

CORPORATION OF THE
TOWNSHIP OF BILLINGS

AGENDA

August 3rd, 2021 7:30 p.m.

Park Centre Upper

1. OPEN
2. APPROVAL OF AGENDA
3. DISCLOSURE OF PECUNIARY INTEREST
4. ADOPTION OF MINUTES
 - a) July 19, 2021 Regular Council Meeting
 - b) July 20, 2021 Special Council Meeting
5. DELEGATIONS
6. COMMITTEE REPORTS
 - a) Museum Special Committee Report – June 22, 2021
 - b) Museum Committee Report – July 5, 2021
7. OLD BUSINESS
 - a) Main Street Hill Construction Update
 - b) Waterfront Project – Wastewater component
8. NEW BUSINESS
 - a) COVID-19 Update
 - b) 2021-31 Exotic Animals By-Law
 - c) 2021 Budget Approval
 - d) 2021-34 Tax Rate by-law
 - e) 2021 -35 Water Rate by-law
 - f) ICIP Funding
 - g) 1990 Friendship Treaty
 - h) Integrity Commissioner Report
 - i) Cleaning Contract
 - j) Safety and Well Being Plan

9. CORRESPONDANCE

- a) M'Chigeeng – Hydro Pole

10. INFORMATION

- a) Parks, Recreation and Wellness Committee Minutes – June 28, 2021
- b) Museum Committee Minutes – July 5, 2021
- c) Kitchener – Bill C-313 Banning Symbols of Hate Act
- d) Kitchener – Cost of Building Materials
- e) Updating Environmental Assessment Requirements for Transmission Lines
- f) Health and Safety Report
- g) By-law Report
- h) H&M COFI Broadband Internet Update 6
- i) Correspondence from Stratford re: Phasing out Gas Plants
- j) Code of Conduct 2018-41

11. ACCOUNTS FOR PAYMENT

12. CLOSED SESSION

- a) Section 239(2)(d) Labour relations Or employee negotiations

13. CONFIRMING BY-LAW

- a) By-law 2021-36

14. ADJOURNMENT

Memorandum

To: Mayor, Council
cc: Staff, Public
From: Staff
Date: July 29, 2021
RE: **August 3, 2021 Council Meeting**

5. Delegations

6. Committee Reports

- a) Museum Special Committee Report – June 22, 2021
Presented by Councillor Hunt
- b) Museum Committee Report – July 5, 2021
Presented by Councillor Hunt

7. Old Business

a) Main Street Hill

The project is substantially complete. One substantial remaining item is the handrail/pedestrian barrier on the retaining walls and ramps. These items had to be custom fitted, so wall work had to be complete before the materials were ordered. The contractor is expecting delivery and installation to occur in early September.

b) Kagawong Waterfront – Wastewater Component

R.J. Burnside, our consulting engineers on this project, has completed a wastewater treatment design, and our application to the Ministry of Energy, Conservation, and Parks (MECP) is in the queue for technical review.

8. New Business

a) Covid 19 Update

b) 2021 – 31 Exotic Animal By-Law

Recommendation:

That by-law 2021-31, be given 2nd and 3rd reading and enacted.

The Exotic Animal by-law received first reading at the July 19, 2021 Council meeting. The by-law, for first reading, was amended according to Council's direction at the June 8th and June 30th meetings. No amendments have been made since those meetings.

c) 2021 Budget Approval

Recommendation:

That Council adopt the 2021 budget as presented.

d) 2021-34 Tax Rate By-law

Recommendation

That Council give by-law 2021-34, being a by-law to set the tax rate for 2021, be given 1st, 2nd, and 3rd reading and enacted.

The tax rate by-law is based on the tax revenue that is required to operate the township for the year. The tax rate is the same as it was last year, which should result in no change in taxes for any properties, unless MPAC has issued a supplemental assessment.

e) By-law 2021-35 Water rate by-law

Recommendation:

That Council give by-law 2021-35 all three readings and enact. This by-law sets the water levy rates for 2021 and are reflected in the 2021 budget.

f) ICIP Funding

Recommendation:

That Council direct staff to submit an application to the Investing in Canada Infrastructure Program (ICIP) – Green Stream, 2021 Intake, for funding to replace the Old Mill Rd. Waterline from the line intersection at Main Street, along Old Mill Rd. to the terminus of the existing line below Graham Hill.

Background:

- The current Green Stream fund has a total value of \$240 million Ontario-wide, with \$24 million dedicated to Indigenous communities.
- The municipality submitted an application to this stream early in 2020. The application was not approved.
- The 2021 intake for the Green Stream is oriented specifically to drinking water infrastructure, unlike earlier rounds, where projects oriented to wastewater, green energy, etc. were eligible.
- The ICIP Green Stream has a funding break down of 40% Federal, 33.33% Provincial, and 27.67% municipal. The 2020 application was for a total project value of \$1,365,960.21, which included new waterline, road re-instatement, 25% contingency, and HST. Given cost construction cost increases, a new application will definitely involve higher costing.
- Applications are assessed based on how they meet 3 primary criteria:
 - Technical Merit
 - Critical Health and Safety
 - Funding Need
- The deadline for application is September 9th, 2021.
- Staff are expecting to have some assistance from OCWA completing the application.

g) 1990 Friendship Treaty

Mayor Anderson will lead the discussion

h) Integrity Commissioner Report Recommendations

Recommendation:

That staff be directed to amend or re-write the Municipal to include the recommendations contained in the Integrity Commissioner Reports.

The IC reports made the recommendation that the township update the Code of Conduct to include the following:

1. That Council review and update/amend the Code of Conduct to include at a minimum:
 - a) Specific reference to members of committees, working groups or other Council appointed bodies that fall outside of the common understanding of a local board.
 - b) A reference to the Occupational Health and Safety Act as well as other ethical policies adopted by Council.
 - c) The role of the Integrity Commissioner
 - d) The process for making a complaint regarding the behavior of a Member.
 - e) A definition of what would constitute a frivolous or vexatious complaint.
 - f) A requirement for the Integrity Commissioner to conduct a preliminary review before a full inquiry.
 - g) A requirement for training of Members and formal system/process for documenting/acknowledging when a member has received training.
 - h) A mandatory review.
2. Review/update/adopt a communications policy that clearly states Council's expectations with respect to media/social media and ensure Members received training on the policy.

l) Cleaning Contract

Recommendation

That the CAO enter into a contract with Darren and Lisa Hayden (Lakeshore Maintenance) to supply cleaning services to the municipality.

The Haydens have agreed to enter into a contract with the township for cleaning services at \$21 per hour. They have not yet confirmed sure whether or not that will include snow removal, but if not, we will deal with that at a later date. The contract will include all municipal buildings, including the library and museum. The township has been advertising for a cleaner since March.

j) Safety and Well Being Plan

Recommendation

That Council accept the Safety and Well Being Plan.

Community safety and well-being plans are provincially legislated for municipalities in Ontario under the Police Services Act, 1990.

Eight municipalities on Manitoulin Island have joined together for the development of Manitoulin Island's Community Safety and Wellbeing (MICWSB) Plan.

The plan represents a shared commitment to make the communities on Manitoulin Island a place where individuals and families feel safe, have a sense of belonging and access to services to meet their needs. The MICSWB plan will be used as a strategic roadmap to share information with our communities on the four priority areas identified for Manitoulin.

With the action items that this plan contains there is little that we can do as an individual municipality. We will need to work collaboratively with other municipalities and agencies that provide service to the residents of Manitoulin Island. This may be best accomplished at the political level, possibly through the Manitoulin Municipal Association or the Island Leadership committee.

If Council has any questions, you can contact Melissa Celie by email at mceglie@isninc.ca or Sean Sparling at ssparling@isninc.ca

9. Correspondence

a) M'Chigeeng Hydro Relocation of Pole Line

Recommendation:

That Council agrees to submit all the required paperwork for the relocation of hydro poles onto the unopened road allowance between Concession 4 Lots 15 and 16 provided that M'Chigeeng First Nation submits a letter to the CAO stating Nation that M'Chigeeng First Nation be responsible for all costs associated with the pole installation, either by way of paying the invoices or by reimbursing the township for the costs.

In December 2020 the township was approached by Ogimma Kwe Linda Debassige. When M'Chigeeng was surveying a road access between M'Chigeeng First Nation lots 15 & 16, Concession 4 they were advised that the property belongs to the Township of Billings and not M'Chigeeng. Somewhere there was an error made as the property should be considered reserve lands.

The property is located west of Old Spring Bay Road and runs to lake Mindemoya. This unopened road allowance is surrounded by First Nation Land. There is no Billings Township property located in the vicinity of this unopened road allowance. Attached is a map indicating the location.

In consultation with Mayor Anderson a letter was supplied to M'Chigeeng advising that they could use the unopened road allowance to build a road that would be the responsibility of M'Chigeeng First Nation. M'Chigeeng would be responsible for all costs associated with this.

M'Chigeeng then found out that some hydro poles needed to be relocated onto the unopened road allowance. Hydro contacted the township and again with consultation with Mayor Anderson and public works approval was given to locate new poles along the side of the road allowance.

I was contacted by Hydro One advising that since Billings was the owner of the property, we would be responsible for submitting all of the paperwork for the relocation of the hydro poles and would be billed for all of the work.

The township has received a letter from M'Chigeeng stating that the township will be reimbursed the cost associated with the relocation of the poles located on the unopened road allowance between Lot 15 and 16 Concession 4.

10. Information

There are a number of items attached for Council's information. Council may move any of these items to new business during the agenda approval for discussion at this meeting, or request that an item(s) be include on a future agenda for discussion.

- a) Parks, Recreation and Wellness Committee Minutes – June 28, 2021
- b) Museum Committee Minutes – July 5, 2021
- c) Kitchener – Bill C-313 Banning Symbols of Hate Act
- d) Kitchener – Cost of Building Materials
- e) Updating Environmental Assessment Requirements for Transmission Lines
- f) Health and Safety Report
- g) By-Law Report

- h) H&M COFI Broadband Internet Update 6
- i) Stratford – Phase out Ontario's Gas Plants
- j) Code of Conduct By-law 2018-41 (current by-law)

12. Closed Session

- a) Section 239(2)(d) Labour relations or employee negotiations

The Corporation of the
Township of Billings
Regular Meeting

July 19th, 2021 7:30 p.m.

Electronic Meeting

Present: Mayor Anderson, Councillors Sharon Alkenbrack, Bryan Barker, Michael Hunt and Sharon Jackson

Staff: Todd Gordon, Economic Development Officer; Kathy McDonald, CAO/Clerk; Arthur Moran, By Law Officer; Tiana Mills, Deputy Clerk; Martin Connell, Fire Chief

Media: Tom Sasvari

Members of the General Public

1. OPEN

2021-238 Barker - Hunt

BE IT RESOLVED that this regular meeting of Council be opened with a quorum present at 7:32 p.m. with Mayor Anderson presiding.

Carried

2. APPROVAL OF AGENDA

2021-239 Alkenbrack - Jackson

BE IT RESOLVED that the agenda for the July 19th, 2021 regular meeting of Council be accepted as amended.

Carried

3. DISCLOSURE OF PECUNIARY INTEREST

I, Councillor Bryan Barker, declare a direct pecuniary interest in Agenda Item No. 8(b) Domestic and Exotic Animals By-Law for the following reason: I am a bee keeper and have bee hives on my property and live within the Township of Billings.

4. ADOPTION OF MINUTES

a) June 30th, 2021

2021-240 Alkenbrack - Barker

BE IT RESOLVED that the minutes for the June 30th, 2021 special meeting of Council be accepted as presented.

Carried

b) July 6th, 2021

2021-241 Hunt - Jackson

BE IT RESOLVED that the minutes for the July 6th, 2021 regular meeting of Council be accepted as presented.

Carried

5. DELEGATIONS

a) Bill Touzel, Oakville Energy Corporation (OEC)

Council received report from Bill Touzel.

b) Expertise for Municipalities (E4M) Representative

Council received report from Expertise for Municipalities (E4M) Representative regarding the Integrity Commissioner's Report

6. COMMITTEE REPORTS

a) Museum Special Committee Report – June 22, 2021

This item will be different until the next regular Council Meeting on August 3, 2021.

b) Museum Committee Report – July 15, 2021

This item will be different until the next regular Council Meeting on August 3, 2021.

7. OLD BUSINESS

a) Main Street Construction Update

Council received update.

b) Broadband Update

Council received update.

8. NEW BUSINESS

a) COVID-19 Update

Council received update.

b) FedNor Funding

2021-242 Jackson - Hunt

BE IT RESOLVED that Council directs staff to apply to the FedNor Canada Community Revitalization Fund for the outdoor rink.

Carried

2021-243 Barker - Alkenbrack

BE IT RESOLVED that Council directs staff to apply to the FedNor Canada Community Revitalization Fund for the sheet piling at the Aus Hunt Marina.

Carried

c) Proposed Consent to Sever Application, File No's. B14-21, B15-21 and B16-21

2021-244 Alkenbrack - Jackson

BE IT RESOLVED that Council does not recommend consent be granted for Applications B14-21, B15-21, B16-21, for the following reasons:

1. The property is in a low-lying area which may see significant flooding - A significant portion of the property is below the 700 ft. level. We are currently in the process of approving a climate action plan, which speaks to the need to consider the climate change implications for, and of, development activity, including such things as more extreme/frequent flood events, and the impact of development on the natural assets that are so important in buffering climate change impacts.
2. Issuing Building permits will result in the need for significant fill to be brought in, redirecting water to other properties, causing drainage issues, such as water being redirected to neighbouring properties.
3. There is no municipal water service to this location so water will need to be drawn from the river, which could be as much as 400 ft + on lot B14-21.

Carried

d) 2021-28 Enforcement By-Law

2021-245 Alkenbrack-Barker

BE IT RESOLVED that by-law 2021-28 be given second and third reading and enacted as amended.

Carried

- e) **2021-31 Exotic Animals By-Law
2021-246 Alkenbrack - Hunt**

BE IT RESOLVED that by-law 2021-31 be given first reading.

Carried

- f) **Community Energy and Emissions Plan (CEEP) Approval
2021-247 Barker - Alkenbrack**

BE IT RESOLVED that Council accepts the draft Township of Billings Community Energy and Emissions Plan (CEEP) as presented by the committee.

Carried

2021-248 Alkenbrack - Jackson

BE IT RESOLVED that Council create a standing Climate Action Committee, with committee Terms of Reference (TOR) and committee membership subject to the approval of Council.

Carried

- g) **Plaque Text Use Request**

2021-249 Alkenbrack - Jackson

BE IT RESOLVED that Council allow staff to share the text from the Billings Connections Trail plaques with Sophie Edwards and Alan Corbiere.

Carried

- h) **Trailer Exemption Request**

2021-250 Alkenbrack - Barker

BE IT RESOLVED that Council reject the exemption request to by-law 2017-44 submitted by Mallory Wilson.

Carried

9. CORRESPONDENCE

- a) **H&M COFI Broadband Internet Update 6**

This item will be different until the next regular Council Meeting on August 3, 2021.

10. INFORMATION

- a) **Centennial Manor Financial Report May 2021**

This item will be different until the next regular Council Meeting on August 3, 2021.

- b) **Parks, Recreation and Wellness Committee Minutes – June 28, 2021**

This item will be different until the next regular Council Meeting on August 3, 2021.

- c) **Museum Committee Minutes – July 5, 2021**

This item will be different until the next regular Council Meeting on August 3, 2021.

- d) **Kitchener – Bill C-313 Banning Symbols of Hate Act**

This item will be different until the next regular Council Meeting on August 3, 2021.

- e) **Kitchener – Cost of Building Materials**

This item will be different until the next regular Council Meeting on August 3, 2021.

f) Updating Environmental Assessment Requirements for Transmission Lines

This item will be different until the next regular Council Meeting on August 3, 2021.

g) Green Stream of the Investing in Canada Infrastructure Program (ICIP)

This item will be different until the next regular Council Meeting on August 3, 2021.

11. ACCOUNTS FOR PAYMENT

2021-251 Hunt - Barker

BE IT RESOLVED THAT Council Authorizes the following accounts for payment:

General Accounts \$75,959.42

and that cheques numbered 6829 to 6846 be authorized for signing as described in the attached register.

Carried

12. CLOSED SESSION

a) Section 239(2)(d) re: Labour Relations or Employee Negotiations

2021-252 Alkenbrack - Jackson

BE IT RESOLVED that in accordance with Section 239(2) (d) of the *Municipal Act, 2001 S.O. Chapter 25*, this Council proceed to a Closed Session at 10:10 p.m. in order to discuss an item related to employee negotiations.

Carried

2021-254 Alkenbrack - Barker

BE IT RESOLVED that Council move out of Closed Session at 10:17 p.m. and resume their regular, open meeting.

Carried

13. CONFIRMING BY-LAW

2021-255 Alkenbrack - Barker

BE IT RESOLVED that By-law 2021-32, being a by-law to confirm the proceedings of Council be given first, second, third reading and enacted.

Carried

14. ADJOURNMENT

2021-256 Barker - Hunt

BE IT RESOLVED that this regular meeting of Council be adjourned at 10:18 p.m.

Carried

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk

The Corporation of the
Township of Billings
Special Council Meeting

July 20th, 2021 7:00 p.m.

Electronic Meeting

Present: Mayor Anderson, Councillors Sharon Alkenbrack, Bryan Barker, Michael Hunt and Sharon Jackson

Staff: Kathy McDonald, CAO/Clerk; Tiana Mills, Deputy Clerk; Todd Gordon, EDO; Bruce Mercer, Treasurer; Floyd Becks, Public Works Superintendent
Members of the General Public

1. OPEN

2021-257 Barker - Hunt

BE IT RESOLVED that this special meeting of Council be opened with a quorum present at 7:00 p.m. with Mayor Anderson presiding.

Carried

2. APPROVAL OF AGENDA

2021-258 Alkenbrack - Jackson

BE IT RESOLVED that the agenda for the July 20th, 2021 special meeting of Council be accepted as presented.

Carried

3. DISCLOSURE OF PECUNIARY INTEREST

None.

4. ADOPTION OF MINUTES

None.

5. DELEGATIONS

None

6. COMMITTEE REPORTS

None.

7. OLD BUSINESS

None.

8. NEW BUSINESS

a) Draft Budget

Council received budget report and draft budget as presented by Kathy McDonald, CAO/Clerk.

9. CORRESPONDENCE

None.

10. INFORMATION

None.

11. ACCOUNTS FOR PAYMENT

None.

12. CLOSED SESSION

None.

13. CONFIRMING BY-LAW

2021-259 Alkenbrack - Barker

BE IT RESOLVED that By-law 2021-33, being a by-law to confirm the proceedings of Council be given first, second, third reading and enacted.

Carried

14. ADJOURNMENT

2021-260 Barker - Hunt

BE IT RESOLVED that this special meeting of Council be adjourned at 8:07 p.m.

Carried

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk

Township of Billings
Council Committee Report

Report To: Council

Date of Meeting: June 22/2021

Report By: Michael Hunt

Committee: Billings Museum
Committee
Special Meeting

Highlights/Matters of Interest:

New Business

Request for Additional display

Jane Hubbard works for the legacy of Hope and offered to loan the heritage centre a residential school display. Everyone was in favour of the display but recognized that the heritage centre did not have room for the display and that with the short period of time to put it up the heritage centre could not give the display the attention that it deserves. Rick Nelson would ask Jane if she could assist in setting up the display, sometime in the future.

Township of Billings
Council Committee Report

Report To: Council

Date of Meeting: July 5/2021

Report By: Michael Hunt

Committee: Billings Museum
Committee

Highlights/Matters of Interest:

The opening of the Museum has been moved forward from July 25th to July 16th.

On July 5th Hanako Hubbard-Radulovich started working putting labels on items and multi tasking different jobs within the Museum.

A wooden display case was donated by Doug Clark.

More Display cases from the Museum of History are coming either this year or 2022.

Valued at \$15,000 but sold to the museum for \$1,500.

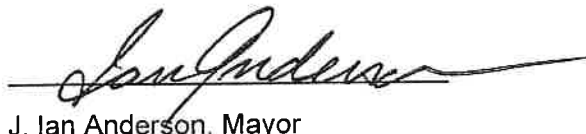
The Museum will extend their hours of operation due to the lockdown from 10-4pm to 10-5pm.



Declaration of End of Emergency

I, J. Ian Anderson, Head of Council for the Corporation of the Township of Billings, declare that the emergency in the Township of Billings, for the entire area within the jurisdictional boundaries of the Township of Billings including all lands, waterways, and islands, due to the COVID-19 pandemic, has ended.

Dated this 27th day of, July, 2021



J. Ian Anderson, Mayor

Distribution:

- ☐ Emergency Management Ontario (fax: 1-416-314-0474)
- ☐ Provincial Emergency Operations Centre (phone: 1-866-314-0472)
- ☐ OFMEM Field Officer Jacob (email: sarah.jacob@ontario.ca)
- ☐ Billings Council and staff
- ☐ MP Carol Hughes
- ☐ MPP Michael Mantha
- ☐ Manitoulin Municipal Association members
- ☐ Manitoulin West Recorder

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BYLAW 2021-31

Being a Bylaw to Regulate the Keeping and Feeding of Domestic Animals and Exotic Animals or Wildlife Other Than Cats or Dogs

WHEREAS The *Ontario Municipal Act 2001, c. 25 section 8* provides that a municipality interpret this *Act* broadly so as to confer broad authority on the municipality to enable the municipality to govern its own affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

WHEREAS The *Ontario Municipal Act 2001, c. 25 section 10 (2) (9)* provides that a municipality may pass bylaws respecting matters including animals: and

WHEREAS The *Ontario Municipal Act, 2001, c. 25 section 10 (2) (6)* provides that a municipality may pass bylaws respecting the health, safety and well being of persons;

WHEREAS The *Ontario Municipal Act 2001, c. 25 section 425 (1)* provides that a municipality may pass bylaws providing that a person who contravenes a bylaw of the municipality passed under the *Act* is guilty of an offence; and

WHEREAS The *Ontario Municipal Act, 2001, c. 25 section 8 (3)* provides that a municipality may pass bylaws providing for a system of licensing respecting matters.

WHEREAS The Council of the Township of Billings deems it desirable, for the health, safety and well being of the public, to enact a bylaw to regulate the keeping of exotic animals and other domestic animals, other than dogs, within the Township of Billings;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS ENACTS AS FOLLOWS:

1.0 Definitions

1.1 "Animal" means any non-human vertebrate or invertebrate, and includes but is not limited to reptiles, arachnids, domestic animal including but not limited to canines and felines, domestic fowl, an animal raised for commercial purposes, an animal kept for working purposes or for hobby purposes such as breeding, showing or sporting, a household pet, an exotic animal, livestock, pigeons, wild animals and birds, but excludes duck, geese, swans or other animals that naturally inhabit park areas, protected land or open space.

