certification/training requirements for five categories will be for new hires only as of January 1, 2019 (for Suppression Firefighters (external/interior); Pump Operators; Fire Officers; and Fire Educators).
- The draft regulation requires only those firefighters, in the five categories noted above, hired after January 1, 2019 to be certified. However, there is concern that municipal governments will still have a significant risk of potential liability if they simply follow the proposed regulatory approach being suggested – grandfather those that can be and make sure that any new hires are certified at the specific NFPA level.
  - The magnitude of the number of fire service staff who will be able to be grandfathered is unknown.

- If municipal fire services do not make sure that everyone is certified to the new mandatory standard for all categories of fire operations, there remains a great liability risk if anything unfortunate occurs.
  - Stated more clearly, no municipality is likely to want to state in a Coroner's inquest or legal suit that a firefighter was not certified to the standard despite the provisions in the regulation without indemnification from the province.
  - This is a Catch-22 for municipal fire services. Municipalities essentially will need to make sure everyone is trained and certificated to the certification standard for all firefighters in the service despite the go-forward approach in the regulation.
  - Although there is protection from personal liability and indemnification provisions in the FPPA (see s. 74, 75, 76), it is only for those working in fire services (municipal or provincial) and not for municipal corporations.
- It will be helpful to municipal fire services that the Fire College curriculum and testing will all be online for 2018 free of charge.
  - That said, municipalities will still have unfunded staff costs for those who need to take the training and for the required testing to achieve certification. This will result in staff time costs for these required training hours. Municipalities may not have provided for the now needed training costs in their 2018 budget.
  - We understand that MCSCS will consider if there is provincial funding available for implementation of this regulation, once final, however no decisions have been made to date.
  - It has been said at the Table that there has been significant training over the years to these standards so this should reduce the risk exposure. This needs to be validated.
  - It should be noted that not all these proposed standards can be grandfathered – only those identified in the [January 2014 OFM communique](#) can be grandfathered.
  - Fire inspectors, Fire instructors, Fire Investigators, Technical Rescue, Fire Dispatchers and Hazardous Materials Personnel cannot be grandfathered. So as per the draft regulation, those currently employed or appointed in fire departments must all be certified by January 1, 2020.
  - In rural and northern Ontario, there are many other non-fire services that provide fire dispatch services for the fire services (e.g. consolidated fire dispatch that does many departments' dispatch, police dispatch, answering services, taxi dispatch). The full extent of different types of fire dispatch and where it occurs is not known at this time by MCSCS or OFM.
  - Only fire services that do their own dispatch will be captured by this draft regulation; however, MCSCS is looking to include other fire dispatch service providers in a future regulation. Properly trained fire dispatchers is a critical area of public safety that will be pursued by the Province as inquests have, or will, identify this as a current vulnerability for the public.
  - During this draft regulation consultation, municipal fire services will need to identify clearly how achievable the mandatory certification will be for all identified positions and the additional training costs that will be necessary. The value of any additional training (number of staff per position, training time needed and associated costs) should be outlined in your response.

## **2. The draft Community Risk Assessment by Municipalities includes:**

- The process to identify, analyze, evaluate and prioritize public safety risks to inform the municipal decision-making on the provision of fire protection services, fire safety education and fire prevention programs as required by the FPPA.
- This risk assessment must be done within five years of the regulation coming into force and at then each year thereafter.
- The draft regulation outlines the mandatory profiles of community attributes that must be considered in the development of the risk assessment.
- A copy of the Community Risk Assessment must done in the form as set out by the OFM and be filed with them once completed.

### **Analysis:**

- The Table did work well to get the draft Community Risk Assessment regulation as balanced and flexible as possible – and that the assessment is focused on the needs and circumstances of each community.
- We understand that this standardization is similar to the voluntary simplified risk assessment from the OFM that municipalities have been using to date.
- We understand that the OFM will be providing support and assistance for small rural and northern municipalities in completing these Community Risk Assessments.
- As municipal councils have up to five years to implement this regulation, a change in the date of the regulation coming into force does not need to be requested.

### **COMMENTARY:**

- The nature of the magnitude of how many firefighters need to be trained, certified and/or grandfathered is not known by the OFM.
- The full nature of the risk or financial exposure for municipal governments and their fire services is not known at this time from these draft FPPA regulations.
- To date, no additional provincial funding has been offered by the Province to help manage the costs of mandatory training and certification.
- There is no commitment from MCSCS/provincial government to provide municipal governments with protection from litigation as part of the entire package surrounding these regulations as discussed by the Table as a quid pro quo for mandatory certification. The Province of Quebec government provided this protection to local governments in a similar mandatory training and certification situation.
- Municipal governments will have the on-going pressure to determine the level and nature of fire services in their communities through these regulations. The level of fire services is a local decision under the FPPA (s. 2(1), 2(2)) as only fire safety education and fire prevention programs that must be provided by each municipal government.

- 2018 is a municipal election year. As consistent with prudent planning and municipal election legislation, all municipal councils need to assume that as of July 2018 they may have a *Lame Duck* period. Given this and that the proposed draft regulation is to come into force by January 1, 2019, there may not be enough time before July 2018 or at the initial council meeting on or after December 1<sup>st</sup>, 2018, to make decisions (e.g. training funding) to ensure full implementation of the Mandatory Training and Certification regulation. For this reason, a later effective date is needed.