1.2 "Apiary" means a place where bees and bee keeping equipment are kept.

1.3 "At Large" means to be found in any place other than the premises of the owner of the animal and not under the control of a person in such a manner as to prevent escape; except where the owner permits the animal to be on his or her property.

1.4 "Bee Keeping Equipment" means hives, parts of hives and the utensils for keeping bees.

1.5 "Bees" means insects known as *Apis Mellifera*.

1.6 "Cat" means a male or female feline of any breed of domesticated cat or crossbreed of domesticated cat.

1.7 "Control" means care and custody of an animal.

1.8 "Council" means the Council of the Corporation of the Township of Billings.

1.9 "Coop" means a fully enclosed weatherproof building where hens are kept and which includes nest boxes, perches and food and water containers.

1.10 "Domestic Animal" means an animal that has been tamed to live with humans that are kept for economic purposes such as meats, dairy products, wool, leather, or for working and sporting purposes. Domestic Animals would include, but not be limited to horses, cattle, sheep, pigs, goats, llamas or alpacas.

1.11 "Domestic Fowl" means any feathered vertebrate animal living in or near the habitation of humans and not being wild; shall include but not be limited to chickens, ducks, geese, turkeys, pigeons but shall not include, song birds or vertebrates commonly kept as domestic pets including domestic cardinals, finches, budgies, bulbuls, canaries, tanagers, amazons, cockatoos, onures, macaws, lorikeets, touracos, toucans, orioles, mynahs, magpies, barbets, ascaris, pied homebills or cock of the rocks.

1.12 "Domestic Pet" means a domestic animal, such as a dog or cat kept for pleasure rather than utility purposes.

1.13 "Dwelling" means a Building or structure or part of a Building or structure, occupied or capable of being occupied in whole or in part for the purpose of human habitation.

1.14 "Endangered Species" means an animal or plant existing in such small numbers that they are in danger of becoming extinct from either natural or human causes.

1.15 "Escape Proof Enclosure"

1.16 "Feed or Feeding" means the intentional act of giving, exposing, depositing, distributing or scattering any edible material with the intention of feeding, attracting or enticing any animal but does not include baiting during in any legal activities or in any attempt to confine any dog, cat or animal for the purpose of causing it to be impounded.

1.17 "Feral Cat" means a cat found in the town that has no owner, is not socialized and is extremely fearful or resistant to humans.

1.18 "Hen" means a domesticated female chicken that is at least 4 months old.

1.19 "Hen Run" means an enclosure that allows hens to access the outdoors.

1.20 "Keeps" means to own, keep, harbour, maintain or feed an animal.

1.21 "License" means a license issued by the Town, for a fee, to own, harbour or possess an exotic animal identified in schedule "A".

1.22 "Officer" means an officer of the OPP or the Society for the Prevention of Cruelty to Animals or an Animal Control Officer or Bylaw Enforcement Officer appointed by the Council to enforce bylaws.

1.23 "Owner" means any person who keeps, possesses, harbours an animal or allows the animal to remain on their premises, and for the purpose of this Bylaw shall include any person who fosters an animal from a recognized animal shelter or rescue; and where the owner is a minor, the person responsible for the custody of the minor and "owns" has a corresponding meaning.

1.24 "Pet" means a domestic animal kept for pleasure rather than utility purposes.

1.25 "Physically Disabled Person" means a person with any degree of any mental disability or physical disability, infirmity, malformation, or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes brain injury, paralysis, amputation, lack of physical coordination, blindness, visual impediment or any other condition that is medically diagnosed by a physician.

1.26 "Premises" means the entire lot on which a single dwelling unit building or multi-dwelling unit building is situated.

1.27 "Public Property" means all lands owned by the Township, any local boards, any corporations owned or controlled by the Township and includes all Crown lands.

1.28 "Recognized Animal Shelter or Rescue" means a not-for-profit or charitable organization, whose mandate and practices are predominantly the rescue and placement of animals and facilitating the spaying or neutering of animals or for animal welfare purposes.

1.29 "Therapy Animal" means an animal that is recognized by a physician, that provides a therapeutic or comfort value, or emotional support to the physically disabled owner of the animal.

1.30 "Township" means the Corporation of the Township of Billings.

1.31 "Wildlife" means any animal which is wild by nature and not normally domesticated.

2.0 Prohibitions

2.1 No person shall own, harbour, possess, Keep, sell or offer to sell any Animal listed in Schedule "A", as a Pet or for any other purpose or for any period of time:

2.1.1 Unless the identified type of animal that is being kept (as per Schedule 1) is kept at a permanent residence of the Pet Owner that is located in an area that is zoned as Rural or Agricultural as identified in the Billings Township Zoning Bylaw (1980-11).

2.2 No person shall intentionally feed, cause to be fed or provide or make available food, attractants or other similar substances for the consumption by wildlife on Township property.

3.0 Additional Conditions

3.1 Any Owner who keeps, harbours, owns or possesses the following Animals shall comply by the following conditions:

3.1.1 Bees

a) Any Owner Keeping Bees within in the Township shall register with the Provincial Apiarist and abide by the *Ontario Bees Act R.R.O 1990, Regulation 57 and R.S.O 1990, Chapter B.6.*

b) Any Owner who Keeps Bees within the Township shall obtain an Exotic Pet Permit from the Town office.

3.1.2 Household Birds

a) Any Owner shall keep household birds housed and in Escape-proof Enclosures.

3.1.3 Horses, Domestic Fowl, Cattle, Goats, Swine, Mink, Sheep and Mules.

a) No owner shall keep horses, Domestic Fowl, cattle, bison, goats, swine, mink, sheep, mules or similar livestock within the Township, unless the property is designated as Rural or Agricultural by the Township Zoning Bylaw 1980-11.

3.1.4 Rabbits

a) Any Owner of rabbit(s) will be allowed to keep a maximum of 2 rabbits in a Dwelling.

b) Any Owner of rabbit(s) shall ensure that rabbit(s) are kept in escape-proof enclosures when outside.

4.0 Exceptions

4.1 Section 2.1 shall not apply to the following:

4.1.1 Premises operated by the Ontario Society for the Prevention of Cruelty to Animals.

4.1.2 A veterinary hospital under the control of a licensed veterinarian.

4.1.3 Any person holding a license under any statute of the Legislature of Ontario or the Government of Canada, which permits the keeping of animals, identified in Schedule "A", under stated conditions.

4.1.4 Any Animal being displayed or exhibited for a set period of time in a Town sanctioned event which is operated in accordance with all of the Town bylaws.

4.1.5 Any professional film production company producing a film in the Township.

5.0 Enforcement

5.1 Any person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and upon conviction is liable to a set fine as provided by the *Provincial Offences Act R.S.O. 1990, chapter P. 33. As amended.* (See Schedule "B")

5.2 No person shall hinder or obstruct or attempt to hinder or obstruct an Officer who is exercising a power or performing a duty under this Bylaw.

6.0 Severability

- 6.1 If any provision of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part in particular circumstances, the balance of the bylaw or its application in other circumstances, shall not be affected and shall continue in full force and effect.

7.0 Administration

7.1 This Bylaw will come into effect upon the date that the Bylaw is passed and enacted.

7.2 This Bylaw shall be referred to as the Domestic Animal and Exotic Animal Bylaw.

7.3 This bylaw shall repeal Billings Township Bylaw 2015-03

READ FOR THE FIRST, SECOND AND THIRD TIME AND ENACTED THIS DAY OF ,2020

MAYOR

CLERK

SCHEDULE "A"

CORPORATION OF THE TOWNSHIP OF BILLINGS

BYLAW 2021-31

**BEING A BYLAW TO REGULATE THE KEEPING OF EXOTIC ANIMALS AND DOMESTIC ANIMALS
OTHER THAN DOGS OR CATS**

No person shall Own, Keep, harbour possess, sell or offer for sale any Animal listed below as a pet or for any other purpose or for any period of time.

- a) All non human primates i.e., gorillas, monkeys, gibbons etc.;
- b) All felids, except the domestic cat;
- c) All canids, except the domestic dog;
- d) All artiodactylous including goats, sheep, cattle, bison, llamas and alpaca except in areas identified in the current Zoning Bylaw 1980-11 as being Rural or as Agriculture.
- e) All Domestic Fowl means any feathered vertebrate animal living in or near the habitation of humans and not being wild; shall include but not be limited to chickens, ducks, geese, turkeys, pigeons except in areas identified in the current Zoning Bylaw as being Rural or Agricultural.
- f) All mustelids, including but not limited to skunks, weasels, otters, badgers etc., but not including the domestic ferret;
- g) All marsupials including but not limited kangaroos and opossums;
- h) All Leporidae (rabbits) except in areas identified in the current Zoning Bylaw as being Rural or Agricultural.
- i) All bats;
- j) All ursids i.e., bears;
- k) All hyenas
- l) All snapping turtles;
- m) All elephants;
- n) All snakes of the families of Pythonidae or boaidae;
- o) All poisonous or venomous snakes;
- p) All poisonous or venomous arachnids including but not limited to spiders;
- q) All crocodilians including but not limited alligators or crocodiles;
- r) All poisonous or venomous lizards; or
- s) Any endangered species as defined by the Canadian Wildlife Service.

SCHEDULE "B"

CORPORATION OF THE TOWNSHIP OF BILLINGS

BYLAW 2021-31

**BEING A BYLAW TO REGULATE THE KEEPING OF EXOTIC ANIMALS AND DOMESTIC ANIMALS
OTHER THAN DOGS OR CATS**

SET FINES SCHEDULE

PROVINCIAL OFFENCES ACT

PART 1

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Did keep a prohibited exotic pet	2.1	\$500.00
	Did feed wildlife on Township Property.	2.2	\$250.00
2	Failure to follow identified set conditions	3.1	\$500.00
3	Hinder or obstruct an officer	5.2	\$500.00
4	Attempt to hinder or obstruct an officer	5.2	\$500.00

Note: The penalty provision for the offences indicated above is section 5.1 of this Bylaw 2020-__ of which a certified copy has been filed.

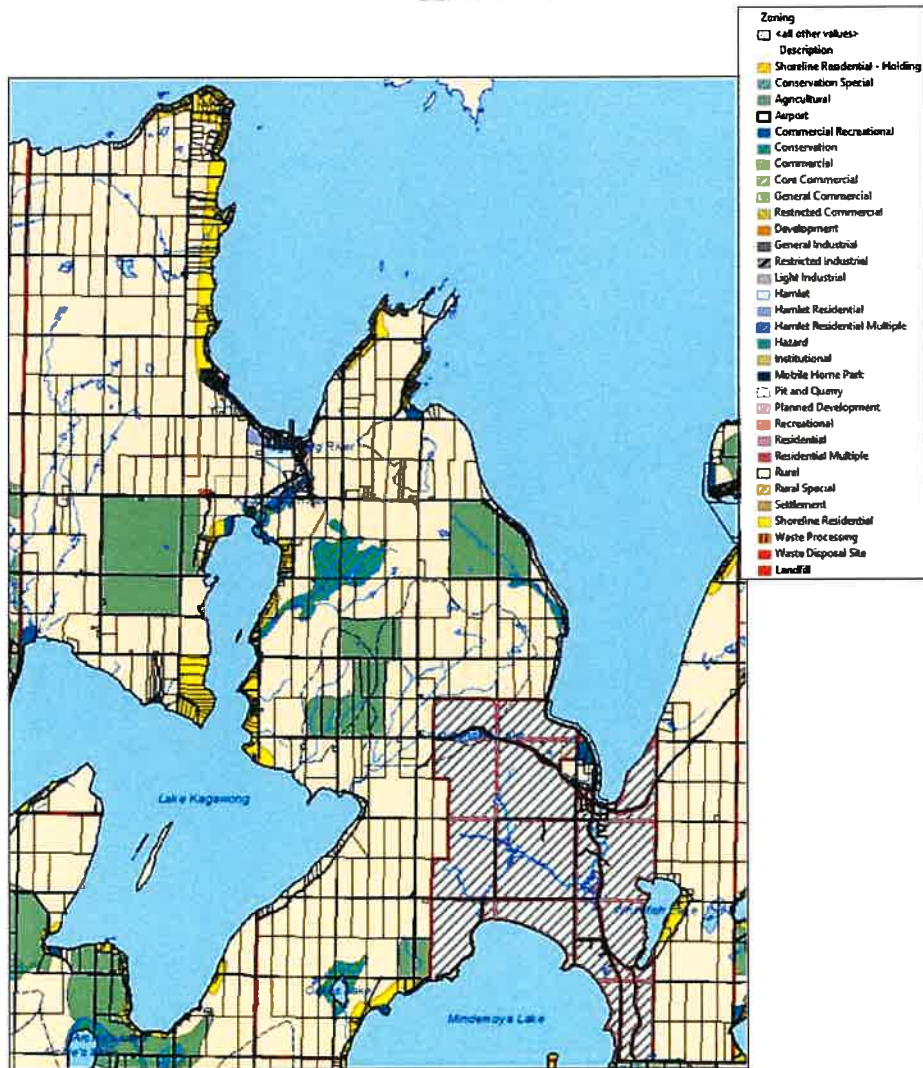
SCHEDULE "C"

CORPORATION OF THE TOWNSHIP OF BILLINGS

BYLAW 2021-31

BEING A BYLAW TO REGULATE THE KEEPING OF EXOTIC ANIMALS AND DOMESTIC ANIMALS
OTHER THAN DOGS OR CATS

ZONING MAP



2021

Revenue

Tax collection	\$	1,917,113
Payment in lieu	\$	7,570
Federal funding	\$	235,118
Provincial Funding	\$	4,229,237

Water charges	\$	268,886
Fees & Charges	\$	119,250
Licences & Permits	\$	26,500
Invest. Income	\$	18,000
Penalty & Interest Chg	\$	44,500
Rents & Other	\$	78,000
Subdivision Reserve (recreation)	\$	30,000
from reserves	\$	656,000

Total Revenue \$ **7,630,174**

Expenses

wages	\$	796,760
capital projects	\$	4,466,000
and street lights to LED's		
Roads hard surfacing	\$	120,000
contracts	\$	230,850
support Museum/library	\$	30,000
capital equipment		
fire	\$	32,600
Public Works	\$	291,224
Asset Management Reserve		
operating (all departments)	\$	965,312
Policing	\$	215,913
Pound	\$	800
Public Health Unit	\$	25,880
Ambulance DSB	\$	228,300
Ontario Works DSB	\$	31,900
Home for the Aged	\$	39,400
Child Care DSB	\$	22,400
Social Housing DSB	\$	75,800
Planning Board	\$	17,900
Information Centre	\$	2,500
Property MPAC	\$	36,635
TOTAL LEGISLATED Payments		\$697,428.00

Total Expenses **\$7,630,174.00**

2021 Quick Summary

Federal Funding	\$235,118
Unannounced	\$100,000
Waterfront Improvement	\$ 52,500
PW students	\$ 7,600
AMO Gas Tax	\$75,018
 Provincial Funding	 \$4,229,237
Fire – Covid	\$ 4,700
OMPF	\$ 523,400
Asset Management (RDS)	50,000
Covid Funding	\$ 31,218
Shoreline remediation	\$ 100,000
Main Street Hill	\$3,499,875
Prisoner Transportation	\$ 1,110
Marina student	\$ 3,250
Museum Student	\$ 3,250
Ontario Stewardship	\$ 12,434

Projects	\$4,466,000	
Unannounced Funded Proj.	\$ 100,000	(funded)
Fire Hall engineering	\$ 50,000	
Remainder of Cap Asset Plan	\$ 14,000	(funded)
Rink	\$ 70,000	(funding app submitted)
Museum Empress exhibit	\$ 15,000	(funding recved 2020)
Shoreline Remediation	\$ 100,000	(funded)
Main Street Hill	\$3,700,000	(funded)
Waterfront Improvement	\$ 167,000	(funded Remainder WF project)
Waterfront sheet piling	\$ 250,000	(funding app submitted)

Township of Billings
Budget for Presentation Aug 3 2021

	Budget	2021
	2020	Budget
REVENUE		
TAX REVENUE		
Interim Taxes - Temporary Clearing		
Not Assigned to Departments	0.00	
General	0.00	1,917,113.00
	0.00	1,917,113.00
 Mun. Levy - Residential		
Not Assigned to Departments	0.00	
General	1,778,026.00	
	1,778,026.00	0.00
 Mun. Levy - Farm		
Not Assigned to Departments	0.00	
General	36,276.00	
	36,276.00	0.00
 Mun. Levy - Managed Forest		
Not Assigned to Departments	0.00	
General	7,327.00	
	7,327.00	0.00
 Mun. Supp. Residential		
Not Assigned to Departments	0.00	
General	0.00	0.00
	0.00	0.00
 Mun. Supp. - Farm		
Not Assigned to Departments	0.00	
General	0.00	0.00
	0.00	0.00
 Mun. Supp-Managed Forest		
Not Assigned to Departments	0.00	
General	0.00	0.00
	0.00	0.00
 Mun. Levy - Comm. Full		
Not Assigned to Departments	0.00	
General	25,032.00	0.00
	25,032.00	0.00

Mun. Levy - Commercial New

Not Assigned to Departments

0.00

General

9,554.00

0.00

9,554.00

0.00

Mun. Levy - Ind. Full

Not Assigned to Departments

0.00

General

6,075.00

0.00

6,075.00

0.00

Mun. Levy - Industrial New

Not Assigned to Departments

0.00

General

163.00

0.00

163.00

0.00

Mun. Levy - Ind. Excess

Not Assigned to Departments

0.00

General

53.00

0.00

53.00

0.00

Mun. Supp. - Commercial

Not Assigned to Departments

0.00

General

0.00

0.00

0.00

0.00

Mun. Supp. - Industrial

Not Assigned to Departments

0.00

General

0.00

0.00

0.00

0.00

Power Dams

Not Assigned to Departments

0.00

General

5,000.00

4,970.00

5,000.00

4,970.00

TOTAL : TAX REVENUE

1,867,506.00

1,922,083.00

EP REVENUE

EP Levy - Residential

Not Assigned to Departments

0.00

General

248,871.00

0.00

248,871.00

0.00

EP Levy - Farm

Not Assigned to Departments

0.00

General

5,139.00

	5,139.00	0.00
EP Levy - Managed Forest		
Not Assigned to Departments	0.00	
General	1,038.00	
	<u>1,038.00</u>	<u>0.00</u>
EP Supp. - Residential		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
EP - Supp. - Farm		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
EP Supp. - Managed Forest		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
EP - PILS		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
EP Levy - Comm. Full		
Not Assigned to Departments	0.00	
General	14,932.00	
	<u>14,932.00</u>	<u>0.00</u>
EP Levy New Commercial Const.		
Not Assigned to Departments	0.00	
General	5,699.00	
	<u>5,699.00</u>	<u>0.00</u>
EP Levy - Ind. Full		
Not Assigned to Departments	0.00	
General	5,513.00	
	<u>5,513.00</u>	<u>0.00</u>
EP Levy - New Industrial Const.		
Not Assigned to Departments	0.00	
General	148.00	
	<u>148.00</u>	<u>0.00</u>

EP Levy - Ind. Excess

Not Assigned to Departments	0.00	
General	<u>61.00</u>	<u>0.00</u>
	61.00	

EP - Supp. - Commercial

Not Assigned to Departments	0.00	
General	<u>0.00</u>	<u>0.00</u>
	0.00	

EP Supp. - Industrial

Not Assigned to Departments	0.00	
General	<u>0.00</u>	<u>0.00</u>
	0.00	

TOTAL : EP REVENUE	<u>281,401.00</u>	<u>0.00</u>
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FP REVENUE

FP - Levy - Residential

Not Assigned to Departments	0.00	
General	<u>3,016.00</u>	<u>0.00</u>
	3,016.00	

FP Supp Residential

Not Assigned to Departments	0.00	
General	<u>0.00</u>	<u>0.00</u>
	0.00	

TOTAL : FP REVENUE	<u>3,016.00</u>	<u>0.00</u>
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PAYMENTS IN LIEU

Grants in Lieu - Federal

Not Assigned to Departments	0.00	
General	<u>1,200.00</u>	<u>1,250.00</u>
	1,200.00	1,250.00

Grants in Lieu - Provincial

Not Assigned to Departments	0.00	
General	<u>1,800.00</u>	<u>1,350.00</u>
	1,800.00	1,350.00

TOTAL : PAYMENTS IN LIEU	<u>3,000.00</u>	<u>2,600.00</u>
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FEDERAL FUNDING

Federal Grant -

Old Mill	0.00	100,000.00
General	4,000.00	

Museum	0.00	
Roads Cap Asset (Hill)	0.00	
Water Front Improvement	0.00	
	<u>4,000.00</u>	<u>100,000.00</u>

FedNor		
Not Assigned to Departments	0.00	
Asset Management	0.00	
Covid 19	0.00	
Economic Development	49,500.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
Water Capital Project	0.00	
Water Front Improvement	754,275.00	52,500.00
	<u>803,775.00</u>	<u>52,500.00</u>

HRDC Canada Summer Jobs		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Grounds	0.00	
HRDC Summer Jobs	0.00	
Landfill	0.00	
Library	0.00	
MNDM Summer Students	0.00	
Museum	0.00	
Public Works	0.00	7,600.00
Recreation	0.00	
Water	0.00	
	<u>0.00</u>	<u>7,600.00</u>

AMO Gas Tax Credit		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Public Works	36,585.00	75,018.00
	<u>36,585.00</u>	<u>75,018.00</u>

TOTAL FEDERAL FUNDING	<u>844,360.00</u>	<u>235,118.00</u>
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PROVINCIAL FUNDING

OMPF		
Fire Dept	0.00	4,700.00
General	505,300.00	523,400.00
	<u>505,300.00</u>	<u>528,100.00</u>

Capital Asset Funding

Not Assigned to Departments	0.00	
91 Main	0.00	
Asset Management	50,000.00	50,000.00
Covid 19	0.00	
Public Works	0.00	100,000.00
Roads Cap Asset (Hill)	94,000.00	3,499,875.00
Water Capital Project	0.00	
Water Front Improvement	942,700.00	
	<u>1,086,700.00</u>	<u>3,649,875.00</u>
Ministry of Northern Dev & Mines	0.00	
JEPP Grant		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
Lost Livestock		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
Prisoner Transportation Agreement		
Not Assigned to Departments	0.00	
General	0.00	1,110.00
	<u>0.00</u>	<u>1,110.00</u>
Ont. Grant		
Not Assigned to Departments	0.00	31,218.00
General	0.00	
Library	0.00	3,250.00
Marina	0.00	
Museum	0.00	3,250.00
	<u>0.00</u>	<u>6,500.00</u>
Community Culture Project		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
Marina - Student Funding Support		
Not Assigned to Departments	0.00	
General	0.00	0.00
	<u>0.00</u>	<u>0.00</u>
Ontario Trillium Foundation		
Not Assigned to Departments	0.00	
General	0.00	