### **Suggested Recommendations for Municipal Responses:**

- That the provincial government provide liability indemnification for all municipal governments who comply with these new regulations at least 12 months before the training and certification regulation comes into force.
  - If they do not provide this liability indemnification, it will be necessary for the province to provide the new funding that would be required to train and certify all firefighters to achieve the standards before the mandatory training and certification regulation comes into force.
- Municipal fire services will need to identify clearly how achievable the mandatory certification will be and the additional training costs that will be necessary. The value of any additional training (both time and costs) should be outlined in your response.
  - If the province does not provide liability indemnification, MCSCS should make the required training funding available to municipal fire services for all the identified NFPA professional qualifications at least at least 12 months before the training and certification regulation comes into force
  - If the province does provide liability indemnification to accompany these regulations, the province should provide sufficient funding to municipalities to cover the new training and certification costs for those designated positions at least at least 12 months before the training and certification regulation comes into force for those positions.
  - If sufficient provincial funding is not provided to municipal governments, the province will be knowingly creating a new unfunded mandate on municipalities.
- That the Mandatory Training and Certification regulation not come into force until at least July 1, 2019, preferably January 1, 2020, to allow municipal councils and their fire services to make all the necessary training funding decisions. It will also enable the provincial government to provide the necessary funding for training and liability indemnification 12 months prior to the regulations coming into force.

## ESSEX COUNTY AGRICULTURAL HALL OF FAME

**c/o Gerald Herdman  
Secretary-Treasurer  
6565 Disputed Road  
Windsor, Ontario  
N9H 1X8**

February 12th, 2018

**To:** All Representatives of Member Organizations and  
Individual Members of the Essex County Agricultural Hall of Fame

**From:** Dan Diemer, Chairperson  
Essex County Agricultural Hall of Fame

**Subject:** **Agricultural Hall of Fame Annual Meeting/Induction**

**Details:** 2017 Financial Statement, Election of Directors

### **Annual Meeting**

The Annual Meeting of the Essex County Agricultural Hall of Fame will be on **Monday, March 12, 2018 Essex Civic Centre, 7:00 p.m.** Please mark this date on your calendar. We have assumed that you are still your organization's representative to the Essex County Agricultural Hall of Fame but if another has taken on this position, please pass on this information.

### **Induction Ceremony**

There will be two (2) individuals inducted at the presentation of the Essex County Agricultural Hall of Fame. The Induction Ceremony will be on **Thursday, April 5th, 2018, 7:00 p.m.** at the **Harrow Exhibition Hall.**

If you have any questions, please call Dan Diemer at 519-567-9919.



Good Afternoon Donna –

Following up on your telephone conversation with Peter Neufeld yesterday, attached is the letter detailing Leamington's application for the Community Transportation Grant Program and formally requesting a letter of support from the Town of Essex. For your convenience, sample language for a letter of support of our application is included below to be placed on your letterhead. Please feel free to make any changes or adjustments as necessary.

If you have questions or concerns, please feel free to contact myself or Peter directly.

Sample letter of support:

**To: Ministry of Transportation, Municipal Transit Policy Office, Transit Policy Branch**  
**Re: Community Transportation Grant Program, Letter of Support for Leamington Long-distance Scheduled Intercommunity Project**

Please accept this letter of support from the Town of Essex for the Municipality of Leamington's proposal to establish a Long-distance Scheduled Intercommunity Project under the Community Transportation Grant Program.

A regularly scheduled Transit Route between the communities of Leamington, Kingsville, Essex and Windsor will improve mobility options for individuals that do not have access to their own transportation. Historically, transit connections were once provided to our communities through bus service (Greyhound). Further back in time, a streetcar service once provided intercommunity transportation for residents in our communities. Currently, no such service exists.

This proposed transit service will provide regularly scheduled and reliable transportation for employment purposes, for education and continuing education purposes, and for access to hospitals and other medical appointments.

The need for such a service was detailed in the County of Essex "Transit Assessment Report" prepared by GENIVAR Consultants LP. However the economics of the proposed transit service prevented program implementation on a regional basis.

If implemented, this transit service will improve the quality of life for those residents currently experiencing transportation barriers, including seniors, people with disabilities, youth, and persons living on low incomes.

Respectfully,

[NAME]

[TITLE]

Best Regards,

*Andrea Palichuk*

Executive Assistant to:

Peter Neufeld, Chief Administrative Officer | John Paterson, Mayor  
The Corporation of the Municipality of Leamington  
111 Erie Street North  
Leamington, ON N8H 2Z9  
Tel: 519-326-5761 ext. 1109 | Fax: 519-326-2481  
Email: [apalichuk@leamington.ca](mailto:apalichuk@leamington.ca)  
[www.leamington.ca](http://www.leamington.ca)



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February 21, 2018

33 Talbot St S.  
Essex, ON  
N8M 1A8

Attn: Donna Hunter

Dear Donna:

**Re: Letter of Support for Long-distance Scheduled Intercommunity Bus Service**

The Municipality of Leamington is preparing to submit an application under the 'Community Transportation Grant Program' for funding under the 'Long-distance Scheduled Intercommunity Bus Service' stream.

This Program aims to support the development and delivery of transportation service to communities that are not served or are underserved by public or private transportation systems because of their low populations and densities, or due to declines in service once provided by a public or private carrier. Funding may go towards the capital and operating costs.

One of the program objectives is to improve mobility options for individuals who do not have access to their own transportation, such as seniors, persons with disabilities, youth, persons living on low income, members of Indigenous communities, and others. This is why the Municipality of Leamington is proposing to expand our current service area, and operate a transit service between the communities of Leamington, Kingsville, Essex and Windsor. Details of the proposed transit service are as follows:

- Service delivery to be provided by Municipality of Leamington (Leamington Transit), in partnership with the South Essex Community Council
- Three return trips between Leamington and Windsor (early morning, midday, end of day), Monday through Friday.
- A five year program to align with the timelines of the provincial grant
- At least one stop each in the communities of Kingsville and Essex
- At least 3 stops on the City of Windsor (St. Clair College, University of Windsor, and one or more existing transportation hubs)
- Funding of net expenses (expenses minus fare revenue) to be provided by the Municipality of Leamington and the Province of Ontario through the grant program. No financial support is being requested of other municipalities.

The grant program requires that the Municipality of Leamington submit Letters of Support from other municipalities if the transit route proposes transit stops within their community. Attached is a recommended letter of support. I am respectfully requesting that you complete this letter on your municipal letterhead, sign and return this Letter of Support.

Time is of the essence with regards to this request. The release of the grant program provided a very limited window to design a transit program and determine program feasibility. The application to the Province is due on February 28, 2018, so I am requesting a return of the letter at your earliest convenience. Without the letter of support, a stop in your community can not be included in the grant application.

Sincerely,



Peter Neufeld, B.A, LL.B.  
Chief Administrative Officer



February 23, 2018

**To: Ministry of Transportation, Municipal Transit Policy Office, Transit Policy Branch**

Dear Sir/Madam:

**Re: Community Transportation Grant Program, Letter of Support for Leamington Long-distance Scheduled Intercommunity Project**

Please accept this letter of support from the Town of Essex for the Municipality of Leamington's proposal to establish a Long-distance Scheduled Intercommunity Project under the Community Transportation Grant Program.

A regularly scheduled Transit Route between the communities of Leamington, Kingsville, Essex and Windsor will improve mobility options for individuals that do not have access to their own transportation. Historically, transit connections were once provided to our communities through bus service (Greyhound). Further back in time, a streetcar service once provided intercommunity transportation for residents in our communities. Currently, no such service exists.

This proposed transit service will provide regularly scheduled and reliable transportation for employment purposes, for education and continuing education purposes, and for access to hospitals and other medical appointments.

The need for such a service was detailed in the County of Essex "Transit Assessment Report" prepared by GENIVAR Consultants LP. However the economics of the proposed transit service prevented program implementation on a regional basis.

If implemented, this transit service will improve the quality of life for those residents currently experiencing transportation barriers, including seniors, people with disabilities, youth, and persons living on low incomes.

Respectfully,

A handwritten signature in black ink, appearing to read "Ron McDermott". The signature is fluid and cursive, with the first name "Ron" being more prominent.

Ron McDermott, Mayor

**Ministry of  
Municipal Affairs**

**Municipal Finance Policy  
Branch**

777 Bay Street, 13<sup>th</sup> Floor  
Toronto ON M5G 2E5  
Tel.: 416 585-8111  
Fax: 416 585-8315

**Ministère des  
Affaires municipales**

**Direction des politiques  
relatives aux finances municipales**

777, rue Bay, 13<sup>e</sup> étage  
Toronto ON M5G 2E5  
Tél. : 416 585-8111  
Télec. : 416 585-8315



**February 27<sup>th</sup> 2018**

**Dear Municipal Treasurer, Clerk/Treasurer:**

I am pleased to enclose a report showing your municipality's 2018 Annual Repayment Limit (ARL) respecting long-term debt and financial obligations. Your 2018 ARL was calculated based on 25 percent of your net own source revenues as reported in your 2016 Financial Information Return.

If you require any further information, please contact the appropriate Municipal Service Office of the Ministry of Municipal Affairs (list enclosed).

Yours truly,

**Oliver Jerschow  
Director**

**Enclosures**



## 2018 ANNUAL REPAYMENT LIMIT

(UNDER ONTARIO REGULATION 403 / 02)

<b>MMAH CODE:</b>	<b>45410</b>	<b>FIR CLEAN FLAG:</b>	<b>Updated Under Review</b>
<b>MUNID:</b>	<b>37020</b>		
<b>MUNICIPALITY:</b>	<b>Essex T</b>		
<b>UPPER TIER:</b>	<b>Essex Co</b>		
<b>REPAYMENT LIMIT:</b>		<b>\$</b>	<b>4,629,393</b>

The repayment limit has been calculated based on data contained in the 2016 Financial Information Return, as submitted to the Ministry. This limit represents the maximum amount which the municipality had available as of December 31, 2016 to commit to payments relating to debt and financial obligation. Prior to the authorization by Council of a long term debt or financial obligation, this limit must be adjusted by the Treasurer in the prescribed manner. The limit is effective January 01, 2018

### FOR ILLUSTRATION PURPOSES ONLY,

The additional long-term borrowing which a municipality could undertake over a 5-year, a 10-year, a 15-year and a 20-year period is shown.

If the municipalities could borrow at 5% or 7% annually, the annual repayment limits shown above would allow it to undertake additional long-term borrowing as follows:

5% Interest Rate			
(a)	20 years @ 5% p.a.	\$	57,692,472
(a)	15 years @ 5% p.a.	\$	48,051,519
(a)	10 years @ 5% p.a.	\$	35,746,948
(a)	5 years @ 5% p.a.	\$	20,042,850
7% Interest Rate			
(a)	20 years @ 7% p.a.	\$	49,043,858
(a)	15 years @ 7% p.a.	\$	42,164,116
(a)	10 years @ 7% p.a.	\$	32,514,921
(a)	5 years @ 7% p.a.	\$	18,981,426

# DETERMINATION OF ANNUAL DEBT REPAYMENT LIMIT

(UNDER ONTARIO REGULATION 403/02)

MUNICIPALITY:

Essex T

MMAH CODE:

45410

## Debt Charges for the Current Year

		1
		\$
0210	Principal (SLC 74 3099 01) . . . . .	1,873,308
0220	Interest (SLC 74 3099 02) . . . . .	682,268
0299	<b>Subtotal</b>	<b>2,555,576</b>
0610	Payments for Long Term Commitments and Liabilities financed from the consolidated statement of operations (SLC 42 6010 01) . . . . .	0
9910	<b>Total Debt Charges</b>	<b>2,555,576</b>