Museum	0.00	
	<u>0.00</u>	<u>0.00</u>
Guardian Funding		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
Prov. Grant - Swimming Instructor		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>
Ontario TIRE Stewardship		
Not Assigned to Departments	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>
Stewardship Ontario Funding		
Not Assigned to Departments	0.00	
General	13,000.00	12,434.00
	<u>13,000.00</u>	<u>12,434.00</u>
Northern Ontario Heritage Fund Corp		
Not Assigned to Departments	0.00	
Economic Development	0.00	
General	0.00	
Landfill	0.00	
Public Works	0.00	
Roads Cap Asset (Hill)	0.00	
Water Front Improvement	135,100.00	
	<u>135,100.00</u>	<u>0.00</u>
Deferred Provincial Funding		
Not Assigned to Departments	0.00	
Asset Management	0.00	
Council	0.00	
Fire	0.00	
General	0.00	
Grounds	0.00	
HRDC Summer Jobs	0.00	
Inspection & Enforcement	0.00	
Marina	0.00	
MNDM Summer Students	0.00	
Museum	0.00	
Public Works	0.00	

Recreation	0.00	
Roads Cap Asset (Hill)	0.00	
Water	0.00	
Water Capital Project	0.00	
Water Front Improvement	0.00	
	<u>0.00</u>	<u>0.00</u>

TOTAL PROVINCIAL FUNDING	<u>1,740,100.00</u>	<u>4,229,237.00</u>
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SEWER & WATER CHARGES

Water Usage		
Not Assigned to Departments	0.00	
General	0.00	
Water	248,000.00	264,486.00
	<u>248,000.00</u>	<u>264,486.00</u>

Water Hookup/Turn Off/On		
Not Assigned to Departments	0.00	
Water	300.00	400.00
	<u>300.00</u>	<u>400.00</u>

Water Misc. & Bulk Water		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Water	3,500.00	4,000.00
	<u>3,500.00</u>	<u>4,000.00</u>

Water Capital Payment Billed		
Not Assigned to Departments	0.00	
Water	0.00	0.00
	<u>0.00</u>	<u>0.00</u>

Water Capital Budget Balancing		
Not Assigned to Departments	0.00	
Water Capital Project	0.00	
	<u>0.00</u>	<u>0.00</u>

TOTAL : SEWER & WATER CHARGES	<u>251,800.00</u>	<u>268,886.00</u>
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FEES, SER. CHARGES & DONATIONS

Gen. Tax Certificate Revenue		
Not Assigned to Departments	0.00	
General	1,900.00	2,000.00
	<u>1,900.00</u>	<u>2,000.00</u>

Gen. Admin. Fees Revenue

Library		100.00
Not Assigned to Departments	0.00	
General	150.00	150.00
	<u>150.00</u>	<u>250.00</u>

Donations		
Not Assigned to Departments	0.00	
General	0.00	
Library	0.00	200.00
Museum	0.00	10,000.00
	<u>0.00</u>	<u>10,200.00</u>

Gen. - Other Revenue		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	1,000.00	
Inspection & Enforcement	10,000.00	
Library	0.00	20,000.00
Museum	0.00	10,000.00
	<u>11,000.00</u>	<u>30,000.00</u>

Aggregate Resources Act		
Not Assigned to Departments	0.00	
General	1,000.00	900.00
	<u>1,000.00</u>	<u>900.00</u>

Tax Arrears Mun. Recovery		
Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>

Roads : Other Revenue		
Not Assigned to Departments	0.00	
Public Works	3,500.00	1,500.00
	<u>3,500.00</u>	<u>1,500.00</u>

Dump Tipping Fee Revenue		
Not Assigned to Departments	0.00	
Landfill	600.00	2,000.00
	<u>600.00</u>	<u>2,000.00</u>

Dump Revenue - Other		
Not Assigned to Departments	0.00	
Landfill	1,500.00	1,000.00
	<u>1,500.00</u>	<u>1,000.00</u>

Cemetery Plot & Marker Revenue

Not Assigned to Departments	0.00	
Cemetery	1,500.00	1,500.00
	<u>1,500.00</u>	<u>1,500.00</u>

Cemetery - Internments		
Not Assigned to Departments	0.00	
Cemetery	0.00	
	<u>0.00</u>	<u>0.00</u>

Cemetery-Donations In Memorium		
Not Assigned to Departments	0.00	
Cemetery	0.00	
	<u>0.00</u>	<u>0.00</u>

Fundraising		
Not Assigned to Departments	0.00	10,200.00
General	0.00	
Library	0.00	500.00
Museum	0.00	3,000.00
	<u>0.00</u>	<u>3,500.00</u>

Maze Donations		
Not Assigned to Departments	0.00	
General	75.00	100.00
	<u>75.00</u>	<u>100.00</u>

BV Falls Donations		
Not Assigned to Departments	0.00	
General	1,200.00	500.00
	<u>1,200.00</u>	<u>500.00</u>

Swim Revenue		
Not Assigned to Departments	0.00	
General	0.00	
Recreation	900.00	0.00
	<u>900.00</u>	<u>0.00</u>

Dockage Fees Revenue		
Not Assigned to Departments	0.00	
Marina	10,000.00	20,000.00
	<u>10,000.00</u>	<u>20,000.00</u>

Marina Pump Out Revenue		
Not Assigned to Departments	0.00	
Marina	45.00	50.00
	<u>45.00</u>	<u>50.00</u>

Marina Fuel

Not Assigned to Departments	0.00	
Covid 19	0.00	
Marina	24,000.00	20,000.00
	<u>24,000.00</u>	<u>20,000.00</u>

Retail Sales

Not Assigned to Departments	0.00	
Marina	10,000.00	10,000.00
Museum	0.00	3,000.00
	<u>10,000.00</u>	<u>13,000.00</u>

Boat Launch Revenue

Not Assigned to Departments	0.00	
Marina	1,000.00	1,000.00
	<u>1,000.00</u>	<u>1,000.00</u>

Consignment Sales

Not Assigned to Departments	0.00	
Marina	100.00	50.00
	<u>100.00</u>	<u>50.00</u>

Economic Dev. Revenue

Not Assigned to Departments	0.00	
General	1,900.00	1,500.00
	<u>1,900.00</u>	<u>1,500.00</u>

TOTAL FEES, SER. CHGS. & DONATION	<u>70,370.00</u>	<u>119,250.00</u>
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LICENCES & PERMITS

Building Permit Revenue

Not Assigned to Departments	0.00	
General	0.00	
Inspection & Enforcement	14,000.00	14,000.00
	<u>14,000.00</u>	<u>14,000.00</u>

Driveway Entrance Permit Fees

Not Assigned to Departments	0.00	
General	0.00	
Public Works	90.00	100.00
	<u>90.00</u>	<u>100.00</u>

Lottery Licences Revenue

Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>

Gen. Rental Revenue

Not Assigned to Departments	70.00	
156 Main	0.00	
91 Main	5,430.00	
General	0.00	
Marina	0.00	
Old Mill	0.00	
Park Centre	4,500.00	
	<u>10,000.00</u>	<u>0.00</u>

Rents - Leases

Not Assigned to Departments	0.00	
156 Main	2,400.00	2,700.00
91 Main	0.00	4,200.00
Church	200.00	
Economic Development	1,200.00	
General	1,000.00	
Marina	0.00	900.00
Old Mill	4,000.00	4,600.00
Recreation	0.00	
	<u>8,800.00</u>	<u>12,400.00</u>

TOTAL LICENCES & PERMITS	<u>32,890.00</u>	<u>26,500.00</u>
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INVESTMENT INCOME

Gen. Bank Interest Revenue

Not Assigned to Departments	0.00	
Cemetery	150.00	
Fire	0.00	
General	56,000.00	15,000.00
Library	0.00	
Marina	4,000.00	1,000.00
Museum	0.00	
Water	2,500.00	2,000.00
	<u>62,650.00</u>	<u>18,000.00</u>

Bank Revenue

Not Assigned to Departments	0.00	
General	0.00	
Library	0.00	
Museum	0.00	
	<u>0.00</u>	<u>0.00</u>

TOTAL INVESTMENT INCOME	<u>62,650.00</u>	<u>18,000.00</u>
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PENALTIES & INTEREST CHARGES

Interest - Taxes

Not Assigned to Departments	0.00	
General	39,000.00	39,000.00
	<u>39,000.00</u>	<u>39,000.00</u>

Interest - Water Levy Revenue

Not Assigned to Departments	0.00	
General	0.00	
Water	5,500.00	5,500.00
	<u>5,500.00</u>	<u>5,500.00</u>

Water- Capital interest

Not Assigned to Departments	0.00	
General	0.00	
Water	0.00	
	<u>0.00</u>	<u>0.00</u>

Provincial Offences - Net Revenue

Not Assigned to Departments	0.00	
General	0.00	
Inspection & Enforcement	0.00	
	<u>0.00</u>	<u>0.00</u>

TOTAL PENALTIES & INT. CHARGES	<u>44,500.00</u>	<u>44,500.00</u>
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RENTS & OTHER

Gen. - Power Generating Station

Not Assigned to Departments	0.00	
General	61,000.00	63,000.00
	<u>61,000.00</u>	<u>63,000.00</u>

Other Revenue- Fire Department

Not Assigned to Departments	0.00	
Fire	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>

Other Revenue

Not Assigned to Departments	101,200.00	
91 Main	0.00	
Economic Development	0.00	
General	0.00	
Inspection & Enforcement	0.00	
Library	0.00	
Marina	0.00	
Museum	0.00	
Recreation	0.00	
	<u>101,200.00</u>	<u>0.00</u>

Other Revenue - Museum - Nelson

Not Assigned to Departments	0.00	
Museum	15,000.00	15,000.00
	<u>15,000.00</u>	<u>15,000.00</u>

Transfer from General Reserves

Not Assigned to Departments	0.00	
Subdivision Fund (recreation)		30,000.00
General	563,000.00	656,000.00
	<u>563,000.00</u>	<u>686,000.00</u>

Gain on Disposal of Asset

Not Assigned to Departments	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>

TOTAL : RENTS & OTHER	<u>740,200.00</u>	<u>764,000.00</u>
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TOTAL REVENUE	<u>5,941,793.00</u>	<u>7,630,174.00</u>
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EXPENSE**WAGES & BENEFITS**

Gen. Council Renumeration	0.00	
Gen. Council-travel/convent/courses	0.00	
Salaries & Wages		
Not Assigned to Departments	0.00	
Council	30,000.00	42,000.00
Covid 19	0.00	
Economic Development	65,000.00	67,000.00
Fire	29,200.00	31,400.00
General	232,000.00	236,713.00
Grounds	0.00	
HRDC Summer Jobs	0.00	
Inspection & Enforcement	16,000.00	18,000.00
Landfill	28,000.00	29,500.00
Library	0.00	15,000.00
Marina	25,000.00	23,000.00
MNDM Summer Students	0.00	
Museum	16,000.00	22,600.00
Public Works	202,200.00	181,200.00
Recreation	8,000.00	8,000.00
	<u>651,400.00</u>	<u>674,413.00</u>

CPP Expense

Not Assigned to Departments	0.00
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Council	0.00	200.00
Covid 19	0.00	
Economic Development	3,300.00	3,167.00
General	7,400.00	10,650.00
Grounds	0.00	
HRDC Summer Jobs	0.00	
Inspection & Enforcement	1,020.00	1,000.00
Landfill	1,530.00	1,600.00
Library	300.00	800.00
Marina	700.00	1,100.00
MNDM Summer Students	0.00	
Museum	800.00	1,230.00
Public Works	7,700.00	9,500.00
Recreation	0.00	
	<u>22,750.00</u>	<u>29,247.00</u>

El Expense		
Not Assigned to Departments	0.00	
Council	0.00	100.00
Covid 19	0.00	
Economic Development	1,200.00	1,400.00
General	4,500.00	4,000.00
Grounds	0.00	
HRDC Summer Jobs	0.00	
Inspection & Enforcement	500.00	400.00
Landfill	700.00	650.00
Library	400.00	350.00
Marina	600.00	500.00
MNDM Summer Students	100.00	
Museum	400.00	400.00
Public Works	3,500.00	4,000.00
Recreation	200.00	
	<u>12,100.00</u>	<u>11,800.00</u>

Employee Benefits		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	12,000.00	12,000.00
Inspection & Enforcement	0.00	
Landfill	3,600.00	3,400.00
Public Works	16,000.00	14,000.00
	<u>31,600.00</u>	<u>29,400.00</u>

RRSP Expense	
Not Assigned to Departments	0.00
Council	0.00
Covid 19	0.00

Economic Development	0.00	
General	9,000.00	11,000.00
Landfill	1,100.00	1,200.00
Public Works	6,500.00	6,800.00
	<u>16,600.00</u>	<u>19,000.00</u>

EHT expense		
Not Assigned to Departments	0.00	
Council	0.00	
Covid 19	0.00	
General	12,500.00	13,600.00
HRDC Summer Jobs	0.00	
Inspection & Enforcement	0.00	
Landfill	0.00	
Marina	0.00	
MNDM Summer Students	0.00	
Museum	0.00	
Public Works	0.00	
Recreation	0.00	
	<u>12,500.00</u>	<u>13,600.00</u>

WSIB expense		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Economic Development	1,900.00	1,800.00
Fire	2,500.00	2,500.00
General	6,900.00	7,000.00
Grounds	0.00	
HRDC Summer Jobs	0.00	
Inspection & Enforcement	600.00	600.00
Landfill	900.00	800.00
Library	300.00	500.00
Marina	500.00	600.00
MNDM Summer Students	0.00	
Museum	500.00	500.00
Public Works	5,000.00	5,000.00
Recreation	300.00	
	<u>19,400.00</u>	<u>19,300.00</u>

TOTAL WAGES & BENEFITS	<u>766,350.00</u>	<u>796,760.00</u>
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MATERIALS & SERVICES

Supplies		
Not Assigned to Departments	2,300.00	
156 Main	0.00	100.00
91 Main	0.00	400.00
Cemetery	0.00	500.00

Church	0.00	200.00
Council	500.00	
Covid 19	0.00	300.00
Economic Development	0.00	4,900.00
Fire	22,000.00	22,750.00
General	20,979.00	15,000.00
Grounds	1,500.00	1,000.00
Inspection & Enforcement	900.00	900.00
Landfill	3,500.00	3,000.00
Library	500.00	1,400.00
Marina	2,000.00	2,000.00
Museum	1,500.00	3,500.00
Park Centre	3,000.00	2,000.00
Public Works	399,000.00	327,000.00
Recreation	0.00	5,200.00
Water	1,500.00	1,000.00
Water Front Improvement	0.00	
	<u>459,179.00</u>	<u>391,150.00</u>

BOOKS

Not Assigned to Departments	0.00	
Covid 19	0.00	
Library	0.00	5,500.00
	<u>0.00</u>	<u>5,500.00</u>

Subscriptions & Memberships

Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	0.00	200.00
General	4,000.00	4,500.00
Library	0.00	300.00
Marina	200.00	250.00
Museum	0.00	
Public Works	100.00	100.00
	<u>4,300.00</u>	<u>5,350.00</u>

Project Expenses

Not Assigned to Departments	0.00	
91 Main	0.00	
Asset Management	30,000.00	64,000.00
Church	12,000.00	
Covid 19	0.00	
EDC/ Rec 2021	25,000.00	70,000.00
Museum	0.00	15,000.00
Old Mill	200,000.00	100,000.00
Roads Cap Asset (Hill)	100,000.00	3,800,000.00
Water Capital Project	0.00	250,000.00

Water Front Improvement	1,985,300.00	167,000.00
	<u>2,352,300.00</u>	<u>4,466,000.00</u>
Auditing & Accounting		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	27,000.00	32,000.00
Library	0.00	100.00
Museum	1,500.00	
	<u>28,500.00</u>	<u>32,100.00</u>
Bad Debt Expense		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Marina	0.00	
	<u>0.00</u>	<u>0.00</u>
Legal Expense		
Not Assigned to Departments	0.00	
Church	0.00	
Covid 19	0.00	
General	10,000.00	60,000.00
Museum	0.00	
	<u>10,000.00</u>	<u>60,000.00</u>
Real Estate Brokerage		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Museum	0.00	
	<u>0.00</u>	<u>0.00</u>
Hydro		
Not Assigned to Departments	0.00	
156 Main	0.00	
91 Main	2,980.00	4,000.00
Church	400.00	800.00
Covid 19	0.00	
Fire	2,000.00	2,000.00
General	2,000.00	2,500.00
Landfill	890.00	800.00
Library	0.00	2,650.00
Marina	1,600.00	1,600.00
Museum	0.00	
Old Mill	1,600.00	1,600.00
Park Centre	4,500.00	5,300.00

Public Works	7,400.00	3,800.00
Recreation	800.00	1,000.00
Water	27,000.00	30,000.00
	<u>51,170.00</u>	<u>56,050.00</u>

Water

Not Assigned to Departments	0.00	
91 Main	1,335.00	1,351.00
Church	0.00	
Covid 19	0.00	
Fire	1,335.00	1,351.00
General	1,335.00	1,351.00
Library	1,335.00	1,351.00
Marina	1,335.00	1,351.00
Museum	0.00	
Old Mill	1,335.00	1,351.00
Park Centre	1,335.00	1,351.00
Public Works	1,335.00	1,351.00
Water	1,335.00	1,351.00
	<u>12,015.00</u>	<u>12,159.00</u>

Fees & Licences

Not Assigned to Departments	0.00	
Cemetery	1,000.00	1,000.00
Covid 19	0.00	
Fire	2,000.00	2,000.00
General	2,000.00	2,000.00
Inspection & Enforcement	500.00	0.00
Landfill	0.00	
Library	0.00	800.00
Marina	1,200.00	1,500.00
Old Mill	0.00	
Public Works	6,500.00	1,000.00
Recreation	250.00	
Water	0.00	
Water Front Improvement	0.00	
	<u>13,450.00</u>	<u>8,300.00</u>

Telephone & Internet

Not Assigned to Departments	0.00	
Church	0.00	
Covid 19	0.00	
Fire	2,500.00	2,300.00
General	3,000.00	3,300.00
Landfill	0.00	
Library	0.00	1,500.00
Marina	700.00	700.00

Museum	0.00	850.00
Park Centre	1,000.00	900.00
Public Works	2,500.00	3,900.00
Water	1,800.00	1,800.00
	<u>11,500.00</u>	<u>15,250.00</u>

Property Tax		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>

Contracts		
Not Assigned to Departments	0.00	
91 Main	2,300.00	
Asset Management	0.00	
Church	0.00	
Covid 19	0.00	
General	7,000.00	8,000.00
Inspection & Enforcement	25,000.00	37,000.00
Landfill	60,000.00	70,000.00
Museum	0.00	850.00
Old Mill	0.00	
Roads Cap Asset (Hill)	0.00	
Water	114,000.00	115,000.00
Water Front Improvement	0.00	
	<u>208,300.00</u>	<u>230,850.00</u>

Professional Development		
Not Assigned to Departments	0.00	
Council	10,000.00	3,000.00
Covid 19	0.00	
Fire	500.00	
General	2,500.00	1,500.00
Inspection & Enforcement	500.00	
Marina	500.00	1,000.00
Museum	0.00	400.00
Public Works	6,000.00	4,000.00
	<u>20,000.00</u>	<u>9,900.00</u>

Travel		
Not Assigned to Departments	0.00	
Council	5,000.00	600.00
Covid 19	0.00	
Economic Development	2,000.00	200.00
Fire	0.00	
General	1,500.00	

Inspection & Enforcement	3,000.00	2,000.00
Library	0.00	
Marina	500.00	
Museum	0.00	400.00
Public Works	500.00	500.00
	<u>12,500.00</u>	<u>3,700.00</u>

Insurance		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	7,700.00	9,050.00
General	12,500.00	15,200.00
Library	1,600.00	2,040.00
Marina	1,900.00	2,400.00
Museum	700.00	610.00
Public Works	15,800.00	18,200.00
Recreation	4,900.00	6,800.00
Water	1,100.00	1,320.00
	<u>46,200.00</u>	<u>55,620.00</u>

Health & Safety		
Not Assigned to Departments	0.00	
91 Main	200.00	200.00
Covid 19	0.00	67,000.00
Fire	500.00	500.00
General	10,000.00	10,000.00
Grounds	0.00	
Landfill	500.00	200.00
Library	200.00	
Marina	300.00	350.00
Museum	200.00	200.00
Old Mill	10,000.00	300.00
Park Centre	500.00	500.00
Public Works	2,300.00	2,300.00
	<u>24,700.00</u>	<u>81,550.00</u>

Postage		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	5,000.00	4,300.00
Library	0.00	
Museum	0.00	80.00
	<u>5,000.00</u>	<u>4,380.00</u>

Advertising		
Not Assigned to Departments	0.00	
Covid 19	0.00	

General	8,000.00	8,900.00
Library	0.00	
Museum	0.00	900.00
	<u>8,000.00</u>	<u>9,800.00</u>

Donations

Not Assigned to Departments	0.00	
Covid 19	0.00	
General	15,000.00	21,500.00
Museum	6,500.00	10,000.00
	<u>21,500.00</u>	<u>31,500.00</u>

Equip. Maintenance

Not Assigned to Departments	25,000.00	
Covid 19	0.00	
Fire	4,000.00	4,000.00
General	5,000.00	3,500.00
Grounds	0.00	500.00
Landfill	3,000.00	500.00
Marina	1,000.00	
Museum	0.00	
Park Centre	5,000.00	500.00
Public Works	0.00	25,000.00
	<u>43,000.00</u>	<u>34,000.00</u>

Maintenance & Repairs

Not Assigned to Departments	0.00	
156 Main	0.00	500.00
91 Main	500.00	500.00
Cemetery	1,000.00	10,000.00
Church	1,000.00	
Covid 19	0.00	
Fire	9,937.00	5,000.00
General	8,000.00	5,000.00
Grounds	300.00	4,000.00
Landfill	21,000.00	21,000.00
Library	1,000.00	2,500.00
Marina	4,000.00	10,000.00
Museum	1,000.00	2,000.00
Old Mill	5,000.00	
Park Centre	5,000.00	5,000.00
Public Works	10,000.00	13,100.00
Recreation	10,000.00	1,000.00
Water	60,000.00	76,000.00
	<u>137,737.00</u>	<u>155,600.00</u>