## Amounts Recovered from Unconsolidated Entities

		1
		\$
1010	Electricity - Principal (SLC 74 3030 01) . . . . .	0
1020	Electricity - Interest (SLC 74 3030 02) . . . . .	0
1030	Gas - Principal (SLC 74 3040 01) . . . . .	0
1040	Gas - Interest (SLC 74 3040 02) . . . . .	0
1050	Telephone - Principal (SLC 74 3050 01) . . . . .	0
1060	Telephone - Interest (SLC 74 3050 02) . . . . .	0
1099	<b>Subtotal</b>	<b>0</b>
1410	Debt Charges for Tile Drainage/Shoreline Assistance (SLC 74 3015 01 + SLC 74 3015 02) . . . . .	0
1411	Provincial Grant funding for repayment of long term debt (SLC 74 3120 01 + SLC 74 3120 02) . . . . .	0
1412	Lump sum (balloon) repayments of long term debt (SLC 74 3110 01 + SLC 74 3110 02) . . . . .	0
1420	<b>Total Debt Charges to be Excluded</b>	<b>0</b>
9920	<b>Net Debt Charges</b>	<b>2,555,576</b>

		1
		\$
1610	Total Revenues (Sale of Hydro Utilities Removed) (SLC 10 9910 01) . . . . .	35,195,272
<b>Excluded Revenue Amounts</b>		
2010	Fees for Tile Drainage / Shoreline Assistance (SLC 12 1850 04) . . . . .	0
2210	Ontario Grants, including Grants for Tangible Capital Assets (SLC 10 0699 01 + SLC 10 0810 01 + SLC 10 0815 01) . . . . .	4,895,041
2220	Canada Grants, including Grants for Tangible Capital Assets (SLC 10 0820 01 + SLC 10 0825 01) . . . . .	1,090,900
2225	Deferred revenue earned (Provincial Gas Tax) (SLC 10 830 01) . . . . .	0
2226	Deferred revenue earned (Canada Gas Tax) (SLC 10 831 01) . . . . .	0
2230	Revenue from other municipalities including revenue for Tangible Capital Assets (SLC 10 1098 01 + SLC 10 1099 01) . . . . .	0
2240	Gain/Loss on sale of land & capital assets (SLC 10 1811 01) . . . . .	-349,546
2250	Deferred revenue earned (Development Charges) (SLC 10 1812 01) . . . . .	10,528
2251	Deferred revenue earned (Recreation Land (The Planning Act)) (SLC 10 1813 01) . . . . .	0
2252	Donated Tangible Capital Assets (SLC 53 0610 01) . . . . .	0
2253	Other Deferred revenue earned (SLC 10 1814 01) . . . . .	0
2254	Increase / Decrease in Government Business Enterprise equity (SLC 10 1905 01) . . . . .	808,472
2299	<b>Subtotal</b>	<b>6,455,395</b>
2410	Fees and Revenue for Joint Local Boards for Homes for the Aged . . . . .	0
2610	<b>Net Revenues</b>	<b>28,739,877</b>
2620	<b>25% of Net Revenues</b>	<b>7,184,969</b>
9930	<b>ESTIMATED ANNUAL REPAYMENT LIMIT</b> (25% of Net Revenues less Net Debt Charges)	<b>4,629,393</b>

\* SLC denotes Schedule, Line Column.





## Fun Fest Committee Meeting Minutes

15 February, 2018

Minutes of a meeting of the Essex Fun Fest Committee held on Thursday 15 February 2018 at 6:00 PM at the Barnett Board Room. This meeting was called to order by Joe Garon, Chairperson of the Essex Fun Fest Committee at 6:05 PM.

### 1. Roll Call

Present: Joe Garon

Pam McDermott

Natalie Sinn

Kim Verbeek

Riley Jones

Jake Morassut, Recording Secretary

Regrets: Steve Bjorkman

Kyle Flood

Doug Sweet, Director of Community Services

Absent: Ryan Sivers

### 2. Additions to Agenda

There are no additions to the agenda.

### 3. Adoption of Agenda

Moved by Kim Verbeek

Seconded by Natalie Sinn

**(FF18-02-001)** The agenda of the 15<sup>th</sup> of February, 2018 be approved as circulated.

"Carried"

### 4. Declaration of Conflict of Interest

There were no declarations of conflicts of interest.

### 5. Approval of Previous Minutes

Moved by Pam McDermott

Seconded by Natalie Sinn

**(FF18-02-002)** The minutes of the meeting on the 31<sup>st</sup> of August, 2018 be approved as circulated. "Carried".

## **6. Old Business:**

- a) There is no old business.

## **7. New Committee Members**

- a) The Committee would like to welcome Kyle Flood and Riley Jones.

## **8. Vice Chair Election**

- a) The Committee asked for those interested in the Vice Chair position on the Festival Committee. Kim Verbeek was the only person who expressed interest in the position and was acclaimed.

Moved by Pam McDermott

Seconded by Natalie Sinn

**(FF18-02-003)** That Kim Verbeek be acclaimed as Vice Chair of the Essex Fun Fest Committee. "Carried".

## **9. Sub-Committee Updates**

### **a) Sponsorship**

- i. Joe will have all applications sent out to the businesses by the next meeting.

### **b) Vendors**

- i. Ice Cream Man was provided a refund of \$75.00 for melted ice cream in 2017. Never heard anything back, positive or negative;
- ii. Vendors fees will remain the same in 2018;
- iii. Registration forms are published, and
- iv. Vendors are not to be open on Thursday.

### **c) Parade**

- i. Parade start time will be at 11:00am this year and will correspond with the 2018 theme, which will be determined at the next meeting.

### **d) Entertainment and Attractions**

- i) Main Stage – Joe has a couple bands tentatively booked for the weekend. The stage is booked.

- ii) Picnic Stage – Some performers have contacted the committee. A short list will be reviewed in the coming weeks.
- iii) Bavarian Gardens – Joe has CIAO on Friday and DJ Rye booked on Saturday.
- iv) Attractions
  - Fun Fest Attractions
    - The Ben Show – Booked.
    - Classic Championship Wrestling – Booked.
    - Cra-Z-Crew BMX Stunt Team – Booked.
    - Birds of Prey – Will be contacted to see if they are available.
    - Youth Talent Show – Joe’s wife will run this and it will be on the Sunday.
    - Watermelon Eating Contest – Kim will reach out to check out for sponsors.
    - Fireworks – Booked for Saturday night with the rain date on Sunday.
    - Pony Rides – Can look at going into the current dog park. Looking for a sponsor.
    - NASCAR Bob – Cannot attend due to conflicting events.
  - Third Party Attractions
    - BIA Classic Car Show – The BIA will be having a meeting to discuss if they will be running the car show again. Other ideas to get people downtown are floating around instead of the car show. This will be reviewed and determined by the BIA shortly.
    - Kinger’s Horseshoe Tournament –Would like to have the stage removed in the morning so they have two additional pits.
    - Essex Legion Fun Fest Pickerel Dinner – Will be happening.
    - Essex Fun Fest Flower Show – Not sure, will be contacted.
    - Train Puzzle/Train Movies – No sure, will be contacted.
- v) Kids Zone – A plan will be looked at to determine how to incorporate the splash pad. Will look at the bouncing castles and determine if they are all needed.

## **10. Volunteers**

- a) Committee members need to work toward getting volunteers. Every hour counts so secure as many people as possible.

## **11. Admission Fees, Park Hours and Credentials**

- a) No changes will take place to the admission fees for 2018; and
- b) Thursday the park will be closed. Friday the park will be open from 4:00PM-1:00AM, Saturday from noon until 1:00AM, and Sunday noon to 6:30PM.

## **12. Parking**

- a) Will be determined closer to the event;
- b) We need to get a tent for the person sitting there;
- c) Joe will approach the Church to see if we can utilize their parking for the weekend, especially for accessibility; and
- d) Doug will check and see if the bike lane can be closed down from the arena to the main street for accessible parking.

## **13. Amusement and Midway**

- a) 150 passes will be given to the town for sponsors and volunteers to use on Thursday night; and
- b) Prices will be raised but they are not determined.

## **14. Bavarian Gardens**

- a) Hours of Operation
  - i. The tent would be open Friday and Saturday from 8:00PM-1:00AM and Sunday during the horseshoe tournament. This is subject to change due to the pending request for information that the Town is issuing for bartending services; and
  - ii. The entertainment area will serve during events.
- b) Tents
  - i. May need additional tents to assist with the traffic flow and reduce congestion.
- c) Serving Staff
  - i. Will be tendered out to get a person/group responsible.
- d) Permit/Insurance
  - i. Will be tendered out to get a person/group responsible.

- e) Product Inventory/Ordering
  - i. Will be discussed going forward but may eliminate the pouring of alcohol.

## **15. Shuttle Service**

- a) The Committee will advertise that people can call Community Services if they want a ride.

## **16. Security**

- a) Booked through tender process;
- b) The group running the tent will be responsible for running the security within the confines; and
- c) Police are still going to be booked by the Town.

## **17. Financial**

- a) Accounts Receivable Form for Sponsorships – All sponsors will require the Town form to be completed.
- b) 2017 ran a surplus of \$109.90.

## **18. Marketing and Promotion**

- a) Riley will look at taking this area over, while working in conjunction with Joe; and
- b) The Committee will be using the radio stations and brochures again.

## **19. Website and Social Media**

- a) Riley will look after social media; and
- b) He will look at creating the Facebook page as a business rather than a group.

## **20. Operations and Site Management**

- a) Splash Pad Location
  - i. Splash pad will be up by June 1<sup>st</sup> so we can look to incorporate this in the weekend.
- b) Water Fill Station
  - i. The pollution control plant will have a mobile community water fill stations. They will need to be placed close to a water hookup.
- c) Back Gate
  - i. Pending the volunteers, we need to get this gate open for 2018 Festival.

**d) ATM**

- i.** Jake will contact the company for the ATM. We may be able to get a mobile bank truck, so these options are being looked after.

**21. New Business**

**a) Dates for Festival**

- i.** July 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup>.

**b) FEO Sustainability Information**

- i.** Jake went over some of the FEO sustainability ideas to assist with making a more eco-friendly Festival. The Committee will take these recommendations and see if anything can be implemented for 2018.

**c) Possible themes for 2018**

- i.** Hometown Hero's;
- ii.** Superheros; and
- iii.** Need to find out if the BIA is doing the car show to determine if a different theme will work better.

**d) Request for Information Regarding Bavarian Gardens**

- i.** The Town is putting out a request for information regarding the 2018 Festival to acquire a group to run the Beer Tent operations.

**22. Next Meeting Date:**

- a)** The next meeting will take place on the March 22<sup>nd</sup>, 2018 at the Essex Centre Sports Complex's Barnett Board Room. This meeting will begin at 6:00PM.

### 23. Adjournment:

The meeting was adjourned at 7:20PM.