Pump Outs

Not Assigned to Departments	0.00	
Covid 19	0.00	
General	250.00	250.00
Marina	1,000.00	1,000.00
Museum	0.00	
Recreation	250.00	250.00
	<u>1,500.00</u>	<u>1,500.00</u>
Propane		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	4,200.00	4,200.00
General	0.00	
Library	0.00	
Museum	0.00	800.00
Old Mill	3,100.00	2,500.00
Park Centre	500.00	900.00
Public Works	5,600.00	5,600.00
Water	500.00	700.00
	<u>13,900.00</u>	<u>14,700.00</u>
Unbudgeted Items		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	0.00	
General	0.00	
Public Works	0.00	
	<u>0.00</u>	<u>0.00</u>
Election Expense		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	510.00
	<u>0.00</u>	<u>510.00</u>
Property Assessment		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	36,640.00	36,635.00
	<u>36,640.00</u>	<u>36,635.00</u>
Bank Chgs. & Interest		
Not Assigned to Departments	0.00	
Cemetery	0.00	
Covid 19	0.00	
Fire	0.00	
General	12,000.00	12,217.00

Library	0.00	
Marina	0.00	1,000.00
Museum	1,000.00	50.00
Water	0.00	
	<u>13,000.00</u>	<u>13,267.00</u>

Loan Interest Expense		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	1,600.00	1,400.00
General	0.00	
Public Works	0.00	0.00
Water	0.00	
	<u>1,600.00</u>	<u>1,400.00</u>

Tax Registration		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
	<u>0.00</u>	<u>0.00</u>

Fire Prevention		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	500.00	500.00
General	0.00	
	<u>500.00</u>	<u>500.00</u>

Fire Protections Agreements		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	0.00	500.00
	<u>0.00</u>	<u>500.00</u>

Tower Communications - General		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	450.00	450.00
	<u>450.00</u>	<u>450.00</u>

Fire Communications - CCAC		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	800.00	800.00
	<u>800.00</u>	<u>800.00</u>

Fire Capital Loan

Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	148,840.00	32,600.00
General	0.00	
	<u>148,840.00</u>	<u>32,600.00</u>

Amortization Expense		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Fire	0.00	
General	0.00	
Inspection & Enforcement	0.00	
Landfill	0.00	
Public Works	0.00	
Recreation	0.00	
Water	0.00	
	<u>0.00</u>	<u>0.00</u>

Policing		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Inspection & Enforcement	226,500.00	215,913.00
	<u>226,500.00</u>	<u>215,913.00</u>

By-Law Insp. & Enforcement		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Inspection & Enforcement	0.00	
	<u>0.00</u>	<u>0.00</u>

Livestock Kills		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Inspection & Enforcement	0.00	
	<u>0.00</u>	<u>0.00</u>

Pound		
Not Assigned to Departments	0.00	
Inspection & Enforcement	800.00	800.00
	<u>800.00</u>	<u>800.00</u>

Roads - Hard Top		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Public Works	96,000.00	90,000.00
	<u>96,000.00</u>	<u>90,000.00</u>

Roads - Loose Top

Not Assigned to Departments	0.00	
Covid 19	0.00	
Public Works	130,000.00	130,000.00
	<u>130,000.00</u>	<u>130,000.00</u>

Roads - Road Side

Not Assigned to Departments	0.00	
Covid 19	0.00	
Public Works	14,000.00	16,000.00
	<u>14,000.00</u>	<u>16,000.00</u>

xxxUse Health & Safety - PW instead

Not Assigned to Departments	0.00	
Covid 19	0.00	
Public Works	0.00	
	<u>0.00</u>	<u>0.00</u>

GAS tax capital (budget)

Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Public Works	50,000.00	30,000.00
	<u>50,000.00</u>	<u>30,000.00</u>

Roads - Winter Control

Not Assigned to Departments	0.00	
Covid 19	0.00	
Public Works	44,000.00	34,000.00
	<u>44,000.00</u>	<u>34,000.00</u>

Street Lights

Not Assigned to Departments	0.00	
Covid 19	0.00	
Public Works	25,000.00	
	<u>25,000.00</u>	<u>0.00</u>

Non-Contract & Other Serv.

Not Assigned to Departments	0.00	
Covid 19	0.00	
Library	0.00	
Museum	0.00	
Roads Cap Asset (Hill)	0.00	
Water	49,810.00	
	<u>49,810.00</u>	<u>0.00</u>

XXIntern Salaries

Not Assigned to Departments	0.00	
Covid 19	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>
Regulation Compliance Exp.		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Landfill	35,000.00	14,000.00
Roads Cap Asset (Hill)	0.00	
	<u>35,000.00</u>	<u>14,000.00</u>
Sudbury Dist. Health Unit		
Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	25,000.00	25,880.00
Roads Cap Asset (Hill)	0.00	35,000.00
	<u>25,000.00</u>	<u>60,880.00</u>
Ambulance		
Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	224,100.00	228,300.00
Roads Cap Asset (Hill)	0.00	
	<u>224,100.00</u>	<u>228,300.00</u>
DSSAB Surplus - Ambulance		
Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>
DSSAB Surplus		
Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>
DSSAB Ontario Works		
Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	30,745.00	31,900.00
Roads Cap Asset (Hill)	0.00	
	<u>30,745.00</u>	<u>31,900.00</u>

Home for Aged

Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	38,800.00	39,400.00
Roads Cap Asset (Hill)	0.00	
	<u>38,800.00</u>	<u>39,400.00</u>

DSSAB Child Care

Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	22,100.00	22,400.00
	<u>22,100.00</u>	<u>22,400.00</u>

DSSAB Surplus Childcare

Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

Social Housing

Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	73,600.00	75,800.00
	<u>73,600.00</u>	<u>75,800.00</u>

DSSAB Surplus Social Housing

Not Assigned to Departments	0.00	
Covid 19	0.00	
DSB	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

Levy School Boards - EP

Not Assigned to Departments	0.00	
Covid 19	0.00	
General	281,402.00	
	<u>281,402.00</u>	<u>0.00</u>

Levy Schools Boards - FP

Not Assigned to Departments	0.00	
Covid 19	0.00	
General	3,015.00	
	<u>3,015.00</u>	<u>0.00</u>

Library Requisitions

Not Assigned to Departments	0.00	
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Covid 19	0.00	
Library	20,000.00	20,000.00
	<u>20,000.00</u>	<u>20,000.00</u>

Marina - Products & Supplies		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Marina	7,500.00	6,000.00
	<u>7,500.00</u>	<u>6,000.00</u>

Marina - fuel		
Not Assigned to Departments	0.00	
Covid 19	0.00	
Marina	20,000.00	17,000.00
	<u>20,000.00</u>	<u>17,000.00</u>

PLanning Board Levy		
Not Assigned to Departments	0.00	
Covid 19	0.00	9,000.00
General	16,700.00	17,900.00
	<u>16,700.00</u>	<u>26,900.00</u>

Information Centre		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	790.00	2,500.00
	<u>790.00</u>	<u>2,500.00</u>

Transfer to Reserves		
Not Assigned to Departments	0.00	
Asset Management	54,000.00	
Covid 19	0.00	
General	0.00	
	<u>54,000.00</u>	<u>0.00</u>

TOTAL MATERIALS & SERVICES	<u>5,175,443.00</u>	<u>6,833,414.00</u>
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GENERAL WRITEOFFS

Mun. W.O - Residential		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

Mun. W/O - Farm

Not Assigned to Departments	0.00
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Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

Mun. W/O - Managed Forest		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

Mun. W/O - Commercial		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

Mun. W/O- New Industrial		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

EP W/O - Residential		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

EP W/O - Farm		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

EP W/O - Managed Forest		
Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

EP W/O - Commercial

Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

EP W/O - New Industrial

Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

W/O Water Receivables-Capital

Not Assigned to Departments	0.00	
Covid 19	0.00	
General	0.00	
Roads Cap Asset (Hill)	0.00	
	<u>0.00</u>	<u>0.00</u>

TOTAL WRITEOFFS	<u>0.00</u>	<u>0.00</u>
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TOTAL EXPENSE	<u>5,941,793.00</u>	<u>7,630,174.00</u>
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NET INCOME	<u><u>0.00</u></u>	<u><u>0.00</u></u>
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THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW 2021-34

Being a by-law to provide for the adoption of tax rates and to further provide for penalty and interest in default of payment

WHEREAS Council for the Corporation of the Township of Billings has, in accordance with the *Municipal Act*, considered the estimates for the Township and deemed it necessary that the following sums be raised by means of taxation for the year 2021:

Municipal Purposes: \$ 1,917,113
Education Purposes: \$ 291,765

AND WHEREAS all real property assessment rolls made in 2020 on which 2021 taxes are to be levied have been returned by the Municipal Property Assessment Corporation;

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Billings Enacts as FOLLOWS:

1. There shall be levied and collected upon all rateable assessments of the Township of Billings, for Municipal and Education purposes the following rates of taxation:

	CLASS	MUNICIPAL RATE	EDUCATION RATE
RT	Residential	0.0108	0.00153
MT	Multi-Residential	0.0108	0.00153
CT	Commercial	0.0108	0.00644236
XT	New Commercial	0.0108	0.00644236
CU/CX	Vacant exc. Com	0.00756	0.00644236
IH	Industrial	0.0108	0.0088
IT	Industrial	0.0108	0.0088
JT	New Industrial	0.0108	0.0088
IU/IX	Vac/Excess Industrial	0.00702	0.0088
TT	Managed Forest	0.0027	0.0003825
FT	Farmland	0.0027	0.0003825

2. That every owner shall be taxed according to the tax rates of this by-law and such tax shall become due and payable in two instalments as follows:
50% of the previous year's levy shall become due and payable on March 31, or the last working day in March; and that the balance of the final levy shall become due and payable on September 30, or the last working day in September.
3. Non-payment of this amount, as noted on the dates stated in accordance with this by-law constitutes default. On all taxes of the levy, which are in default after March 31, 2021 and after September 30, 2021, a penalty of 1.25 percent shall be added on the first day of each and every month, for each month or fraction thereof which arrears continues, until December 31, 2021.
4. On all taxes unpaid as of December 31, 2021 interest shall be added at the rate of 1.25 percent per month or fraction thereof in which arrears continue.
5. This by-law shall come into force and take effect upon the third reading hereof.

Read a first time, second, third time and enacted this ____ day of _____, 2021.

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW 2021-35

Being a by-law to establish water rates for the year 2021 and to provide sufficient revenue to meet the estimates required for the operation of the Water Plant

WHEREAS Section 391 of the *Municipal Act, 2001 S.O., 2001*, as amended provides that a council of a local municipality may pass by-laws to impose fees or charges on persons for services or activities provided or done by or on behalf of the municipality; and,

WHEREAS the Corporation of the Township of Billings has entered into an operating agreement with the Ontario Clean Water Agency for the supply of water service to the hamlet of Kagawong;

NOW THEREFORE the Council of the Corporation of the Township of Billings hereby enacts as follows:

1. RATES

Per Unit	\$1,351.00 per year
Bulk Water Users	\$275.00 per year

2. DUE DATES

The billings for bulk users will be on an annual basis of \$275.00, payable before the first yearly utilization of bulk water. There is no pro rating of this charge regardless of the date in the year the bulk key is purchased.

The billings for the water users shall become due and payable in four instalments as follows:

February 16, 2021	\$342.25
May 17, 2021	\$342.25
August 16, 2021	\$342.25
November 15, 2021	\$324.25

3. INTERIM WATER BILLINGS

The 2022 interim water billings will be based on 50% of the 2021 rates. The 2022 interim billings shall be come due and payable in instalments as follows:

February 15, 2022	\$337.75
May 15, 2022	\$337.75

4. SUPPLEMENTAL BILLINGS

When a property is connected to the municipal water works as a new user following the issue of an interim bill, the yearly rate will be pro-rated and a bill issued calculated from the date of connection. When an additional unit is added to a property the yearly rate shall be pro-rated and a bill issued calculated from the date of connection. Penalty and interest charges will apply as indicated in this by-law.

5. PAYMENTS

- All accounts shall be billed quarterly.
- Penalty for non-payment shall be 1.25% per month and shall be applied to all unpaid water bills on the next day of each month following the due date.
- Accounts (units) in default by more than \$1000 will be disconnected with 30 days notice and will not be re-connected until payment is received in full or a payment plan has been set up with the Treasurer. Reconnection procedures are outlined in the Rules and Regulations for Maintenance and Operation of and Connection to the System of Water Works for the Settlement of Kagawong By-Law.

- d) Accounts may be paid
 - i. in person at or by mail to the Township of Billings office at Box 34, 15 Old Mill Rd, Kagawong, ON POP 1J0
 - ii. By setting up a Pre-Authorized Debit Plan at the municipal office
 - iii. At the Bank of Montreal or Credit Union provided that you have an account with them.
 - iv. By debit card or Visa or Mastercard.
- 6. A water service charge is hereby imposed upon the owners of lands which have buildings that are connected to the water service, or have the potential to be connected to the water service. Multiple units within one property will be charged per unit.
- 7. That this by-law shall come into force and take effect upon the date of final passing thereof.
- 8. That this by-law rescinds all previous by-laws pertaining to water rates.

Read a first, second and third time and enacted this _____ day of _____, 2021.

Ian Anderson, Mayor

Kathy McDonald, CAO/Clerk

WE PLEDGE..

- TO LOVE AND TO PROTECT THIS ISLAND
AND ITS WATERS.
- TO SPEAK PLAINLY OF OUR HOPES AND TO
TAKE TIME TO UNDERSTAND WHEN WE CHERISH
DIFFERENT DREAMS.
- TO COMFORT EACH OTHER IN OUR TIMES OF NEED.
- TO PLAY TOGETHER AS WE WANT.
- TO WORK TOGETHER AS WE MUST.
- TO REJOICE AND RESPECT OUR DIFFERENTNESS.
- TO FIND STRENGTH TO FACE OUR COMMON GOALS.
- TO KEEP HARMONY BY OUR RESPECT,
FOR EACH OTHERS WAYS.

Expertise for Municipalities

Office of the Integrity
Commissioner

1894 Lasalle Blvd.
Sudbury, ON P3A 2A4

ic@e4m.solutions

Fax. 705-806-4000

www.e4m.solutions

July 19, 2020

Mayor Anderson & Members of Council
Township of Billings
15 Old Mill Road
P.O. Box 34
Kagawong, ON P0P 1J0

By Email: kmcdonald@billingstwp.ca

Complaint Regarding Committee Member Paul Darlaston

Your Worship & Members of Council;

Our office received a request for inquiry from a member of the public (the "Requestor"). We have conducted a preliminary review of the circumstances and provide the following report.

THE REQUEST

Our office received a request for inquiry from a member of the public (the "Requestor"). The Requestor alleged that Paul Darlaston ("Mr. Darlaston"), an individual appointed to an Ad Hoc Committee of Council, in a letter to the Editor of a local newspaper known as "The Recorder" [published on January 15, 2021] made comments that were defamatory towards a former member of Council, Barbara Erskine ("Ms. Erskine").

The Requestor believed that Mr. Darlaston is subject to the same rules and regulations as that of members of Council, namely #6 and #9 "Conduct Respecting Others" from the Corporation of the Township of Billings By-Law 2018-41 Code of Conduct for Members of Council ("Code of Conduct").

LEGISLATIVE AUTHORITY

Under section 223.4(1)(a) of the *Municipal Act*, Council, a member of Council or a member of the public may make a request for an inquiry to the Integrity Commissioner about whether the member have contravened the Code of Conduct applicable to that member.

When a matter is referred to us, we may then conduct an inquiry and upon completion of the inquiry, we may make recommendations to Council on the imposition of penalties.

Code of Conduct Sections:

Section 6

Every member shall treat members of the public, one another, and municipal employees appropriately, and without abuse, bullying, harassment, or intimidation, and shall seek to ensure that the municipality's work environment is free from improper discrimination, harassment or abuse.

Section 9

No member shall use any indecent, abusive, or insulting words or expression towards any municipal employee, any member, or any member of the public, or maliciously or falsely injure or impugn the professional or ethical reputation of any such person.

INQUIRY PROCESS

The responsibilities of the Integrity Commissioner are set out in section 223.3(1) of the *Municipal Act*. On March 1, 2019, section 223.2 of the *Municipal Act* was amended, and municipalities were required to adopt a Code of Conduct. Further, municipalities were to appoint an Integrity Commissioner who is responsible for the application of the Code of Conduct. Complaints may be made by Council, a member of Council or a member of the public to the Integrity Commissioner for an inquiry about whether a member has contravened the Code of Conduct that is applicable to that member.

After receiving the complaint, it is our practice to review all requests and determine if they are properly filed in accordance with the *Municipal Act* and with the process set out in the municipality's Code of Conduct or other related policy. When a municipality does not have such a process, it is our practice to first conduct a Preliminary Review prior to undertaking a costly inquiry.

During a preliminary review, we:

- consider the evidence of the Requestor;
- seek clarification from the Requestor if necessary;
- review the Code of Conduct and other related ethical policies;
- may conduct witness interviews [which are voice recorded and transcribed];
- may interview the respondent; and
- collect related documents (Council or committee meeting documents, Terms of Reference, training records etc.)

In this circumstance the matter was assigned to Jamie Appleton (the “Investigator”) a professional investigator with Investigative Solutions Network who as an agent of the Integrity Commissioner did:

1. review the Requestors written complaint;
2. review the materials submitted by the Requestor - articles from the Recorder dated January 8, 2021, and January 15, 2021;
3. the terms of reference for the Committee;
4. requested to review training records;
5. interviewed:
 - a. the Requestor
 - b. the CAO
 - c. the Mayor
 - d. Mr. Darlaston (the Respondent)

After the investigator completed his preliminary review, a decision was made to not to conduct an inquiry into the matter.

FACTS

On January 15, 2021, a letter to the Editor was published in a local newspaper, “The Recorder” written by Mr. Darlaston. Mr. Darlaston is a resident of the Township of Billings and a member of the Climate Change Action Committee having been appointed by the Council of the Corporation of the Township of Billings for the period of February 2020 to March 31, 2021.

Reference: Written complaint dated January 27, 2021.
The Recorder [newspaper] dated January 15, 2021.
Interview of Requestor February 22, 2021.
Resolution 2020-79 passed March 3, 2020, appointing Mr. Darlaston to the Climate Change Action Committee.

Mr. Darlaston’s letter to the Editor was a direct response to a letter by Ms. Erskine, a former Councillor for the Township of Billings, published on January 8, 2021. Ms. Erskine in her letter was criticizing Council’s decision regarding remuneration for members of Council and offering her opinion about how the matter should have been approached. Mr. Darlaston believed that Ms. Erskine’s letter was incorrect, untrue, and ill-informed.

Reference: The Recorder [newspaper] dated January 15, 2021.
Interview of Mr. Darlaston April 9, 2021.

Ms. Erskine filed a complaint with the Township on January 27, 2021, related to Mr. Darlaston’s letter to the Editor. This matter was dealt with by the CAO/Clerk and a letter was sent to Ms. Erskine advising that her complaint has been addressed.

Reference: Letter to Ms. Erskine from the CAO/Clerk February 2, 2021.

Similarly, the Requestor filed a complaint with the Integrity Commissioner on January 27, 2021, regarding the same letter to the Editor.

Reference: Written complaint dated January 27, 2021.

Mayor Ian Anderson ("Mayor Anderson") advised that the January 8, 2021, letter to the Editor was not the first letter that has been authored by Ms. Erskine criticizing Council decisions. He further added that she had written many letters to the Editor in which she had been critical of Council and at times the information she reported was not wholly accurate or was false.

Reference: Interview of Mayor Anderson April 8, 2021.

In the January 15, 2021, letter to the Editor, Mr. Darlaston identified himself as a member of the Climate Action Committee. Mr. Darlaston's letter defended Council's decision to increase their remuneration, and Mr. Darlaston felt that after reading Ms. Erskine's letter, it was prudent that he relayed what he believed to be the facts about the Council decision to the public.

Reference: The Recorder [newspaper] dated January 15, 2021.
Interview of Mr. Darlaston April 9, 2021.

Mr. Darlaston did not sign the letter as a member of the Climate Action Committee. Nor did Council authorize Mr. Darlaston to author the letter to the Editor by resolution. To be clear Mr. Darlaston signed the letter "*Paul Darlaston, Kagawong*".

Reference: The Recorder [newspaper] dated January 15, 2021.

Mayor Anderson advised the Investigator that after he saw Mr. Darlaston's letter in the newspaper, he called Mr. Darlaston and expressed concern that Mr. Darlaston may have gone a bit further than necessary in his efforts to defend Council. Mayor Anderson advised that he reminded Mr. Darlaston that the Code of Conduct was applicable to members of Committees. Mr. Darlaston told Mayor Anderson that he would not do this again. Mayor Anderson sent Mr. Darlaston a copy of the Code of Conduct to refresh his memory.

Reference: Interview of Mayor Anderson April 8, 2021.

The Requestor, when interviewed, advised:

- Mr. Darlaston made derogatory comments with regard to the letter to the Editor submitted by Ms. Erskine.
- Of being specifically offended by:
 - the comment about "*licking a finger and holding it up to the wind*" and reported that Ms. Erskine was one of the best-

- informed members on the former Council and therefore that comment is derogatory and incorrect;
 - the comment that as a failed candidate, Ms. Erskine shouldn't be able to voice an opinion; and
 - the comment that Ms. Erskine should not be allowed to run in future elections.
- Of believing that anyone has a right to an opinion, **as long as it's based on fact** [emphasis added]; it should not be personal or slanderous and that Mr. Darlaston's letter to the Editor is not based in fact and is both personal and slanderous.
- That during her term on Council, Ms. Erskine brought forward a motion to increase the rate of pay for Council members, feeling that they were underpaid. Her suggestion for an increase in pay was less than what was approved by current Council. Erskine was crucified by many of the people running for Council for suggesting a pay increase in the year she ran for Mayor. And it is wrong for Mr. Darlaston to indicate anything different.
- That Ms. Erskine is not a member of committees and is not on Council currently.
- That Mr. Darlaston is confrontational and prickly.

Reference: Written complaint dated January 27, 2021.
Interview of Requestor February 22, 2021.

Comments in Mr. Darlaston's article directly related to Ms. Erskine:

- Referenced her letter to the editor January 8, 2021, submitted by Ms. Erskine but does not name her specifically as the author. He wrote *"It comes from a former councillor and failed mayoral candidate in the last election...."*
- Referenced that she was the only Mayoral Candidate until near the deadline for applications and that two additional individuals entered the race for Mayor.
- *"However, when failed candidates question all decisions, it becomes counter-productive, divisive, and frankly, does not show them to be open-minded and worthy of consideration in future elections. At least, that's my opinion!"*

Reference: The Recorder [newspaper] dated January 15, 2021.

Ms. Erskine held the position of Councillor from 2014 to 2018 and she did run for the position of Mayor during the 2018 election and was not elected. She did author a letter to the Editor that was published on January 8, 2021, wherein she is critical of Council's decision to increase their stipend and offers her own opinion as to the continuation of a past practice that saw this increase pursued at the end of a Council term so that it would be in place for an incoming Council.

Reference: Written complaint dated January 27, 2021.
The Recorder [newspaper] dated January 8, 2021.
Interview of Requestor February 22, 2021.