Moved by Kim Verbeek

Seconded by Riley Jones

**(FF18-02-004)** that the meeting be adjourn at 7:20PM. "Carried"



---

Joe Garon, Chair



---

Jake Morassut, Recording Secretary

**The following Notice of Motion will be brought forward for consideration at the  
March 5, 2018 Regular Council Meeting:**

15.2.1 Councillor Bondy

RE: User Pay For Childcare Services at the Association of  
Municipalities of Ontario (AMO) Conferences

That the Association of Municipalities of Ontario (AMO) be requested to  
offer user pay childcare services at conferences during conference  
hours.



# **The Corporation of the Town of Essex**

## **By-Law Number 1666**

### **Being a by-law to provide for Thompson Drain: Kelly Strong Bridge and Bridge for Davin & Karen Kendrick, Part of Lots 31 and 32 N.M.R. Concession, and Updated Maintenance Schedule, Geographic Township of Colchester North, Project REI 2016D025, Town of Essex, County of Essex**

**Whereas** the Town of Essex Drainage Department recommended that Council appoint a Drainage Engineer to prepare a drainage report for Thompson Drain: Kelly Strong Bridge and Bridge for Davin & Karen Kendrick, Part of Lots 31 and 32 N.M.R. Concession, and Updated Maintenance Schedule, Geographic Township of Colchester North, Project REI 2016D025, Town of Essex, County of Essex

**And Whereas** Section 78 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010, states that the Council of any municipality whose duty it is to maintain and repair the drainage works or any part thereof, may on the report of an Engineer appointed by it, complete the drainage works as set forth in such report;

**And Whereas** a drainage report dated October 11<sup>th</sup>, 2017 and considered by Council at its December 4<sup>th</sup>, 2017 Consideration of Report meeting, has been procured and made by Gerard Rood, Professional Engineer, Rood Engineering Inc. and that the said report is attached hereto and forms part of this by-law;

And Whereas the Council of The Corporation of the Town of Essex is of the opinion that the said drainage works and/or improvements are warranted and desirable;

Now therefore the Council of The Corporation of the Town of Essex pursuant to the Drainage Act enacts as follows:

1. That the considered report dated October 11<sup>th</sup>, 2017 and attached hereto as Schedule A to this By-law is hereby adopted and the said drainage works and/or improvements as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.

2. That the Corporation of the Town of Essex may borrow on the credit of the Corporation the amount of \$53,600.00, the amount necessary for the construction of the said drainage works.
3. That the Corporation may issue debentures for the amount borrowed less the total amount of:
  - Grants received under Section 85 of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended, 2010;
  - Commuted payments made in respect of lands and roads assessed within the Municipality;
  - Money paid under Section 61(3) of the Drainage Act, R.S.O. 1990, Chapter D. 17, as amended 2010;

and such debentures shall be made payable within (5) five years from the date of the debenture and shall bear interest at a rate not higher than the lending rates published by Infrastructure Ontario for municipalities.

4. That a special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the Schedule, to be collected in the same manner as other taxes collected in each year for (5) five years after the passing of this by-law.
5. For paying the amount assessed upon the lands and roads belonging to or controlled by the Municipality, a special rate sufficient to pay the amount assessed plus interest thereon, shall be levied upon the whole rateable property in the Town of Essex, in each year for five years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
6. All assessments of \$500.00 or less are payable in the first year in which the assessment is imposed.
7. The by-law comes into force on the passing thereof and may be cited as "Thompson Drain: Kelly Strong Bridge and Bridge for Davin & Karen Kendrick".

**Read a first and a second time and provisionally adopted on December 18,  
2017**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally passed on**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## SCHEDULE A

**The Corporation of the Town of Essex**

**By-Law Number 1676**

**Being a By-Law to enter into a Site Plan Control Agreement between:**

**The Corporation of the Town of Essex**

**and**

**The International Door Company**

**WHEREAS** pursuant to Section 41 of the Planning Act, R.S.O. 1990 and Amendments thereto, the International Door Company are desirous of constructing an addition to their existing building on lands on the East Side of County Road 13 and as such is required to enter into a Site Plan Control Agreement with the Town of Essex;

**AND WHEREAS** the subject lands are designated as a site plan control area pursuant to Section 41 of the Planning Act, R.S.O. 1990 and Amendments thereto;

**AND WHEREAS** pursuant to Section 41 of the Planning Act, R.S.O. 1990 and Amendments thereto, municipalities may enter into such agreements;

Now therefore be it resolved that the Council of the Town of Essex enacts as follows:

That the Mayor and Clerk be directed to affix their signatures, on behalf of the Corporation of the Town of Essex, to Schedule 1 attached hereto and forming part of this Bylaw, for the purpose of executing the Site Plan Control Agreement.

**Read a first and second time and provisionally adopted on February 20, 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally passed on March 5, 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## **Schedule 1**

### **The Corporation of the Town of Essex**

#### **Site Plan Control Agreement**

This agreement made in triplicate, on March 5, 2018

**Between:**

**International Door Company**

hereinafter called

**The Owner of the First Part or Owner**

**And**

**The Corporation of the Town of Essex**

hereinafter called

**The Corporation of the Second Part or the Town**

**Whereas** an application has been made by the Owner for approval of a development within the limits of the Town of Essex which lands are more particularly described in Schedule A (the subject lands);

**And Whereas** the proposed development is in accordance with the Official Plan of the Corporation as amended from time to time;

**And Whereas** the Corporation has enacted by-laws being by-laws designating the said lands as a site plan control area, pursuant to Section 41(2) of the Planning Act, R.S.O. 1990, as amended;

**And Whereas** where site plan control is in effect, Section 41 of the Planning Act, R.S.O. 1990, as amended requires the approval of plans and drawings by the Corporation prior to development and the Corporation may require the Owner to enter into an agreement respecting certain prescribed matters;

**And Whereas** the Owner wishes to undertake a development on the lands described in Schedule B, in accordance with the site plan prepared by the International Door Company;

**Now Therefore This Agreement Witnesseth** that in consideration of the aforesaid mentioned premises and in consideration of the sum of Five Dollars (\$5.00) now paid by the Owner to the Corporation (the receipt of which is hereby expressly acknowledged), the parties hereto covenant and agree one with the other as follows:

1. The Owner hereby agrees to construct, provide, install and maintain for the life of the proposed development, to the satisfaction of and at no expense to the Corporation, all buildings, structures, landscaping, fencing, light standards, walkways, vehicular and bicycle parking, garbage disposal facilities, grading and provision for storm, surface and waste water, and other facilities in accordance with the site plan shown in Schedule B, and in accordance with all the applicable provisions of the Corporation's Zoning By-law and such other relevant by-laws, as amended, and to the satisfaction of the Corporation. The final location and design of the access areas will be to the satisfaction of the Town, in consultation with the County of Essex, the Owner and, if requested, a traffic engineer retained by the Owner;
2. The Owner hereby agrees that in advance of obtaining a building permit for the building addition, a security deposit in the amount of \$5,000 shall be provided to the Corporation to ensure that the works as set out in this agreement are complied with. The Owner agrees to deliver the required security to the Corporation, either as an irrevocable letter of credit (in a form satisfactory to the Corporation's solicitor) or as cash to be kept in an interest bearing account by the Corporation. The Corporation hereby agrees to return the security deposit to the Owner within 30 days of being notified by the Town's Manager of Capital Projects and Chief Building Official that all required works as set out in this agreement have been completed and any deficiencies corrected to the satisfaction of the Corporation and are in compliance with any applicable federal, provincial or municipal statute, by-law or regulation;
3. The Owner agrees to pay all outstanding Realty Taxes to the Corporation in advance of any building permit being issued for the proposed commercial building;
4. The Owner hereby agrees to remove at no expense to the Corporation all snow from all driveways, parking and access areas and to remove and dispose of all refuse from the Subject Lands;
5. The Owner shall keep the municipal roads adjacent to the Subject Lands free from dirt and debris caused by the construction on the Subject Lands;
6. The Owner shall, at its entire expense, restore any curbs, gutters, pavements, sidewalks, drains or landscaped areas on the municipal roads which are damaged during construction and construct any new curbs, gutters, pavements, sidewalks, drains and landscaped areas on the municipal roads abutting the Subject Lands, all to the satisfaction of the Corporation;
7. All lighting erected on light standards shall be directed inward and downward within the property and shielded so as to reduce, as much as technically possible, direct light penetration beyond the property lines. The Owner hereby agrees to orient, shield, install and maintain all other outside lighting in such a manner so as to direct all outside lighting away from abutting municipal road allowances and all other properties. The Owner further agrees to use only full cut-off fixtures for any and all new outside lighting purposes;

8. The Owner hereby agrees to notify all local, provincial or federal authorities having jurisdiction as to their proposed program of work and shall obtain all necessary permits and/or approvals which may be required from any authority having jurisdiction;
9. The Owner agrees to commence and complete construction of the building addition and all other facilities required under this agreement and zoning by-law within two (2) years of the date of execution of this agreement, all to the satisfaction of the Town, unless otherwise dictated by this agreement, or this agreement may, at the option of the Corporation, be deemed to be null and void;
10. The Owner hereby agrees to obtain approval from the Town's Chief Building Official before installing any signage on the Subject Lands. As part of his approval, the Chief Building Official, in consultation with the Town Planner, will review the size, location, type and design of any signage proposed, to ensure that the signs are in accordance with the approved site plan, landscape plan and signage plans and or with the municipal sign bylaw. It is acknowledged that a sign permit may be required from the County of Essex and that the Town may not issue a sign permit(s) until such time as a permit or formal clearance from the County is received;
11. The Owner hereby agrees to pay to the Corporation the applicable development charges, in accordance with the Town's Development Charges By-law, as may be amended from time to time, in advance of any building permit being issued by the Corporation;
12. The Owner hereby agrees to pay all costs incurred by the Corporation with respect to this Agreement, and without limiting the generality of the foregoing, shall include legal, planning, engineering and administrative costs;
13. The Owner acknowledges and agrees that pursuant to subsection (11) of Section 41 of the Planning Act, R.S.O. 1990, as amended, Section 325 of the Municipal Act applies to all requirements of this agreement. If the Owner neglects to undertake any matter or thing required to be done by this agreement and such default continues, in addition to other remedies available to it, the Corporation may direct that such matter or thing shall be done at the expense of the Owner and the Corporation may recover the expense incurred in doing it and the Owner hereby authorizes the Corporation to enter upon the said land and do such matter or thing;
14. This agreement may be amended at any time with the consent of the Corporation and the registered Owner of the said lands at the time of such amendment;
15. The Corporation shall not be required to issue a building permit for the said development until all the preconstruction provisions of this Agreement have been complied with;
16. If any term, covenant or condition of this agreement shall, to any extent, be declared invalid or unenforceable, the remainder of this Agreement shall not be affected thereby



and each term, covenant or condition of this agreement shall be valid and be enforced to the fullest extent permitted by law;

17. The Owner hereby agrees to the registration of the within agreement in the Land Registry Office for the County of Essex (No. 12) by the Corporation's solicitor and at the entire expense of the Owner;
18. This Agreement is not assignable by the Owner (or any person claiming through or under the Owner) unless the assignee thereof shall first in writing covenant and agree with the Corporation to assume the burdens and obligations imposed upon the Owner under this Agreement and to undertake with the Corporation to observe and perform the obligations herein imposed upon the Owner;
19. This agreement shall inure to the benefit of the Corporation and shall be binding upon the Owners and their respective heirs, executors, administrators, successors and authorized agents.