The Code of Conduct requires that the members of Councils and Local Boards (collectively “Members”) must comply with provincial legislation as well as the ethical standards set out in the Code of Conduct. It also requires Members to follow Township policies as they relate to ethical practices. The Code of Conduct does not specifically provide a definition of a Local Board. The *Municipal Act* section 1(1) defines a local board as:

“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;

Section 223.1 of the *Municipal Act* (Accountability and Transparency) outlines the definition of a local board with respect to the application of the Code of Conduct. The definition of a local board in this section narrows the definition of what is considered a local board:

“local board” means a local board other than,
(a) a society as defined in subsection 2 (1) of the Child, Youth and Family Services Act, 2017,
(b) a board of health as defined in subsection 1 (1) of the Health Protection and Promotion Act,
(c) a committee of management established under the Long-Term Care Homes Act, 2007,
(d) a police services board established under the Police Services Act,
Note: On a day to be named by proclamation of the Lieutenant Governor, clause (d) of the definition of “local board” in section 223.1 of the Act is repealed and the following substituted: (See: 2019, c. 1, Sched. 4, s. 33 (7))
(d) a police service board established under the Community Safety and Policing Act, 2019,
(e) a board as defined in section 1 of the Public Libraries Act,
(f) a corporation established in accordance with section 203,
(g) such other local boards as may be prescribed

Committees of Council are included in the definition of “local board”.

DECISION

Mr. Darlaston has been appointed by Council to the Climate Change Committee. While not explicitly stated in the Code of Conduct, members of Committees of Council would be included in the application of and must adhere to the provisions of the Code of Conduct. Therefore, the behaviour expectations in the Code of Conduct apply to Mr. Darlaston.

Section 6 of the Code of Conduct

Section 6 refers to bullying, harassment, and intimidation. To be clear, the Code of Conduct does not provide a definition of bullying, harassment, or intimidation however, it does require that Members adhere to policies other than the Code of Conduct.

The *Occupational Health and Safety Act* (the “OHSA”) requires that every employer adopt a policy regarding workplace violence and harassment.¹ The Corporation of the Township of Billings has adopted such a policy that applies to Members, employees, and members of the public. The OHSA defines workplace harassment as:

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
- (b) workplace sexual harassment;

To meet this test, the action would need to be consistently repeated or extremely egregious. The content of Mr. Darlaston’s letter is not a course of vexatious comment or conduct and does not meet the threshold to be considered egregious. Therefore, his actions in authoring the letter and/or the content of the letter do not meet the test to be a contravention of section 6 of the Code of Conduct and this allegation has not been further considered.

Section 9 of the Code of Conduct

Section 9 of the Code of Conduct states:

“No member shall use any indecent, abusive, or insulting words or expression towards any municipal employee, any member, or any member of the public, or maliciously or falsely injure or impugn the professional or ethical reputation of any such person”.

The Requestor in this matter felt that because Mr. Darlaston is a member of a committee of Council, that he has a duty to comply with the Code of Conduct, and further that the Code of Conduct was contravened by writing a letter that is *“defamatory, derogatory and besmirches her [Ms. Erskine’s] name and reputation in a small community”.*

The Requestor is correct and that the Code of Conduct applies to Mr. Darlaston. In considering the standard set out in Section 9, we contemplated the concerns of the Requestor, the actual wording used by Mr. Darlaston in his letter to the Editor and whether or not a reasonable person aware of the facts would believe the remarks to be defamatory, derogatory or harmful to Ms. Erskine’s reputation.

¹ *Occupational Health and Safety Act*, R.S.O., 1991, c.0.1. section 32.0.1

To be clear, we considered whether or not the comments in Mr. Darlaston's letter to the Editor were indecent, abusive, insulting, false or harmful to Ms. Erskine's reputation or malicious in nature. The Requestor identified key areas of concern:

- the comment about *"licking a finger and holding it up to the wind"*
- the comment that as a failed candidate, Ms. Erskine shouldn't be able to voice an opinion; and
- the comment that Ms. Erskine should not be allowed to run in future elections.

We find that the content of Mr. Darlaston's letter to the Editor was a mix of fact and personal opinion.

We do not find that Mr. Darlaston's comments, and more specifically, those of concern to the Requestor, were an attack on Ms. Erskine personally nor do his comments meet the test set out in section 9 of the Code of Conduct.

Our rationale is as follows:

- Mr. Darlaston's comment *"licking a finger and holding it up to the wind"* does not specifically identify Ms. Erskine. Moreover, it is a generalization that advised the public that Members need to be prepared to make decisions and that the obligation to do so should be taken seriously and requires effort that should be acknowledged and considered as a reason for increased remuneration. We do not find that this comment belittled the efforts of Ms. Erskine as a former Councillor. We find his statement to be a colloquialism and needs to be considered with the next statement which sets out the effort Mr. Darlaston believes is required of any member of Council before they vote on a matter. His statements defend, justify, or rationalize the stipend increase approved by the current Council and do not openly or maliciously attack Ms. Erskine.
- The comment that as a failed candidate, Ms. Erskine should not be able to voice an opinion is not supported by the evidence before us. Mr. Darlaston stated *"I see no problem at all with questioning council's elective decisions. However, when failed candidates question all decisions, it becomes counter-productive, divisive"*. This statement is clearly Mr. Darlaston's viewpoint and explains his belief that it is appropriate for members of the public to question decisions Council makes. He does then add that when someone who ran and was not elected questions every decision Council makes it becomes divisive. Again, a personal opinion of Mr. Darlaston which does not directly identify Ms. Erskine nor does it indirectly single out Ms. Erskine as the only potential target. It is clear in Mr. Darlaston's letter that there has been more than one individual who was not successful in being elected including himself. Further, we do not find the comments to be abusive, insulting, false or malicious.

- The Requestor also reported concern with Mr. Darlaston's statement that Ms. Erskine should not be allowed to run in future elections. It appears to be the Requestor's interpretation of Mr. Darlaston's statement and not what was stated in Mr. Darlaston's letter to the Editor which was "...*frankly, does not show them* [those who were not elected and have been criticizing every decision Council makes] *to be open-minded and worthy of consideration in future elections*". This comment does not say that Ms. Erskine should not be allowed to run in future elections, it does clearly state that any individual who ran for Council, was unsuccessful and continually criticizes every decision Council makes may not be open-minded and not the individual the public should consider electing.

The Requestor has alleged that the statements made by Mr. Darlaston were "*inflammatory, derogatory and besmirches her name [Ms. Erskine's] and reputation in a small community. It discourages open honest discourse and intimidates others who might consider running for council in future elections, if this sort of attack journalism is allowed from representatives of council.*" (sic) We do not find Mr. Darlaston's letter to the Editor contains brazen or malicious comments that would impugn the reputation of Ms. Erskine.

No further action will be taken with respect to this matter.

Higher Standard

Elected officials are expected to behave in a manner that reflects the principles of the Code of Conduct in addition to the expected behaviour specifically addressed, and this extends to those who have been appointed by those elected officials. In this circumstance, we find that Mr. Darlaston, did not act in a manner considered appropriate for a Member.

To be clear, Mr. Darlaston is a Council appointed committee member and is obligated to adhere to the ethical standards established in the Code of Conduct. Mr. Darlaston, when interviewed, advised that he was provided a copy of the Code of Conduct at the time of his appointment. He is aware of his obligations as outlined in the Code of Conduct. However, he chose to rebut comments made by a member of the public in the local media. The action itself is inappropriate and in our opinion a violation of the principles of the Code of Conduct. It does not reflect a higher standard.

Mr. Darlaston advised that his intention in authoring and submitting the letter to the Editor (January 15, 2020), was to advise the public of the inaccuracies in Ms. Erskine's January 8, 2021, letter to the Editor and to defend Council. The Terms of Reference for the Committee, nor any other Township policy gives Mr. Darlaston (or any other committee/local board member) the authority to speak/write to the media on behalf of the Township. There is no Council resolution that expressly authorized Mr. Darlaston to author/submit a letter to the Editor defending Council.

While Mr. Darlaston, is entitled to have and voice a personal opinion, he should not identify himself as a member of a committee of Council when expressing that opinion, unless he has received permission from Council to do so. Members wishing to express a personal opinion publicly must ensure that they expressly note that this is their personal opinion and not an opinion of Council or the Township and that the opinion they are expressing is not contrary to a decision/policy of Council.

Ms. Erskine's Complaint re: Mr. Darlaston's Letter to the Editor

We have not reviewed the complaint received by the Township from Ms. Erskine. And only became aware of it during this preliminary review. Based on the correspondence from the CAO to Ms. Erskine and to Mr. Darlaston it is clear that Ms. Erskine's complaint was in relation to the behaviour of a Member and ought to have been referred to the Integrity Commissioner and not addressed by the CAO.

RECOMMENDATIONS

While we have not made a finding that Mr. Darlaston has breached the Code of Conduct as outlined by the Requestor, we did find Mr. Darlaston's action in authoring and submitting the letter to the Editor January 15, 2021, to be contrary to the principles of the Code of Conduct. Since Ms. Erskine made a complaint to the Township regarding the same letter to the Editor, and the matter has been dealt with by the CAO on behalf of the Township, we are not recommending that Council impose any further penalty for Mr. Darlaston's action. Our recommended penalty/sanction would have been a written warning advising of the contravention and advising that members of committees, like members of Council, can seek advice from the Integrity Commissioner to ensure that their actions are not contrary to the Code of Conduct or other ethical policies.

We do, however, find it prudent and expedient to provide Council with some recommendations. Accordingly, we recommend the following:

1. That Council review and update/amend the Code of Conduct to include at a minimum:
 - a. Specific reference to members of committees, working groups or other Council appointed bodies that fall outside of the common understanding of a local board.
 - b. A reference to the *Occupational Health and Safety Act* as well as other ethical policies adopted by Council.
 - c. The role of the Integrity Commissioner.
 - d. The process for making a complaint regarding the behavior of a Member.
 - e. A definition of what would constitute a frivolous or vexatious complaint.
 - f. A requirement for the Integrity Commissioner to conduct a preliminary review before conducting a full inquiry.

- g. A requirement for training of Members and a formal system/process for documenting/acknowledging when a Member has received the training.
 - h. A mandatory review.
- 2. Review/update/adopt a communications policy that clearly states Council's expectations with respect to media/social media and ensure Members receive training on the policy.

Regards,

A handwritten signature in cursive script, appearing to read "Peggy".

Peggy Young-Lovelace
Director/Independent Consultant

Expertise for Municipalities (E4m)
Non-Profit Association
1894 LASALLE BLVD. SUDBURY, ON, P3A 2A4

Integrity Commissioner
for the Township of Billings



INQUIRY REPORT/DECISION

ALLEGATION: CONTRAVENTION OF THE
MUNICIPAL CONFLICT OF INTEREST ACT
& THE CODE OF CONDUCT

BY: COUNCILLOR SHARON ALKENBRACK

I. REQUEST FOR INQUIRY

- [1] On July 27, 2020, E4m as Integrity Commissioner received correspondence directed to Mayor Anderson from a member of the public who alleged that two (2) members of Council were in contravention of the *Municipal Conflict of Interest Act* (the "MCIA") and the Township of Billings Code of Conduct ("Code of Conduct"). Our office contacted the member of the public and received a formal request for inquiry on September 8, 2020.
- [2] The request for inquiry (hereinafter the "Application") is with respect to Sharon Alkenbrack ("Councillor Alkenbrack"), an elected member of the Township Council ("Council") for the Township of Billings ("Township"). The Applicant alleged that Councillor Alkenbrack contravened the *Municipal Conflict of Interest Act* (the "MCIA") and the Township of Billings Code of Conduct ("Code of Conduct").
- [3] The Applicant is a member of the public and an elector under the MCIA and was therefore entitled to make an Application for an inquiry under sections 223.4 and 223.4.1 of the *Municipal Act*.
- [4] With respect to the allegation that Councillor Alkenbrack did contravene the MCIA the Applicant declared that the Application was made within six (6) weeks of the Applicant becoming aware of the alleged contravention.
- [5] In the Application, the Applicant, alleged that Councillor Alkenbrack contravened section 5(1) (a) and (b) of the MCIA when she failed to declare a pecuniary interest in a matter considered by Council at their meeting on June 15, 2020, related to the opening of the Kagawong Market (the "Market").
- [6] And further, the Applicant also alleged that Councillor Alkenbrack contravened section 12 of the Code of Conduct which prohibits the use of municipal resources for personal gain.
- [7] On November 13, 2020, we also received an additional complaint from the Applicant alleging that Councillor Alkenbrack failed to declare a pecuniary interest at a Council meeting and at the EDC related to the "Christmas in Kagawong" (Christmas Event):

"Councillor Alkenbrack chairs the EDC committee and has been a township councillor for well over a decade. Moreover, two other members of her EDC committee also were selling merchandise at their vendor tables at the same market event. I have not reported these two people because I believe that they are simply following the bad example set by their Chairperson. EDC is a committee of council but appears to act often in the financial interests of its members by organization and holding events where its members can sell goods. I realize no one is making much money from these endeavours but I also think it important principles are at stake. When a councillor ignores law as and procedures by participating in decisions in which she is weighing community interests against her own financial interests, how can citizens trust that the right decision will be made? How does this happen repeatedly?" (sic)

- [8] The Applicant more specifically, alleged that Councillor Alkenbrack participated in the EDC meeting on September 9, 2020, and the Council meeting on September 21, 2020, and did not declare a pecuniary interest at either meeting.

II. FINDINGS/CONCLUSION

- [9] Councillor Alkenbrack was not in contravention of the *MCIA* when she participated in the discussion/decision related to the Market at the Council Meeting June 15, 2020.
- [10] Councillor Alkenbrack did have a pecuniary interest in the Christmas Event. She was not required to comply with section 5 (1) (a) and (b) as section 4 (j) of the *MCIA* exempted her from having to declare the interest and allowed her to participate in matters related to the Christmas Event.
- [11] When the Integrity Commissioner conducts an inquiry into allegations that a Member contravened the *MCIA*, they must publish reasons if they will not be taking the Member to Court. Our reasons are that Councillor Alkenbrack did not contravene the *MCIA*, and while the Integrity Commissioner does not have the authority to make such a determination it is our view that it would be foolhardy for the Municipality to spend public resources on this matter where the Applicant can, if they feel it is appropriate, seek the desired redress before the courts. It is in our view that it is not appropriate that any such challenge be publicly funded.
- [12] Additionally, Councillor Alkenbrack did not contravene section 12 of the Code of Conduct.
- [13] While we have not made findings against Councillor Alkenbrack, we do find it prudent to make recommendations to Council and provide the following:
- a. Council adopt a formal complaint policy that outlines the process that will be used by the Township when considering non-Integrity Commissioner complaints;
 - b. Council adopt an Expected Behaviour Policy that explains to residents Council's expectations regarding their behaviour; and
 - c. Council update their Code of Conduct to, at a minimum:
 - i. Explain how complaints will be made to the Integrity Commissioner;
 - ii. Include a process the Integrity Commissioner must follow when conducting an inquiry under the Code of Conduct;
 - iii. Require that all complaints to the Integrity Commissioner are subject to an initial review and can be dismissed after such a review;
 - iv. Define frivolous and vexatious complaints; and
 - v. Improve readability by simplifying the language.
 - d. Council review and then revise the Terms of Reference for the EDC. All committees created by Council are advisory bodies and ought not to be doing the work of Township employees/volunteers. The EDC should be providing Council with advice on economic development matters. They should not be running

events, collecting money and/or making decisions. We encourage Council to assign the task of planning, organizing, and operating the Christmas Event (as well as any other event traditionally organized by the EDC) to the Economic Development Officer. The Economic Development Officer can then seek advice as required. This does not mean that the current members could not participate as volunteers working under the direction of the Economic Development Officer.

III. INQUIRY PROCESS

- [14] Upon receipt of the Application, we completed an initial review of the statutory declaration and the accompanying material submitted by the Applicant and determined that there were sufficient grounds to conduct an inquiry into the matter.
- [15] The first matter was assigned to Jane Martynuk (the “Investigator”), an investigator with Investigative Solutions Network (“ISN”) as an agent of the Integrity Commissioner who did:
- review the Applicant’s letter to Mayor Anderson, the formal submission to the Integrity Commissioner and the statutory declaration;
 - review the materials submitted by the Applicant which included minutes from the June 15, 2020, Council Meeting;
 - listened to the audio recording of the June 15, 2020, Council Meeting;
 - reviewed the Agenda, the Agenda package and specifically the staff report (Memorandum) dated June 12, 2020, drafted by the Deputy Clerk;
 - reviewed the EDC Committee Meeting Minutes from 2019;
 - interviewed:
 - the Applicant, on September 27, 2020
 - the CAO/Clerk, Kathy McDonald, on October 1, 2020
 - the Deputy Clerk Megan Bonenfant, on December 14, 2020
 - the Mayor, Ian Anderson, on January 18, 2021
 - Councillor Bryan Barker, on January 18, 2021
 - Kagawong Market Coordinator (volunteer) Ms. Ethel Newburn, on October 8, 2020
 - Mr. Todd Gordon, Township employee assigned to the EDC Committee on January 18, 2021
 - Councillor Sharon Alkenbrack, on December 3, 2020
 - the Respondent, Councillor Alkenbrack, on December 3, 2020
- [16] The second matter was assigned to Matt Willet (the “Investigator”), an investigator with Investigative Solutions Network (“ISN”) as an agent of the Integrity Commissioner who did:
- review the Applicant’s formal submission dated November 13, 2020, to the Integrity Commissioner and the statutory declaration dated November 12, 2020;

- review the materials submitted by the Applicant which included minutes from the September 9, 2020, Economic Development Committee meeting and the September 21, 2020 Council Meeting;
- interviewed:
 - the Applicant, on February 22, 2021
 - the CAO/Clerk, Kathy McDonald, on December 22, 2020
 - the Deputy Clerk Megan Bonenfant, on December 22, 2020
 - the Mayor, Ian Anderson, on December 22, 2020
 - Councillor Bryan Barker, on February 18, 2021
 - Mr. Todd Gordon, Township employee assigned to the EDC Committee on February 22, 2021
 - A Witness who is a volunteer, on February 22, 2021
 - the Respondent, Councillor Alkenbrack, on March 25, 2021

[17] The conclusions we arrived at with respect to these matters are based upon the standard of a balance of probabilities. Balance of probabilities is a civil burden of proof, meaning that there is evidence to support the allegation that the comments or conduct "more likely than not" [50.1%] took place, and that the behaviour is a breach of the Township's Code of Conduct. As required, assessments of credibility have been made. These assessments are based on:

- Whether or not the individual has firsthand knowledge of the situation
- Whether or not the individual had an opportunity to observe the events
- Whether or not the individual may have bias or other motive
- The individual's ability to clearly describe events
- Consistency within the story
- The attitude of the individual as they are participating
- Any admission of dishonesty¹

[18] The Investigators found the witnesses and Councillor Alkenbrack to be credible. They participated in the investigation, provided supporting evidence, and cooperated with requests for additional information.

[19] Ms. Martynuck reported that the Applicant was found to be somewhat credible. The Investigator noted that the Applicant's complaint seemed to be more than just a citizen genuinely concerned that a member of Council contravened the *MCIA*. The Investigator considered the allegations with some caution.

[20] Mr. Willet did not make assessments of credibility. It was unnecessary as the allegations/evidence were similar to those considered by Ms. Martynuck. The investigation by Mr. Willet was concluded after the interviews as no additional evidence

¹ *Faryna v. Chorny* (1951), [1952] 2 D.L.R. 354 (B.C.C.A.), at Para 10, 11. *Alberta (Department of Children and Youth Services) v. A.U.P.A.* (2009), 185 LAC (4th) 176 (Alta.Arb.)

was found to support the allegation that Councillor Alkenbrack had a pecuniary interest in the Christmas Market.

IV. FINDINGS OF FACT

[21] The circumstances that give rise to the request for inquiry are related to the participation of Councillor Alkenbrack in a decision made by Council regarding the Kagawong Market.

[22] More specifically, on June 15, 2020, Council considered and passed a resolution related to the Kagawong Market.

Reference: Resolution 2020-201
Council Meeting Agenda June 15, 2020
Council Meeting Minutes June 15, 2020

[23] Resolution 2020-201 was moved by Councillor Barker and seconded by Councillor Hunt. And stated as follows:

BE IT RESOLVED that Council directs staff to proceed with planning for the 2020 Kagawong Market at the Old Church on the Hill/Dog Park Area.

Carried

Reference: Council Meeting Minutes June 15, 2020

[24] The Applicant attested that on the morning of July 1, 2020, they attended the "*Billings Township/Kagawong Market at the Old Church on the Hill in Kagawong*" further that they were "*greeted by Kathy McDonald who was encouraging visitors to use hand sanitizer as a precaution before entering the market..... in merchant area, I became aware that Billings Township councillor Sharon Alkenbrack was selling loose leaf teas. Sharon Alkenbrack sells loose leaf teas under the business name Manitoulin Tea Company*".

Reference: Applicant's Statutory Declaration dated September 8, 2020

[25] Then the Applicant reported attending the July 7, 2020, Council meeting electronically (Zoom) at which time the Applicant became aware that no declarations of pecuniary interest were made at the June 15, 2020, Council meeting.

Reference: Applicant's Statutory Declaration dated September 8, 2020
Interview of Applicant September 27, 2020

[26] On July 24, 2021, the Applicant wrote to Mayor Anderson expressing concern that two (2) members of Council had potentially violated the *MCIA* when at the June 15, 2020, Council meeting they participated in the vote on decision to run the Kagawong Market. The Applicant alleged that Councillor Alkenbrack was at the Kagawong Market on July 1, 2020, on behalf of her business Manitoulin Tea Company. The Applicant wrote:

"Let me say first of all, these are both legitimate businesses so, of course, I have no objection to councillors running private businesses. However, the Municipal Conflict of Interest Act, R.S.O. 1990, cM.50 Section 5.1 outlines a clear expectation that pecuniary interest will be disclosed using a specific procedure if a councillor has a direct interest in a council decision. So, I have questions: Why was pecuniary interest not declared by councillors and why didn't councillors remove themselves from decision-making?"

Secondly, in Billings By-Law 2018-41, the council Code of Conduct, Section 12 speaks about prohibiting the use of municipal resources for anything except municipal business. Again, I have a question or two. Why have councillors used municipal resources for private business? Why didn't councillors book themselves to participate in either of the two market spaces provided by business owners this year and avoid the pecuniary interest situation altogether?" (sic)

Reference: Applicant's Statutory Declaration dated September 8, 2020
Applicant's correspondence dated July 24, 2020, addressed to Mayor Anderson
Applicant's response letter to the Integrity Commissioner dated September 8, 2020

[27] In response to our request for clarification, the Applicant submitted a more detailed summary of the allegations along with the statutory declaration on September 8, 2020.

[28] In the letter addressed to Mayor Anderson, the Applicant questioned why the Councillors chose to participate in the Market and not in the outdoor markets hosted by two (2) private businesses. The Applicant advised that Council picked the same day to open the Market as these two (2) businesses.

"I was referring to the fact that two business owners in the township decided to host outdoor markets at their businesses after they were told early in the summer that there would be no Kagawong market held by the township. Councillors had every opportunity to sell at these alternate sites for comparable space rental rates as the Kagawong market. Instead, they chose to initiate a township market that competed with private business markets and chose to situate their selling tables on township property rather than take the opportunity to support other businesses in town. If they had decided to set up tables at the other markets in town, they would never have bumped up against Municipal Conflict of Interest problems when approving the start of the Kagawong market".

Reference: Applicant's response letter to the Integrity Commissioner dated September 8, 2020

[29] In addition to what was in the original complaint, the Applicant reported: *"I have a general concern that similar failures to declare pecuniary interest in previous council motions on other separate occasions have happened during this term of council".* The Applicant

advised that Councillor Alkenbrack was a member of the EDC, that the EDC *is responsible for planning and coordinating an annual Christmas in Kagawong vendor event*, “none of the EDC minutes contained any declaration of pecuniary interest” and that on November 16, 2019 at the Christmas Event Councillor Alkenbrack was selling her tea.

Reference: Applicant's response letter to the Integrity Commissioner dated September 8, 2020

Opening of the Kagawong Market

- [30] The Council Agenda for the June 15, 2020, Council meeting identified “*Kagawong Market*” as the first item under new business.

Reference: Council Meeting Agenda June 15, 2020

- [31] The corresponding minutes confirm that the matter was debated, and a decision was made by Council with respect to the opening of the Kagawong Market and further that Councillor Alkenbrack attended the meeting. The meeting minutes reported that no Member declared a pecuniary interest with any of the topics to be discussed at the meeting.

Reference: Council Meeting Minutes June 15, 2020

- [32] When interviewed the Applicant expressed confusion as to why the opening of the Market would have been considered at a Council meeting. The Market is the responsibility of the Township and has been run for the past five (5) to six (6) years by Ethel Newburn (“Ms. Newburn”). Ms. Newburn is not an employee of the Township.

Reference: Interview of Applicant September 27, 2020
Interview of CAO/Clerk October 1, 2020
Interview of Ms. Newburn October 8, 2020

- [33] The CAO/Clerk and Mayor Anderson advised that the matter was considered by Council more as a courtesy due to the restrictions in place related to COVID-19 and because the Municipal Emergency Group had decided for public safety that the Market could not open at the usual site due to construction, so an alternative site was needed if the Market was to open. It was the recommendation of the Municipal Emergency Group that the Old Church on the Hill/Dog Park area be the preferred site.

Reference: Interview of Mayor Anderson January 18, 2021
Interview of CAO/Clerk October 1, 2020
Interview of Deputy Clerk December 14, 2020

- [34] In the Agenda Package, the staff report related to the Market stated:

"The Kagawong market has been run by volunteers for the township for the past 15+ summers. As with most things, COVID-19 forced the 'pause' button on this market. Guidance from the province on exactly what markets are permitted to operate is somewhat lacking. Initially, only food vendors were permitted to operate, however, Farmers Markets Ontario has reportedly received confirmation from the Ontario Ministry of Agriculture and Rural Affairs that artisan and craft vendors may now operate provided that the majority of vendors are selling food products. Regardless of the products being sold, markets are subject to stringent guidelines with respect to physical distancing and hygiene (see attached). In order to adhere to these guidelines, and in light of the planned construction at the Small Craft Harbour, the Kagawong Market will need to relocate for the 2020 season. The Old Church on the Hill/Dog Park area has been identified as a suitable alternative location. The market coordinator is in the process of reaching out to market vendors to determine if they are interested in participating for the 2020 season; some have indicated that they will not be participating in any market this season, but would be back in 2021.

In the meantime, two local businesses have announced their intentions to host markets. At least one of these markets was initiated because the proprietors were erroneously informed that the Kagawong Market had been cancelled. They have reported positive response from prospective vendors and customers".

Reference: Staff Report (Memorandum) from Deputy Clerk Megan Bonnefant dated June 12, 2020, and included in the Council Meeting Agenda Package for the June 15, 2020, Council Meeting

- [35] Council debated the matter and gave staff direction to proceed with planning for the Market. Council did not confirm that the Market would be opened just that the planning could start. A decision to open would be made closer to the July 1, date and would be dependent on COVID-19 restrictions in place at the time.

Reference: Interview of Mayor Anderson January 18, 2021
Interview of CAO/Clerk October 1, 2020
Interview of Deputy Clerk December 14, 2020
Council Meeting Minutes June 15, 2020

- [36] The Market took place on July 1, 2020. The CAO/Clerk was present and advised that it was not a usual practice for her to be in attendance. Due to the COVID-19 restrictions, she attended opening day (July 1, 2020) to ensure that people went the right way and to ensure that hand sanitizer was used.

Reference: Applicant's Statutory Declaration dated September 8, 2020
Applicant's correspondence dated July 24, 2020, addressed to Mayor Anderson
Interview of CAO/Clerk October 1, 2020

- [37] The Applicant stated that attending the Market on several occasions, Councillor Alkenbrack participated at the Market on July 1, 2020 as well as at other dates during the Market season.

Reference: Applicant's Statutory Declaration dated September 8, 2020
Applicant's correspondence dated July 24, 2020, addressed to Mayor Anderson
Interview of CAO/Clerk October 1, 2020

- [38] The Market operates once a week for the months of July and August.

Reference: Interview of CAO/Clerk October 1, 2020

- [39] Councillor Alkenbrack is a fifth (5th) term Councillor and is aware of her obligations under the *MCIA*.

Reference: Interview of Councillor Alkenbrack December 3, 2020

- [40] The Investigator confirmed that Councillor Alkenbrack did declare a pecuniary interest in matters before Council six (6) times between December 2018 and November 16, 2020

Reference: Township Registry of Declarations of Pecuniary Interest

- [41] Councillor Alkenbrack did not believe that she had a pecuniary interest with respect to the Market and as such did not make a declaration during the meeting. Councillor Alkenbrack advised the investigator she had no intention of putting in booth in the Market because she had already contacted the farmers market in Little Current and had a booth with them. She does not normally put a booth in the Market because she rents a cabana from the Township. During the last week of June, she contacted the Market Coordinator after she and a friend discussed having a booth.

Reference: Interview of Councillor Alkenbrack December 3, 2020

- [42] Ms. Newburn confirmed that Councillor Alkenbrack contacted a week or more after the June 15, 2020 Council meeting and requested a booth.

Reference: Interview of Ethel Newburn October 8, 2020

- [43] Ms. Newburn reported that Councillor Alkenbrack had not been a part of the Kagawong Market in the past years. On June 23, Ms. Newburn received a text message from a friend of Councillor Alkenbrack asking if Ms. Newburn had a booth that would be shared with Councillor Alkenbrack. Councillor Alkenbrack was at the booth every Wednesday except for July 22.

Reference: Interview of Ethel Newburn October 8, 2020

Christmas in Kagawong 2019

- [44] The Applicant alleged that Councillor Alkenbrack as the Chair of the EDC had a pecuniary interest in the Christmas in Kagawong 2019 event ("Christmas Event") because her business Manitoulin Tea Company had a booth at the Christmas Event. The Applicant advised that a review of the 2019 EDC minutes had been conducted and that Councillor Alkenbrack had not declared a pecuniary interest at any of the meetings she attended.

Reference: Applicant's Statutory Declaration dated September 8, 2020
Applicant's correspondence dated July 24, 2020, addressed to Mayor Anderson
Applicant's response letter to the Integrity Commissioner dated September 8, 2020
Interview of Applicant September 27, 2020

- [45] Councillor Alkenbrack, the Chair of the EDC advised the Investigator that:

"The event [Christmas Event] is organized by the EDC, which is a Committee of Council. There are 7 members, 6 who vote. The committee organizes the event, does the decorating and whatever is necessary to make it a success. The event brings in anywhere from 1000 to 2000 people to the community in November, at a time when our community is not very busy, so this event brings people here for the event and then people go to other shops in our village. This event is a big fundraiser for the church in the community and the museum and our library who all benefit from the event." From what she could recall of her training with the Integrity Commissioner, a conflict was not a conflict if the benefits to all were the same. "In our committee 6 people vote on the decision, 5 of the voting people are vendors in our market as they are business people in our village. I am not the only person voting and making those decisions. What if the alternate? Do we close this event that has been part of the community for 15 years?"

- [46] The EDC minutes from the August 24, 2019, meeting recorded that the Christmas Event would be held November 15-17, 2019, and that Councillor Alkenbrack was present at the meeting.

Reference: EDC Meeting Minutes dated August 24, 2019.

- [47] In reviewing the EDC Meeting Minutes from 2019, with the exception of a request to Council for \$400 budget for the purpose of purchasing supplies [October 10, 2019], the Committee did not make financial decisions. To be clear, the EDC did not establish vendor rates for the Christmas Event nor did they make recommendations to Council related to fees and charges related to the Christmas Event.

- [48] The Applicant's November 13, 2020, complaint alleged that Councillor Alkenbrack as the Chair of the EDC contravened the *MCIA*.

Reference: Applicants written submission to the Integrity Commissioner
Applicant's Statutory Declaration November 13, 2020

- [49] The Applicant made similar allegations November 13, 2020, related to Councillor Alkenbrack and her role as the Chair of the EDC as well as being a business owner who participated in the Christmas event.
- [50] Evidence collected by Mr. Willet did not yield different facts or new information that would alter our opinion in this matter, and we have not included the details of witness statements herein.

V. ANALYSIS

- [51] We considered:
- a. Whether Councillor Alkenbrack had a direct, indirect or deemed pecuniary interest when she participated in the discussion at the June 15, 2020, Council meeting regarding the relocation and potential opening of the Kagawong Market (Resolution 2020-201);
 - b. Whether Councillor Alkenbrack complied with the *MCIA* [related to the Market];
 - c. Whether Councillor Alkenbrack had a direct, indirect or deemed pecuniary interest when she participated in discussions at EDC meetings related to the Christmas event;
 - d. Whether Councillor Alkenbrack complied with the *MCIA* [related to the Christmas Event];
 - e. Whether to make an Application to Court for breach of the *MCIA*.
 - f. Whether Councillor Alkenbrack contravened section 12 of the Code of Conduct.

Pecuniary Interest

- [52] The *MCIA* prohibits Councillors from acting, even from influencing matters where they have a pecuniary interest "*before, during or after*" the meeting².
- [53] The primary issue for analysis is whether Councillor Alkenbrack had a prohibited pecuniary interest in the relocation and/or opening of the Kagawong Market.
- [54] "Pecuniary Interest" is not defined in the *MCIA* however, the Courts have interpreted it to mean a financial interest, or an interest related to or involving money. It does not matter

² *Municipal Conflict of Interest Act*, R.S.O. 1990 C.M.50 s.5(1)(c).

whether the financial interest is positive or negative and when considering the existence of a “Pecuniary Interest”, it also does not matter the quantum of the interest.

“Pecuniary Interest” is not defined in the [*Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50], but it has been held to be a financial, monetary or economic interest; and is not to be narrowly defined³.

A pecuniary Interest [as used in s. 5(1) of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50] is a particular kind of interest. In *Edmonton (City) v. Purves* (1982), 18 M.P.L.R. 221... (Q.B.), at p. 232 [M.P.L.R.] Moshansky J. turns to the Shorter Oxford English Dictionary definition of “pecuniary” as “of, belonging to, or having relation to money.”

[55] A Member may have a **Direct Pecuniary Interest** where the matter being considered by Council affects the Member’s own finances. A Member may have an **Indirect Pecuniary Interest** where they are a shareholder of a private corporation or have a controlling interest in a public corporation (i.e., director, significant shareholder) or is a “member of a body” that has a pecuniary interest in the matter being considered by Council or the Member is a Partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. A Member may have a **Deemed Pecuniary Interest** where a matter being considered affects the finances of a Member’s parent, spouse or child [as defined by the *MCIA*].

[56] Section 3 of the *MCIA* states that a member is deemed to have a pecuniary interest if the matter Council is considering involves the pecuniary interests of a Councillor’s spouse.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.

[57] Section 5 of the *MCIA* requires that when a member of Council has a pecuniary interest with a matter that Council is considering that they must disclose not only that they have a pecuniary interest in the matter, but they must also explain the general nature of the interest. Additionally, they are prohibited from taking part in the discussion or any vote on the matter or from influencing the vote.

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is

³ *Mondoux v. Tuchenhausen* (2011), 284 O.A.C. 324, [2001] O.J. No. 4801, 88 M.P.L.R. (4th) 234, 2011 CarswellOnt 11438, 2011 ONSC 5398, 107 O.R. (3d) 675 (Ont. Div. Ct) at para. 31, Lederer J. (Gordon J. concurring).

present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

[58] Section 5.1 of the *MCIA* requires a member to file a written statement of conflict when he has a prohibited pecuniary interest.

Kagawong Market

[59] Councillor Alkenbrack did not declare a pecuniary interest with respect to the Market [Agenda item 8(a)] either before, or during the June 15, 2020, Council meeting.

[60] Councillor Alkenbrack reported that she did not believe she had a prohibited pecuniary interest at the time. The decision before Council was to direct "*staff to proceed with the planning for the 2020 Kagawong Market at the Old Church on the Hill/Dog Park area*". While the resolution does not expressly state that the Market will be held, the resolution indirectly authorizes the event.

[61] Approximately, one week after the June 15, 2020, Council Meeting, Councillor Alkenbrack contacted Ms. Newburn to inquire if she could have a booth at the July 1, 2020, Market.

[62] The Market has been hosted by the Township for over fifteen (15) years on a Wednesday from July 1 to August 30 in any given year. Councillor Alkenbrack had not previously participated in this Market.

[63] The question therefore is when did Councillor Alkenbrack's pecuniary interest crystalize?

[64] Case law shows us that there is a point in time when a pecuniary interest becomes absolute. This means that a matter Council is considering may not be in its entirety a conflict of interest as defined by the *MCIA*. Case Law is also clear that you cannot have a pecuniary interest for something that might happen at a future date.

[65] Justice Michael Penny in *Lorello v. Meffe* surveyed numerous *MCIA* decisions about future or contingent interests in examining whether a contingent interest constitutes a prohibited pecuniary interest pursuant to the *MCIA* and found:

These authorities seem to establish that, in order to constitute a pecuniary interest, there must be something more than infrequent past business dealings or the possibility of future business. To have a conflict under s. 5 of the MCIA, there

must be a pecuniary interest existing at the time of the vote. There must be an actual conflict or a reasonable assumption that the conflict will occur".⁴

[66] Additionally, in *Mondoux v. Tuchenhausen*, at paragraph 32,

*[32] We do not agree with counsel for Robert Tuchenhausen that this interest crystallized only when he viewed the property and decided to make an offer. This presumes that any discussion at meetings of City Council or any resolution or by-law passed by City Council involving the sale or potential sale which took place as Robert Tuchenhausen was deciding whether to make an offer could not affect that private determination. This is not correct. Any decision of the members of Council could affect the price or whether the property would be sold at all. "The question that must be asked and answered is 'Does the matter to be voted upon have a potential to affect the pecuniary interest of the municipal councillor?'" (emphasis added) (see *Greene v. Borins* (1985), 50 O.R. (2d) 513, [1985] O.J. No. 2510, 1985 CarswellOnt 666 (Div. Ct.), at para. 39). **As soon as Robert Tuchenhausen saw himself as a potential buyer, he had become a person with a pecuniary interest. The e-mail he sent on July 2, 2008 indicated that he might be interested in 2011 ONSC 5398 (CanLII) bidding on the property. At that point, he was no longer looking at this only from the perspective of a member of Council with the public responsibilities that entails. From the moment he decided he might make a bid, he began examining the situation to see how it could advantage his private interests. He had acquired a pecuniary interest.**⁵ (emphasis added)*

[67] In the matter before us, Councillor Alkenbrack did not decide to participate in the Market until approximately one week after the June 15, 2020, Council Meeting. She did not have a past practice of participating in the Market. Her pecuniary interest crystallized on June 23, 2020, when a friend of Councillor Alkenbrack's contacted Ms. Newburn and asked if there was space that she and Councillor Alkenbrack could have a booth.

[68] We also considered section 4 of the *MCIA*. Section 4 describes circumstances when a Member having a pecuniary interest is "excepted" from having to disclose the interest. More specifically, we considered section 4 (j) which states:

By reason of the member having a pecuniary interest which is an interest in common with electors generally;

[69] The *MCIA* does not define electors generally. The Courts have defined it as a subset of electors that would be affected by the matter:

⁴ *Lorello v. Meffe*, 2010 CarswellOnt 11195, 2010 ONSC 1976, 99 M.P.L.R. (4th) 107 (OntSCI) at Para 59.

⁵ *Mondoux v. Tuchenhausen* (2011), 284 O.A.C. 324, [2001] O.J. No. 4801, 88 M.P.L.R. (4th) 234, 2011 CarswellOnt 11438, 2011 ONSC 5398, 107 O.R. (3d) 675 (Ont. Div. Ct) at para. 32, Lederer J. (Gordon J. concurring).

[42] The meaning of the word "generally", as found in the MCIA, has been addressed with greater precision [Ennismore (Township) (Re), [1996] O.J. No. 167, 31 M.P.L.R. (2d) 1 (Gen. Div.)]:

The word "generally" used in Section 4(j) indicates to me that the electors to be regarded, when applying the section, are to be of a certain class or order. It is apparent to me that the authorities, together with the language and intended general purpose of the Municipal Conflict of Interest Act, establish that the class or order must be those electors in the area in question who are "affected" by the matter. It is those affected electors that are to be regarded when considering the issue of conflict of interest and not necessarily all the electors.⁶

[70] In this circumstance, all potential vendors at the Market would have the same pecuniary interest as Councillor Alkenbrack.

[71] To be clear, if Councillor Alkenbrack had a pecuniary interest related to the discussion/decision about the Market, it would be excepted by section 4(j) of the MCIA. Councillor Alkenbrack would not be required to comply with section 5 of the MCIA.

Christmas In Kagawong Event

[72] The Christmas Event is planned and organized by the EDC.

[73] Councillor Alkenbrack is the Chair of the EDC. She has been appointed by Council to the EDC and participates as a member of the public.

[74] The Applicant has not cited a specific incident and instead has made a generalized allegation that Councillor Alkenbrack had a pecuniary interest in the Christmas Event because she had a booth at the event in 2019 and in 2020.

[75] The Applicant advised that a review of the 2019 EDC minutes had been conducted and that Councillor Alkenbrack had not declared a pecuniary interest at any of the meetings she attended.

[76] The Municipal Act requires that for the Integrity Commissioner to consider a matter under the MCIA, the individual applying must attest to the fact that they became aware of the situation in the previous six (6) weeks. The Applicant was aware in November of 2019 that Councillor Alkenbrack had been a vendor at the Christmas Event. An application was not submitted to our office at that time.

[77] This matter has been analyzed in accordance with the MCIA, applicable case law and the Code of Conduct.

⁶ *Mondoux v. Tuchenhausen* (2011), 284 O.A.C. 324, [2001] O.J. No. 4801, 88 M.P.L.R. (4th) 234, 2011 CarswellOnt 11438, 2011 ONSC 5398, 107 O.R. (3d) 675 (Ont. Div. Ct) at para. 32, Lederer J. (Gordon J. concurring).

- [78] Members of the EDC who also sit on Council have a pecuniary interest in matters that the EDC has a pecuniary interest in⁷. Additionally, individual Members may also have a pecuniary interest in matters before the EDC.
- [79] We are aware from the EDC meeting minutes that on October 10, 2019, the Committee resolved to request a \$400 budget from Council for supplies needed for the Christmas Event. We did not review Council meeting minutes from 2019 to determine if Council considered the request.
- [80] Councillor Alkenbrack as a vendor at the Christmas Event has a pecuniary interest in the Christmas Event because her business is represented at the event.
- [81] Our investigation revealed that on August 24, 2019, the EDC set the date for the Christmas event. The EDC minutes of October 10, 2019, report that twenty-five (25) vendors had been confirmed.
- [82] While Councillor Alkenbrack would have a prohibited pecuniary interest in the EDC decision on August 24, 2019, and other decisions related to the running of the Christmas Market, her interest would be accepted as an interest in common as per 4(j) of the *MCIA*.
- [83] The Applicant swore a statutory declaration on November 12, 2020, alleging that Councillor Alkenbrack had a pecuniary interest when she participated in the EDC meeting on September 9, 2020, and the Council meeting of September 21, 2020. The Applicant stated that on October 11, 2020, they accessed the Township website and reviewed the EDC minutes.
- [84] The Applicant alleged becoming aware of the contravention on October 11, 2020 and the declaration is within the six (6) week requirement outlined in the *Municipal Act*. However, there was no additional information to substantiate as opinion other than Councillor Alkenbrack would have a prohibited pecuniary interest in the EDC decision on August 24, 2019, and other decisions related to the running of the Christmas Market, her interest would be accepted as an interest in common as per 4(j) of the *MCIA*.

Use of Municipal Resources

- [85] The Applicant alleged that Councillor Alkenbrack contravened section 12 of the Code of Conduct.
- [86] Section 12 of the Code of Conduct requires Members to not use municipal resources for personal gain. It specifically states:

⁷ *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, s.2(a)(iii).

"No Member shall use or permit the employment of municipal land, facilities, equipment, suppliers, services, municipal employees or other resources for purposes or activities other than the furtherance of the business of the municipality."

- [87] This section of the Code of Conduct prohibits Members from using or permitting the use of Township owned infrastructure for their private benefit. Councillor Alkenbrack by participating at events that have been hosted by the Township does not trigger a contravention of this section of the Code of Conduct.

VI. SHOULD WE APPLY TO A JUDGE IN THIS CASE?

- [88] Upon completion of an inquiry regarding whether a member has contravened the *Municipal Conflict of Interest Act*, the *Municipal Act, 2001* provides the Integrity Commissioner with discretion about whether to apply to a Judge.⁸ The Integrity Commissioner must publish written reasons for the decision whether or not to apply.⁹
- [89] The section does not set out clear parameters detailing when it is appropriate to apply to a court and we could not find any judicial analysis of this section. It is our opinion that this discretion is not unfettered and must be exercised in a reasonable manner consistent with the Integrity Commissioner's statutory duty to investigate, enforce and provide advice about the *Municipal Conflict of Interest Act* (MCIA).¹⁰
- [90] Notably, the Integrity Commissioner is not given the authority in either piece of legislation to decide upon, recommend or negotiate a penalty with respect to a Councillor found to have breached the MCIA after an inquiry. The final decision about whether there has been a breach of the MCIA, and the penalty is the exclusive jurisdiction of a Judge of the Ontario Superior Court of Justice.¹¹
- [91] This fact is a significant and important factor in how the decision to apply to a judge should be made. That is, because the Integrity Commissioner is given broad powers of investigation but is not vested with the authority to make a final decision, the determination of whether to apply to a judge should usually be contingent on the outcome of the investigation and the conclusions of the Integrity Commissioner. Absent extraordinary circumstances, the conclusion that the MCIA has been breached should ordinarily result in a decision to apply to a judge. If a decision is made that there is no conflict, a court application should not be pursued.
- [92] We will not be applying to a Judge with respect to the allegations that Councillor Alkenbrack contravened the MCIA.

⁸ *Municipal Act, 2001*, S.O. 2001, c.25 as am. s. 223.4.1(15)

⁹ *Ibid*, s. 223.4.1 (17)

¹⁰ *Ibid*, s. 223.3(1)

¹¹ *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, s.8.

- a. At the June 15, 2020, Councillor Alkenbrack did not have a pecuniary interest in the decision to relocate and plan for the Market. Further that if she did, she would not need to declare it pursuant to section 4 (j) of the *MCIA*.
- b. Councillor Alkenbrack did not contravene the *MCIA* with respect to her participation as a Member of the EDC. While Councillor Alkenbrack did have a pecuniary interest in the Christmas Market, she would not need to declare it pursuant to section 4 (j) of the *MCIA*.

DATED: July 19, 2021

Expertise for Municipalities (E4m)

Non-Profit Association

1894 LASALLE BLVD. SUDBURY, ON, P3A 2A4

Integrity Commissioner

for the Township of Billings



INQUIRY REPORT/DECISION

**ALLEGATION: CONTRAVENTION OF THE
MUNICIPAL CONFLICT OF INTEREST ACT
& THE CODE OF CONDUCT**

BY: COUNCILLOR SHARON JACKSON

I. REQUEST FOR INQUIRY

- [1] On July 27, 2020, E4m as Integrity Commissioner received correspondence directed to Mayor Anderson from a member of the public who alleged that two (2) members of Council were in contravention of the *Municipal Conflict of Interest Act* (the “MCIA”) and the Township of Billings Code of Conduct (“Code of Conduct”). Our office contacted the member of the public and received a formal request for inquiry on September 8, 2020.
- [2] The request for inquiry (hereinafter the “Application”) is with respect to Sharon Jackson (“Councillor Jackson”), an elected member of the Township Council (“Council”) for the Township of Billings (“Township”). The Applicant alleged that Councillor Jackson contravened the *Municipal Conflict of Interest Act* (the “MCIA”) and the Township of Billings Code of Conduct (“Code of Conduct”).
- [3] The Applicant is a member of the public and an elector under the MCIA and was therefore entitled to make an Application for an inquiry under sections 223.4 and 223.4.1 of the *Municipal Act*.
- [4] With respect to the allegation that Councillor Jackson did contravene the MCIA the Applicant declared that the Application was made within six (6) weeks of the Applicant becoming aware of the alleged contravention.
- [5] In the Application, the Applicant, alleged that Councillor Jackson contravened section 5(1) (a) and (b) of the MCIA when she failed to declare a pecuniary interest in a matter considered by Council at their meeting on June 15, 2020, related to the opening of the Kagawong Market (the “Market”).
- [6] And further, the Applicant also alleged that Councillor Jackson contravened section 12 of the Code of Conduct which prohibits the use of municipal resources for personal gain.

II. FINDINGS/CONCLUSION

- [7] Councillor Jackson was not in contravention of the MCIA when she participated in the discussion/decision related to the Market at the Council Meeting June 15, 2020.
- [8] Councillor Jackson did have a deemed pecuniary interest in the Christmas Event. She was not required to comply with section 5 (1) (a) and (b) as section 4 (j) of the MCIA exempted her from having to declare the interest and participating in matters related to the Christmas Event.
- [9] When the Integrity Commissioner conducts an inquiry into allegations that a Member contravened the MCIA, they must publish reasons if they will not be taking the Member to Court. Our reasons are that Councillor Jackson did not contravene the MCIA.
- [10] Additionally, Councillor Jackson did not contravene section 12 of the Code of Conduct.

[11] While we have not made findings against Councillor Jackson, we do find it prudent to make recommendations to Council and provide the following:

- a. Council adopt a formal complaint policy that outlines the process that will be used by the Township when considering non-Integrity Commissioner complaints;
- b. Council adopt an Expected Behaviour Policy that explains to residents Council's expectations regarding their behaviour; and
- c. Council update their Code of Conduct to, at a minimum:
 - i. Explain how complaints will be made to the Integrity Commissioner;
 - ii. Include a process the Integrity Commissioner must follow when conducting an inquiry under the Code of Conduct;
 - iii. Require that all complaints to the Integrity Commissioner are subject to an initial review and can be dismissed after such a review;
 - iv. Define frivolous and vexatious complaints; and
 - v. Improve readability by simplifying the language.

III. INQUIRY PROCESS

[12] Upon receipt of the Application, we completed an initial review of the statutory declaration and the accompanying material submitted by the Applicant and determined that there were sufficient grounds to conduct an inquiry into the matter.

[13] The matter was assigned to Jane Martynuk (the "Investigator"), an investigator with Investigative Solutions Network ("ISN") as an agent of the Integrity Commissioner.

- review the Applicant's letter to Mayor Anderson, the formal submission to the Integrity Commissioner and the statutory declaration;
- review the materials submitted by the Applicant which included minutes from the June 15, 2020, Council Meeting;
- listened to the audio recording of the June 15, 2020, Council Meeting;
- reviewed the Agenda, the Agenda package and specifically the staff report (Memorandum) dated June 12, 2020, drafted by the Deputy Clerk;
- reviewed the EDC Committee Meeting Minutes from 2019;
- interviewed:
 - the Applicant, on September 27, 2020
 - the CAO/Clerk, Kathy McDonald, on October 1, 2020
 - the Deputy Clerk Megan Bonenfant, on December 14, 2020
 - the Mayor, Ian Anderson, on January 18, 2021
 - Councillor Bryan Barker, on January 18, 2021
 - Kagawong Market Coordinator (volunteer) Ms. Ethel Newburn, on October 8, 2020
 - Mr. Todd Gordon, Township employee assigned to the EDC Committee on January 18, 2021
 - Councillor Sharon Alkenbrack, on December 3, 2020
 - the Respondent, Councillor Jackson, on December 3, 2020

- [14] The conclusions we arrived at with respect to these matters are based upon the standard of a balance of probabilities. Balance of probabilities is a civil burden of proof, meaning that there is evidence to support the allegation that the comments or conduct "more likely than not" [50.1%] took place, and that the behaviour is a breach of the Township's Code of Conduct. As required, assessments of credibility have been made. These assessments are based on:
- Whether or not the individual has firsthand knowledge of the situation
 - Whether or not the individual had an opportunity to observe the events
 - Whether or not the individual may have bias or other motive
 - The individual's ability to clearly describe events
 - Consistency within the story
 - The attitude of the individual as they are participating
 - Any admission of dishonesty¹
- [15] The Investigator found the witnesses and Councillor Jackson to be credible. They participated in the investigation, provided supporting evidence, and cooperated with requests for additional information.
- [16] The Investigator reported that the Applicant was found to be somewhat credible. The Investigator noted that the Applicant's complaint seemed to be more than just a citizen genuinely concerned that a member of Council contravened the *MCIA*. The Investigator considered the allegations with some caution.

IV. FINDINGS OF FACT

- [17] The circumstances that give rise to the request for inquiry are related to the participation of Councillor Jackson in a decision made by Council regarding the Kagawong Market.
- [18] More specifically, on June 15, 2020, Council considered and passed a resolution related to the Kagawong Market.

Reference: Resolution 2020-201
Council Meeting Agenda June 15, 2020
Council Meeting Minutes June 15, 2020

¹ *Faryna v. Chorny* (1951), [1952] 2 D.L.R. 354 (B.C.C.A.), at Para 10, 11.

Alberta (Department of Children and Youth Services) v. A.U.P.A. (2009), 185 LAC (4th) 176 (Alta.Arb.)

- [19] Resolution 2020-201 was moved by Councillor Barker and seconded by Councillor Hunt. And stated as follows:

BE IT RESOLVED that Council directs staff to proceed with planning for the 2020 Kagawong Market at the Old Church on the Hill/Dog Park Area.

Carried

Reference: Council Meeting Minutes June 15, 2020

- [20] The Applicant attested that on the morning of July 1, 2020, they attended the "*Billings Township/Kagawong Market at the Old Church on the Hill in Kagawong*" further that they were "*greeted by Kathy McDonald who was encouraging visitors to use hand sanitizer as a precaution before entering the market. In the Kagawong market merchant area, I became aware that Billings Township councillor Sharon Jackson was at a market table assisting her spouse, Craig Jackson, who was selling his photographs*".

Reference: Applicant's Statutory Declaration dated September 8, 2020

- [21] Then the Applicant reported attending the July 7, 2020, Council meeting electronically (Zoom) at which time the Applicant became aware that no declarations of pecuniary interest were made at the June 15, 2020, Council meeting.

Reference: Applicant's Statutory Declaration dated September 8, 2020
Interview of Applicant September 27, 2020

- [22] On July 24, 2021, the Applicant wrote to Mayor Anderson expressing concern that two (2) members of Council had potentially violated the MCIA when at the June 15, 2020, Council meeting they participated in the vote on decision to run the Kagawong Market. The Applicant alleged that Councillor Jackson was at the Kagawong Market on July 1, 2020, "*assisting her spouse in selling goods...*". The Applicant wrote:

"Let me say first of all, these are both legitimate businesses so, of course, I have no objection to councillors running private businesses. However, the Municipal Conflict of Interest Act, R.S.O. 1990, cM.50 Section 5.1 outlines a clear expectation that pecuniary interest will be disclosed using a specific procedure if a councillor has a direct interest in a council decision. So, I have questions: Why was pecuniary interest not declared by councillors and why didn't councillors remove themselves from decision-making?

Secondly, in Billings By-Law 2018-41, the council Code of Conduct, Section 12 speaks about prohibiting the use of municipal resources for anything except municipal business. Again, I have a question or two. Why have councillors used municipal resources for private business? Why didn't councillors book themselves to participate in either of the two market spaces provided by business owners this year and avoid the pecuniary interest situation altogether?" (sic)

Reference: Applicant's Statutory Declaration dated September 8, 2020
Applicant's correspondence dated July 24, 2020, addressed to Mayor Anderson
Applicant's response letter to the Integrity Commissioner dated September 8, 2020

- [23] In response to our request for clarification, the Applicant submitted a more detailed summary of the allegations along with the statutory declaration on September 8, 2020.
- [24] In the letter addressed to Mayor Anderson, the Applicant questioned why the Councillors chose to participate in the Market and not in the outdoor markets hosted by two (2) private businesses. The Applicant advised that Council picked the same day to open the Market as these two (2) businesses.

"I was referring to the fact that two business owners in the township decided to host outdoor markets at their businesses after they were told early in the summer that there would be no Kagawong market held by the township. Councillors had every opportunity to sell at these alternate sites for comparable space rental rates as the Kagawong market. Instead, they chose to initiate a township market that competed with private business markets and chose to situate their selling tables on township property rather than take the opportunity to support other businesses in town. If they had decided to set up tables at the other markets in town, they would never have bumped up against Municipal Conflict of Interest problems when approving the start of the Kagawong market".

Reference: Applicant's response letter to the Integrity Commissioner dated September 8, 2020

- [25] In addition to what was in the original complaint, the Applicant reported: *"I have a general concern that similar failures to declare pecuniary interest in previous council motions on other separate occasions have happened during this term of council".* The Applicant advised that Councillor Jackson was a member of the EDC, that the EDC *is responsible for planning and coordinating an annual Christmas in Kagawong vendor event*, *"none of the EDC minutes contained any declaration of pecuniary interest"* and that on November 16, 2019 *"Sharon Jackson was assisting her spouse, Craig Jackson, selling his photographs (Craig Jackson Images)".*

Reference: Applicant's response letter to the Integrity Commissioner dated September 8, 2020

Opening of the Kagawong Market

- [26] The Council Agenda for the June 15, 2020, Council meeting identified *"Kagawong Market"* as the first item under new business.

Reference: Council Meeting Agenda June 15, 2020

- [27] The corresponding minutes confirm that the matter was debated, and a decision was made by Council with respect to the opening of the Kagawong Market and further that Councillor Jackson attended the meeting. The meeting minutes reported that no Member declared a pecuniary interest with any of the topics to be discussed at the meeting.

Reference: Council Meeting Minutes June 15, 2020

- [28] When interviewed the Applicant expressed confusion as to why the opening of the Market would have been considered at a Council meeting. The Market is the responsibility of the Township and has been run for the past five (5) to six (6) years by Ethel Newburn ("Ms. Newburn"). Ms. Newburn is not an employee of the Township.

Reference: Interview of Applicant September 27, 2020
Interview of CAO/Clerk October 1, 2020
Interview of Ms. Newburn October 8, 2020

- [29] The CAO/Clerk and Mayor Anderson advised that the matter was considered by Council more as a courtesy due to the restrictions in place related to COVID-19 and because the Municipal Emergency Group had decided for public safety that the Market could not open at the usual site due to construction, so an alternative site was needed if the Market was to open. It was the recommendation of the Municipal Emergency Group that the Old Church on the Hill/Dog Park area be the preferred site.

Reference: Interview of Mayor Anderson January 18, 2021
Interview of CAO/Clerk October 1, 2020
Interview of Deputy Clerk December 14, 2020

- [30] In the Agenda Package, the staff report related to the Market stated:

"The Kagawong market has been run by volunteers for the township for the past 15+ summers. As with most things, COVID-19 forced the 'pause' button on this market. Guidance from the province on exactly what markets are permitted to operate is somewhat lacking. Initially, only food vendors were permitted to operate, however, Farmers Markets Ontario has reportedly received confirmation from the Ontario Ministry of Agriculture and Rural Affairs that artisan and craft vendors may now operate provided that the majority of vendors are selling food products. Regardless of the products being sold, markets are subject to stringent guidelines with respect to physical distancing and hygiene (see attached). In order to adhere to these guidelines, and in light of the planned construction at the Small Craft Harbour, the Kagawong Market will need to relocate for the 2020 season. The Old Church on the Hill/Dog Park area has been identified as a suitable alternative location. The market coordinator is in the process of reaching out to market vendors to determine if they are interested in participating for the 2020 season; some have indicated that they will not be participating in any market this season, but would be back in 2021."

In the meantime, two local businesses have announced their intentions to host markets. At least one of these markets was initiated because the proprietors were erroneously informed that the Kagawong Market had been cancelled. They have reported positive response from prospective vendors and customers”.

Reference: Staff Report (Memorandum) from Deputy Clerk Megan Bonnefant dated June 12, 2020, and included in the Council Meeting Agenda Package for the June 15, 2020, Council Meeting

- [31] Council debated the matter and gave staff direction to proceed with planning for the Market. Council did not confirm that the Market would be opened just that the planning could start. A decision to open would be made closer to the July 1, date and would be dependent on COVID-19 restrictions in place at the time.

Reference: Interview of Mayor Anderson January 18, 2021
Interview of CAO/Clerk October 1, 2020
Interview of Deputy Clerk December 14, 2020
Council Meeting Minutes June 15, 2020

- [32] The Market took place on July 1, 2020. The CAO/Clerk was present and advised that it was not a usual practice for her to be in attendance. Due to the COVID-19 restrictions, she attended opening day (July 1, 2020) to ensure that people went the right way and to ensure that hand sanitizer was used.

Reference: Applicant's Statutory Declaration dated September 8, 2020
Applicant's correspondence dated July 24, 2020, addressed to Mayor Anderson
Interview of CAO/Clerk October 1, 2020

- [33] The Applicant stated that attending the Market on several occasions, Councillor Jackson only participated at the Market on July 1, 2020.

Reference: Applicant's Statutory Declaration dated September 8, 2020
Applicant's correspondence dated July 24, 2020, addressed to Mayor Anderson
Interview of CAO/Clerk October 1, 2020

- [34] The Market operates once a week for the months of July and August.

Reference: Interview of CAO/Clerk October 1, 2020

- [35] Councillor Jackson is a first time Councillor being elected in October of 2018 and taking office as of December 1, 2018 and is aware of her obligations to declare a pecuniary interest having done so on several occasions.

Reference: Interview of Councillor Jackson December 3, 2020

- [36] The Investigator confirmed that Councillor Jackson did declare a pecuniary interest in matters before Council five (5) times between December 2018 and November 16, 2020.

Reference: Township Registry of Declarations of Pecuniary Interest

- [37] Councillor Jackson did not believe that she had a pecuniary interest with respect to the Market and as such did not make a declaration during the meeting. Councillor Jackson advised the investigator that it was her belief that staff was seeking direction regarding the *planning* of the market at the new location and it was not clear in her mind if the market was even going to open. Her husband had not participated in the market before as they both worked full time and the market was on a Wednesday. This year they were both off July 1, 2020, so on June 30, 2020, she contacted Ms. Newburn to see if her husband could put a booth in. They had not discussed even putting a booth in until this date.

Reference: Interview of Councillor Jackson December 3, 2020

- [38] At the time of the Council meeting on June 15, they did not even have product for the market, such as sun shelter, and they were waiting for product to come. She was at the market on July 1, 2020, and went on July 8, 2020, when her husband was at work. At no time did it cross her mind that there was a pecuniary interest.

Reference: Interview of Councillor Jackson December 3, 2020

- [39] Ms. Newburn confirmed that Councillor Jackson sent her a message on Messenger asking if her husband could put a booth in for July 1, 2020 and confirmed that this was the first time Craig Jackson had put a booth in the Market. She further advised that Craig Jackson had a booth during three (3) of the Market days during the 2020 season.

Reference: Interview of Ethel Newburn October 8, 2020

Christmas in Kagawong 2019

- [40] The Applicant alleged that Councillor Jackson as a member of the EDC had a pecuniary interest in the Christmas in Kagawong 2019 event ("Christmas Event") because her spouse Craig Jackson had a booth at the Christmas Event. The Applicant advised that a review of the 2019 EDC minutes had been conducted and that Councillor Jackson had not declared a pecuniary interest at any of the meetings she attended.

Reference: Applicant's Statutory Declaration dated September 8, 2020

Applicant's correspondence dated July 24, 2020, addressed to Mayor Anderson
Applicant's response letter to the Integrity Commissioner dated September 8, 2020
Interview of Applicant September 27, 2020

[41] Councillor Alkenbrack, the Chair of the EDC advised the Investigator that:

"The event [Christmas Event] is organized by the EDC, which is a Committee of Council. There are 7 members, 6 who vote. The committee organizes the event, does the decorating and whatever is necessary to make it a success. The event brings in anywhere from 1000 to 2000 people to the community in November, at a time when our community is not very busy, so this event brings people here for the event and then people go to other shops in our village. This event is a big fundraiser for the church in the community and the museum and our library who all benefit from the event." From what she could recall of her training with the Integrity Commissioner, a conflict was not a conflict if the benefits to all were the same. "In our committee 6 people vote on the decision, 5 of the voting people are vendors in our market as they are business people in our village. I am not the only person voting and making those decisions. What if the alternate? Do we close this event that has been part of the community for 15 years?"

Councillor Jackson indicated her husband had a booth at the Christmas Event and she assisted him at this booth. She would help him sell his artwork if she was off work at the time.

Reference: Interview Councillor Jackson December 3, 2020

[42] Councillor Alkenbrack, Chair of the EDC confirmed that Craig Jackson was a vendor at the Christmas Event.

Reference: Handwritten vendor list from the EDC Chair

[43] The EDC minutes from the August 24, 2019, meeting recorded that the Christmas Event would be held November 15-17, 2019, and that Councillor Jackson was present at the meeting.

Reference: EDC Meeting Minutes dated August 24, 2019.

[44] In reviewing the EDC Meeting Minutes from 2019, with the exception of a request to Council for \$400 budget for the purpose of purchasing supplies [October 10, 2019], the Committee did not make financial decisions. To be clear, the EDC did not establish vendor rates for the Christmas Event, nor did they make recommendations to Council related to fees and charges related to the Christmas Event.

V. ANALYSIS

[45] We considered:

- a. Whether Councillor Jackson had a direct, indirect or deemed pecuniary interest when she participated in the discussion at the June 15, 2020, Council meeting regarding the relocation and potential opening of the Kagawong Market (Resolution 2020-201);
- b. Whether Councillor Jackson complied with the *MCIA* [related to the Market];
- c. Whether Councillor Jackson had a direct, indirect or deemed pecuniary interest when she participated in discussions at EDC meetings related to the Christmas event;
- d. Whether Councillor Jackson complied with the *MCIA* [related to the Christmas Event];
- e. Whether to make an Application to Court for breach of the *MCIA*.
- f. Whether Councillor Jackson contravened section 12 of the Code of Conduct.

Pecuniary Interest

[46] The *MCIA* prohibits Councillors from acting, even from influencing matters where they have a pecuniary interest “*before, during or after*” the meeting².

[47] The primary issue for analysis is whether Councillor Jackson had a prohibited pecuniary interest in the relocation and/or opening of the Kagawong Market.

[48] “Pecuniary Interest” is not defined in the *MCIA* however, the Courts have interpreted it to mean a financial interest, or an interest related to or involving money. It does not matter whether the financial interest is positive or negative and when considering the existence of a “Pecuniary Interest”, it also does not matter the quantum of the interest.

“Pecuniary Interest” is not defined in the [*Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50], but it has been held to be a financial, monetary or economic interest; and is not to be narrowly defined³.

A pecuniary Interest [as used in s. 5(1) of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50] is a particular kind of interest. In *Edmonton (City) v. Purves* (1982), 18 M.P.L.R. 221... (Q.B.), at p. 232 [M.P.L.R.] Moshansky J. turns to the Shorter Oxford English Dictionary definition of “pecuniary” as “of, belonging to, or having relation to money.”

[49] A Member may have a **Direct Pecuniary Interest** where the matter being considered by Council affects the Member’s own finances. A Member may have an **Indirect Pecuniary Interest** where they are a shareholder of a private corporation or have a controlling interest

² *Municipal Conflict of Interest Act*, R.S.O. 1990 C.M.50 s.5(1)(c).

³ *Mondoux v. Tuchenhausen* (2011), 284 O.A.C. 324, [2001] O.J. No. 4801, 88 M.P.L.R. (4th) 234, 2011 CarswellOnt 11438, 2011 ONSC 5398, 107 O.R. (3d) 675 (Ont. Div. Ct) at para. 31, Lederer J. (Gordon J. concurring).

in a public corporation (i.e., director, significant shareholder) or is a "member of a body" that has a pecuniary interest in the matter being considered by Council or the Member is a Partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. A Member may have a **Deemed Pecuniary Interest** where a matter being considered affects the finances of a Member's parent, spouse or child [as defined by the *MCIA*].

- [50] Section 3 of the *MCIA* states that a member is deemed to have a pecuniary interest if the matter Council is considering involves the pecuniary interests of a Councillor's spouse.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.

- [51] Section 5 of the *MCIA* requires that when a member of Council has a pecuniary interest with a matter that Council is considering that they must disclose not only that they have a pecuniary interest in the matter, but they must also explain the general nature of the interest. Additionally, they are prohibited from taking part in the discussion or any vote on the matter or from influencing the vote.

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

- [52] Section 5.1 of the *MCIA* requires a member to file a written statement of conflict when he has a prohibited pecuniary interest.

Kagawong Market

- [53] Councillor Jackson did not declare a pecuniary interest with respect to the Market [Agenda item 8(a)] either before, or during the June 15, 2020, Council meeting.
- [54] Councillor Jackson reported that she did not believe she had a prohibited pecuniary interest at the time. The decision before Council was to direct "*staff to proceed with the*

planning for the 2020 Kagawong Market at the Old Church on the Hill/Dog Park area". While the resolution does not expressly state that the Market will be held, the resolution indirectly authorizes the event.

- [55] On June 30, 2020, Councillor Jackson contacted Ms. Newburn to inquire if Craig Jackson could have a booth at the July 1, 2020 Market. Craig Jackson participated in the Market. Councillor Jackson would assist her spouse at the Market if she was able.
- [56] The Market has been hosted by the Township for over fifteen (15) years on a Wednesday from July 1 to August 30 in any given year. Councillor Jackson and her spouse both work and are not always able to participate in an event that is held mid-week. Because they were both off on July 1, 2020, they decided to participate.
- [57] Craig Jackson as a vendor at the Market has a pecuniary interest in the Market. Therefore, in accordance with the *MCIA* Councillor Jackson also has a pecuniary interest in the Market.
- [58] The question therefore is when did Craig Jackson's pecuniary interest crystalize?
- [59] Case law shows us that there is a point in time when a pecuniary interest becomes absolute. This means that a matter Council is considering may not be in its entirety a conflict of interest as defined by the *MCIA*. Case Law is also clear that you cannot have a pecuniary interest for something that might happen at a future date.
- [60] Justice Michael Penny in *Lorello v. Meffe* surveyed numerous *MCIA* decisions about future or contingent interests in examining whether a contingent interest constitutes a prohibited pecuniary interest pursuant to the *MCIA* and found:

These authorities seem to establish that, in order to constitute a pecuniary interest, there must be something more than infrequent past business dealings or the possibility of future business. To have a conflict under s. 5 of the MCIA, there must be a pecuniary interest existing at the time of the vote. There must be an actual conflict or a reasonable assumption that the conflict will occur".⁴

- [61] Additionally, in *Mondoux v. Tuchenhausen*, at paragraph 32,

*[32] We do not agree with counsel for Robert Tuchenhausen that this interest crystallized only when he viewed the property and decided to make an offer. This presumes that any discussion at meetings of City Council or any resolution or by-law passed by City Council involving the sale or potential sale which took place as Robert Tuchenhausen was deciding whether to make an offer could not affect that private determination. This is not correct. Any decision of the members of Council could affect the price or whether the property would be sold at all. "The question that must be asked and answered is 'Does the matter to be voted upon have a potential to affect the pecuniary interest of the municipal councillor?'" (emphasis added) (see *Greene v. Borins* (1985), 1985 CanLII 2137 (ON SC), 50 O.R. (2d)*

⁴ *Lorello v. Meffe*, 2010 CarswellOnt 11195, 2010 ONSC 1976, 99 M.P.L.R. (4th) 107 (OntSCI) at Para 59.

513, [1985] O.J. No. 2510, 1985 CarswellOnt 666 (Div. Ct.), at para. 39). **As soon as Robert Tuchenhausen saw himself as a potential buyer, he had become a person with a pecuniary interest.** The e-mail he sent on July 2, 2008 indicated that he might be interested in bidding on the property. At that point, he was no longer looking at this only from the perspective of a member of Council with the public responsibilities that entails. From the moment he decided he might make a bid, he began examining the situation to see how it could advantage his private interests. He had acquired a pecuniary interest.⁵ [emphasis added]

[62] In the matter before us, Craig Jackson did not decide to participate in the Market until June 30, 2020. He did not have a past practice of participating in the Market. His pecuniary interest crystalized on June 30, 2020, when he and Councillor Jackson discussed participating in the Market. Therefore, when Council made the decision on June 15, 2020, Councillor Jackson did not have a pecuniary interest in the matter.

[63] We also considered section 4 of the MCIA. Section 4 describes circumstances when a Member having a pecuniary interest is "excepted" from having to disclose the interest. More specifically, we considered section 4 (j) which states:

By reason of the member having a pecuniary interest which is an interest in common with electors generally;

[64] The MCIA does not define electors generally. The Courts have defined it as a subset of electors that would be affected by the matter:

[42] The meaning of the word "generally", as found in the MCIA, has been addressed with greater precision [Ennismore (Township) (Re), [1996] O.J. No. 167, 31 M.P.L.R. (2d) 1 (Gen. Div.)]:

The word "generally" used in Section 4(j) indicates to me that the electors to be regarded, when applying the section, are to be of a certain class or order. It is apparent to me that the authorities, together with the language and intended general purpose of the Municipal Conflict of Interest Act, establish that the class or order must be those electors in the area in question who are "affected" by the matter. It is those affected electors that are to be regarded when considering the issue of conflict of interest and not necessarily all the electors.⁶

[65] In this circumstance, all potential vendors at the Market would have the same pecuniary interest as Craig Jackson and by extension Councillor Jackson.

⁵ *Mondoux v. Tuchenhausen* (2011), 284 O.A.C. 324, [2001] O.J. No. 4801, 88 M.P.L.R. (4th) 234, 2011 CarswellOnt 11438, 2011 ONSC 5398, 107 O.R. (3d) 675 (Ont. Div. Ct) at para. 32, Lederer J. (Gordon J. concurring).

⁶ *Mondoux v. Tuchenhausen* (2011), 284 O.A.C. 324, [2001] O.J. No. 4801, 88 M.P.L.R. (4th) 234, 2011 CarswellOnt 11438, 2011 ONSC 5398, 107 O.R. (3d) 675 (Ont. Div. Ct) at para. 32, Lederer J. (Gordon J. concurring).

- [66] To be clear, if Councillor Jackson had a pecuniary interest related to the discussion/decision about the Market, it would be excepted by section 4(j) of the *MCIA*. Councillor Jackson would not be required to comply with section 5 of the *MCIA*.

Christmas In Kagawong Event

- [67] The Christmas Event is planned and organized by the EDC.
- [68] Councillor Jackson is a member of the EDC. She has not been appointed by Council to the EDC and participates as a member of the public.
- [69] The Applicant has not cited a specific incident and instead has made a generalized allegation that Councillor Jackson had a pecuniary interest in the Christmas Event because her spouse Craig Jackson had a booth at the event in 2019.
- [70] The Applicant advised that a review of the 2019 EDC minutes had been conducted and that Councillor Jackson had not declared a pecuniary interest at any of the meetings she attended.
- [71] The *Municipal Act* requires that for the Integrity Commissioner to consider a matter under the *MCIA*, the individual applying must attest to the fact that they became aware of the situation in the previous six (6) weeks. The Applicant was aware in November of 2019 that Councillor Jackson's spouse had been a vendor at the Christmas Event. An application was not submitted to our office at that time.
- [72] This matter has been analyzed in accordance with the *MCIA*, applicable case law and the Code of Conduct.
- [73] Members of the EDC who also sit on Council have a pecuniary interest in matters that the EDC has a pecuniary interest in⁷. Additionally, individual Members may also have a pecuniary interest in matters before the EDC.
- [74] We are aware from the EDC meeting minutes that on October 10, 2019, the Committee resolved to request a \$400 budget from Council for supplies needed for the Christmas Event. We did not review Council meeting minutes from 2019 to determine if Council considered the request.
- [75] Craig Jackson as a vendor at the Christmas Event has a pecuniary interest in the Christmas Event. Therefore, in accordance with the *MCIA* Councillor Jackson also has a pecuniary interest in the Christmas Event.

⁷ *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, s.2(a)(iii).

[76] Our investigation revealed that on August 24, 2019, the EDC set the date for the Christmas event. The EDC minutes of October 10, 2019, report that twenty-five (25) vendors had been confirmed.

[77] While Councillor Jackson would have a prohibited pecuniary interest in the EDC decision on August 24, 2019, and other decisions related to the running of the Christmas Market, her interest would be accepted as an interest in common as per 4(j) of the *MCIA*.

Use of Municipal Resources

[78] The Applicant alleged that Councillor Jackson contravened section 12 of the Code of Conduct.

[79] Section 12 of the Code of Conduct requires Members to not use municipal resources for personal gain. It specifically states:

"No Member shall use or permit the employment of municipal land, facilities, equipment, suppliers, services, municipal employees or other resources for purposes or activities other than the furtherance of the business of the municipality."

[80] This section of the Code of Conduct prohibits Members from using or permitting the use of Township owned infrastructure for their private benefit. Councillor Jackson by participating with her husband Craig Jackson at events that have been hosted by the Township does not trigger a contravention of this section of the Code of Conduct.

VI. SHOULD WE APPLY TO A JUDGE IN THIS CASE?

[81] Upon completion of an inquiry regarding whether a member has contravened the *Municipal Conflict of Interest Act*, the *Municipal Act, 2001* provides the Integrity Commissioner with discretion about whether to apply to a Judge.⁸ The Integrity Commissioner must publish written reasons for the decision whether or not to apply.⁹

[82] The section does not set out clear parameters detailing when it is appropriate to apply to a court and we could not find any judicial analysis of this section. It is our opinion that this discretion is not unfettered and must be exercised in a reasonable manner consistent with the Integrity Commissioner's statutory duty to investigate, enforce and provide advice about the *Municipal Conflict of Interest Act* (MCIA).¹⁰

[83] Notably, the Integrity Commissioner is not given the authority in either piece of legislation to decide upon, recommend or negotiate a penalty with respect to a Councillor found to have breached the *MCIA* after an inquiry. The final decision about whether there has been

⁸ *Municipal Act, 2001*, S.O. 2001, c.25 as am. s. 223.4.1(15)

⁹ *Ibid*, s. 223.4.1 (17)

¹⁰ *Ibid*, s. 223.3(1)

a breach of the *MCIA*, and the penalty is the exclusive jurisdiction of a Judge of the Ontario Superior Court of Justice.¹¹

[84] This fact is a significant and important factor in how the decision to apply to a judge should be made. That is, because the Integrity Commissioner is given broad powers of investigation but is not vested with the authority to make a final decision, the determination of whether to apply to a judge should usually be contingent on the outcome of the investigation and the conclusions of the Integrity Commissioner. Absent extraordinary circumstances, the conclusion that the *MCIA* has been breached should ordinarily result in a decision to apply to a judge. If a decision is made that there is no conflict, a court application should not be pursued.

[85] We will not be applying to a Judge with respect to the allegations that Councillor Jackson contravened the *MCIA*.

- a. At the June 15, 2020, Councillor Jackson did not have a pecuniary interest in the decision to relocate and plan for the Market. Further that if she did, she would not need to declare it pursuant to section 4 (j) of the *MCIA*.
- b. Councillor Jackson did not contravene the *MCIA* with respect to her participation as a Member of the EDC. While Councillor Jackson did have a pecuniary interest in the Christmas Market, she would not need to declare it pursuant to section 4 (j) of the *MCIA*.

DATED: July 16, 2021

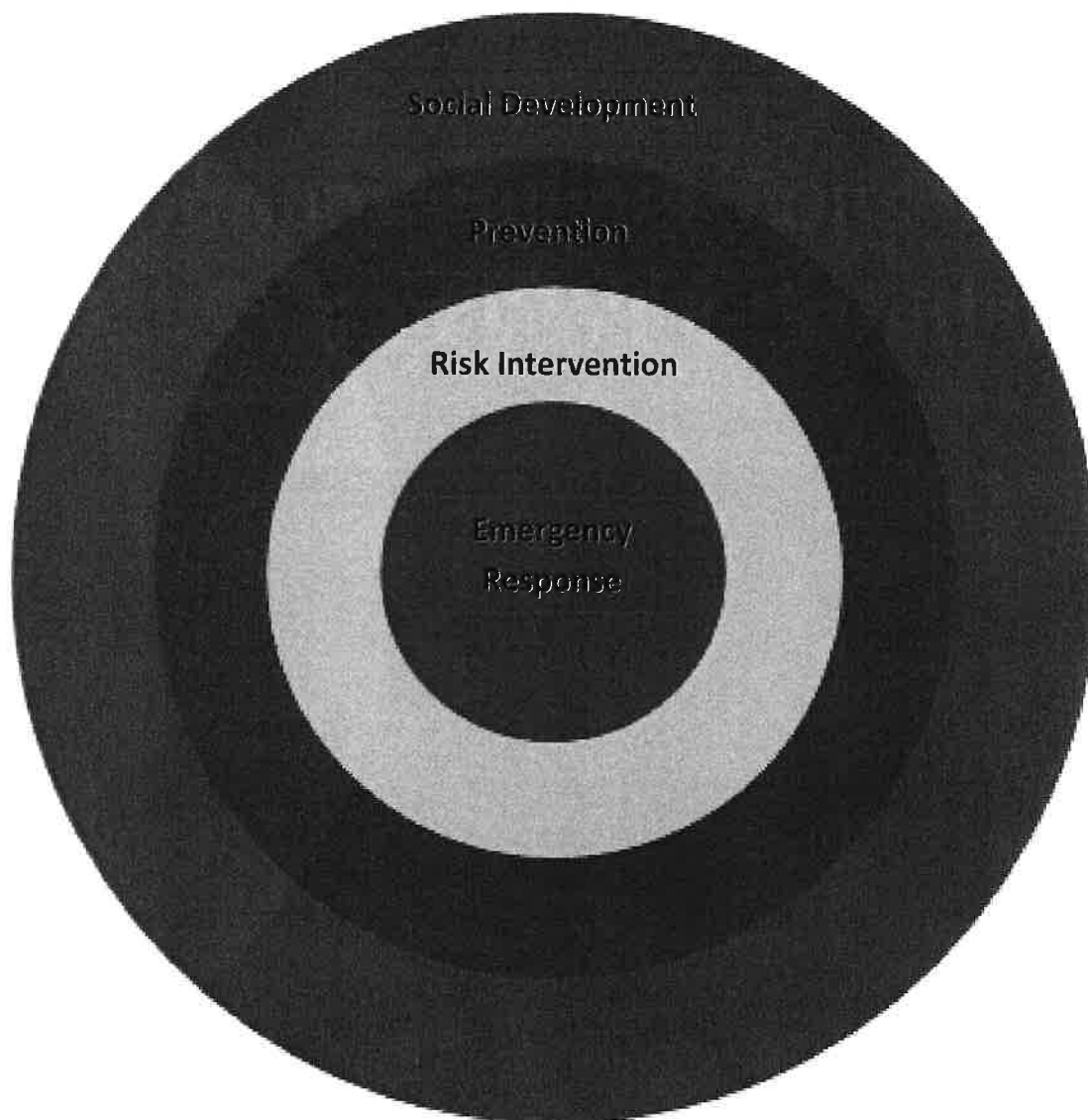
¹¹ *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, s.8.

Community Safety and Well-Being Plan

Township of Billings Community Safety and Well-Being Plan



Moving Forward Together: A Collaborative Commitment 2021-2025



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MAYOR'S MESSAGE

Welcome to Billings Township in the heart of Manitoulin Island!

It is our commitment to you, to provide a safe, friendly and prosperous community, in a sustainable manner whether you choose to work, play or live here.

Ian Anderson, Mayor

The Township of Billings

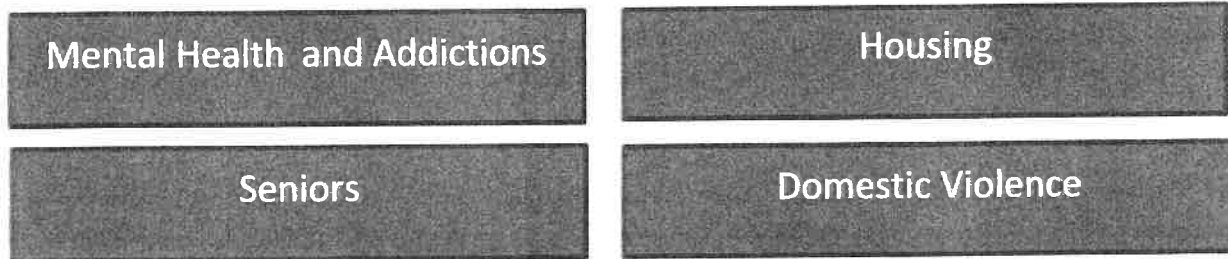
EXECUTIVE SUMMARY

Eight communities in Manitoulin Island have joined together for the development of Manitoulin Island's Community Safety and Well-being (MICSWB) Plan. Community safety and well-being plans are provincially legislated for municipalities in Ontario under the Police Services Act, 1990. The intended time-frame of this initial plan is from 2021-2025. This plan represents a shared commitment to make the communities on Manitoulin Island a place where individuals and families feel safe, have a sense of belonging and access to services to meet their needs.

It is realized that across these eight communities, the risks most impacting community safety and well-being are the same. Throughout the community engagement and data analysis phase, it became clear that there are four main priority areas that should be a focus across all communities. These priority areas include:



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A CSWB planning structure has been developed to ensure the priority risk strategies outlined in this plan will be reviewed and evaluated annually. Progress reporting from community working groups to municipal partners will also occur on an on-going basis. The CSWB framework is intended to allow communities to identify and plan for issues most affecting them. As a result, the reporting structures, strategies and initiatives within this plan are developed using an asset-based and strength-based approach to ensure action items are attainable and outcomes would benefit the Manitoulin Island communities as a whole.

Asset mapping was completed throughout the community engagement phase. Community partners that participated in the development of the MICSWB Plan, assisted in identifying existing programs and or community groups offering services that can be expanded to ensure protective factors are properly implemented to serve residents most in need and achieve intended outcomes.

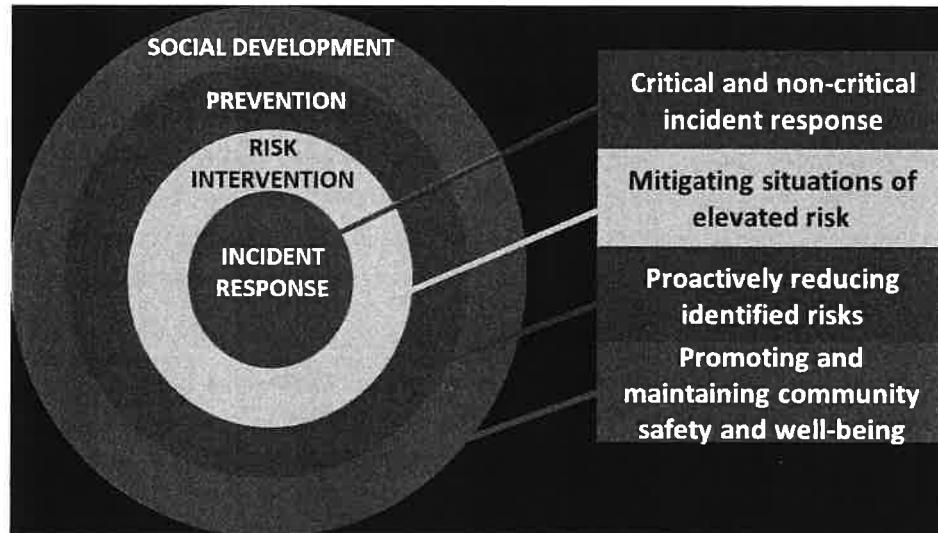
Within this plan, we will outline what is working well in our communities as well as the gaps and needs in our current service models. Information collected through community consultations and stakeholder interviews was used to identify and highlight themes across all partnering communities. The development and implementation of this collaborative community plan will assist in focusing on reducing harm and victimization among identified priority areas and vulnerable populations. It's important to note that the service areas of many local agencies in the law enforcement, emergency services, social services and education sectors span across all eight communities. There is a lot of innovative work happening within these organizations. A key element of the planning process is to identify opportunities that will enhance existing service delivery to ensure the residents in Manitoulin Island have access to appropriate services to meet their needs. The MICSWB Plan is a guiding document for collaborative multi-sector planning to address the four priority areas – mental health and addictions, housing, seniors, and domestic violence.

The MICSWB Plan will be used as a strategic roadmap to share information with our communities on the four priority areas identified for Manitoulin Island. Each strategy was developed from a community collaborative lens focused on shared responsibility, collective goals, and breaking down silos.

COMMUNITY SAFETY AND WELL-BEING PLANNING APPROACH

The province has provided a framework to support planning which focuses on four domains of intervention: **incident response**, **risk intervention**, **prevention** and **social development**. The Plan also applies a collective impact approach to work collaboratively across sectors and throughout communities to address complex social issues.

As part of legislation, municipalities are required to develop and adopt community safety and well-being plans



working in partnership with a multi-sectoral advisory committee. This committee is comprised of representation from the police service board and other local service providers in health care, education, community/social services and children/youth services.

“The Community Safety and Well-Being Framework allows municipalities to take a leadership role in identifying and addressing priority risks in their communities through proactive, collaborative strategies that ensure vulnerable populations receive the help they need from the providers best suited to support them.” (Citation 1: CSWB Toolkit #2 - <https://www.mcscs.jus.gov.on.ca/sites/default/files/content/mcscs/docs/ec167634.pdf>)

The MICSWB Plan is a living document that acts to guide communities, stakeholders and citizens in the management of identified risks. It is a long-term commitment focused on making safety and well-being a priority for vulnerable individuals, families, groups, and locations. Steering committee members will meet at established intervals in order to assess outcomes of action plans and review local data. The strategies in each priority area will be implemented through the planning committee and community working groups and with guidance from the Steering Committee. The CSWB planning structure is described further in this report.

To effectively achieve a safer and healthier community for all, we must move forward together, break down silos and all contribute to the progress. No single agency, or group, can achieve it alone. There is a strong willingness across Manitoulin Island to continue enhancing our work toward a safer and healthier community for all.

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Billings Township

Our mission statement: *Billings Township is a vibrant community where new people are excited to relocate and existing residents are happy to stay because of the sustainable economy, the artistic and cultural diversity, and the beauty of the environment.*

Guided by the vision of its citizens, Billings Township is a safe and progressive community that practices environmental responsibility, provides dependable services, and maintains its rich cultural heritage.

Our current slogan is “Come Experience Billings...Exceptional!”