In Witnesseth Whereof, the said parties hereunto affixed their signatures and corporate seals attested to by the hands of their proper officers, duly authorized in that behalf.

Signed, sealed and delivered in the presence of:

**The Corporation of the Town Of Essex**

**Per:** \_\_\_\_\_  
**Mayor**

**Per:** \_\_\_\_\_  
**Clerk**

**Per:** \_\_\_\_\_

**I have the authority to sign on behalf of the  
International Door Company**

**Schedule A**

Municipal Address: 1170 County Road 13

Legal Description: PT 1 PT LT 9 CON GORE PT OF 75199-0223, 12R26960

## Site Plan



## **The Corporation of the Town of Essex**

### **By-Law Number 1678**

#### **Being a by-law to confirm the proceedings of the February 20, 2018 Regular Meeting of Council of The Corporation of the Town of Essex**

Whereas pursuant to Section 5(1) of The Municipal Act, 2001, S.O. 2001, c.25 as amended, the powers of a municipality shall be exercised by its Council;

And whereas pursuant to Section 5(3) of The Municipal Act, 2001, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

And whereas it is deemed expedient that a by-law be passed to authorize the execution of Agreements and other documents and that the proceedings of the Council of The Corporation of the Town of Essex at its meetings be confirmed and adopted by by-law.

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That the actions of the Council of The Corporation of the Town of Essex in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other actions passed and taken by the Council of The Corporation of the Town of Essex, documents and transactions entered into during the February 20, 2018 meeting of Council, are hereby adopted and confirmed as if the same were expressly contained in this by-law.
2. That the Mayor and proper officials of The Corporation of the Town of Essex are hereby authorized and directed to do all the things necessary to give effect to the actions of the Council of The Corporation of the Town of Essex during the said February 20, 2018 meeting referred to in paragraph 1 of this by-law.
3. That the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the actions taken by this Council as described in Section 1 of this by-law and to affix the Corporate Seal of The Corporation of the Town of Essex to all documents referred to in said paragraph 1.

**Read a first and a second time and provisionally adopted on February 20, 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally passed on March 5, 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# **The Corporation of the Town of Essex**

## **By-Law Number 1684**

### **Being a by-law to Appoint a Manager, Finance and Business Services, and a Deputy Treasurer for the Town of Essex**

Whereas Section 224(d) of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto provides that one of the roles of Council is to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;

And whereas Section 227 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto provides that it is the role of the officers and employees of the municipality:

- a) To implement council's decisions and establish administrative practices and procedures to carry out council's decisions;
- b) To undertake research and provide advice to council on the policies and programs of the municipality; and
- c) To carry out other duties required under this or any Act and other duties assigned by the municipality.

And whereas the Town of Essex desires to appoint a Manager, Finance and Business Services;

And whereas Section 286(1) of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto provides that a municipality shall appoint a treasurer who is responsible for handling all of the financial affairs of the municipality on behalf of and in the manner directed by Council, including,

- a) Collecting money payable to the municipality and issuing receipts for those payments;
- b) Depositing all money received on behalf of the municipality in a financial institution designated by the municipality;
- c) Paying all debts of the municipality and other expenditures authorized by the municipality;
- d) Maintaining accurate records and accounts of the financial affairs of the municipality;
- e) Providing the council with such information with respect to the financial affairs for the municipality as it requires or requests;

- f) Ensuring investments of the municipality are made in compliance with the regulations made under section 418.

And whereas Section 286(2) of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto provides that a municipality may appoint deputy treasurers who shall have all the powers and duties of the treasurer under this and any other Act;

And whereas the Town of Essex desires to appoint a Deputy Treasurer;

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That Kate Bailey shall be appointed Manager, Finance and Business Services and Deputy Treasurer for The Corporation of the Town of Essex with an effective date of February 26, 2018;
2. That the terms and conditions of employment for Kate Bailey shall be those attached hereto and marked as Schedule "A";
3. That this By-Law shall come into full force and effect upon the final passage thereof.

**Read a first, a second and a third time and finally passed on March 5, 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



## **The Corporation of the Town of Essex**

### **By-Law Number 1683**

#### **Being a by-law to confirm the proceedings of the March 5, 2018 Regular Meeting of Council of The Corporation of the Town of Essex**

Whereas pursuant to Section 5(1) of The Municipal Act, 2001, S.O. 2001, c.25 as amended, the powers of a municipality shall be exercised by its Council;

And whereas pursuant to Section 5(3) of The Municipal Act, 2001, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

And whereas it is deemed expedient that a by-law be passed to authorize the execution of Agreements and other documents and that the proceedings of the Council of The Corporation of the Town of Essex at its meetings be confirmed and adopted by by-law.

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That the actions of the Council of The Corporation of the Town of Essex in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other actions passed and taken by the Council of The Corporation of the Town of Essex, documents and transactions entered into during the March 5, 2018 meeting of Council, are hereby adopted and confirmed as if the same were expressly contained in this by-law.
2. That the Mayor and proper officials of The Corporation of the Town of Essex are hereby authorized and directed to do all the things necessary to give effect to the actions of the Council of The Corporation of the Town of Essex during the said March 5, 2018 meeting referred to in paragraph 1 of this by-law.
3. That the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the actions taken by this Council as described in Section 1 of this by-law and to affix the Corporate Seal of The Corporation of the Town of Essex to all documents referred to in said paragraph 1.

**Read a first and a second time and provisionally adopted on March 5, 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**Read a third time and finally passed on March 19, 2018.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk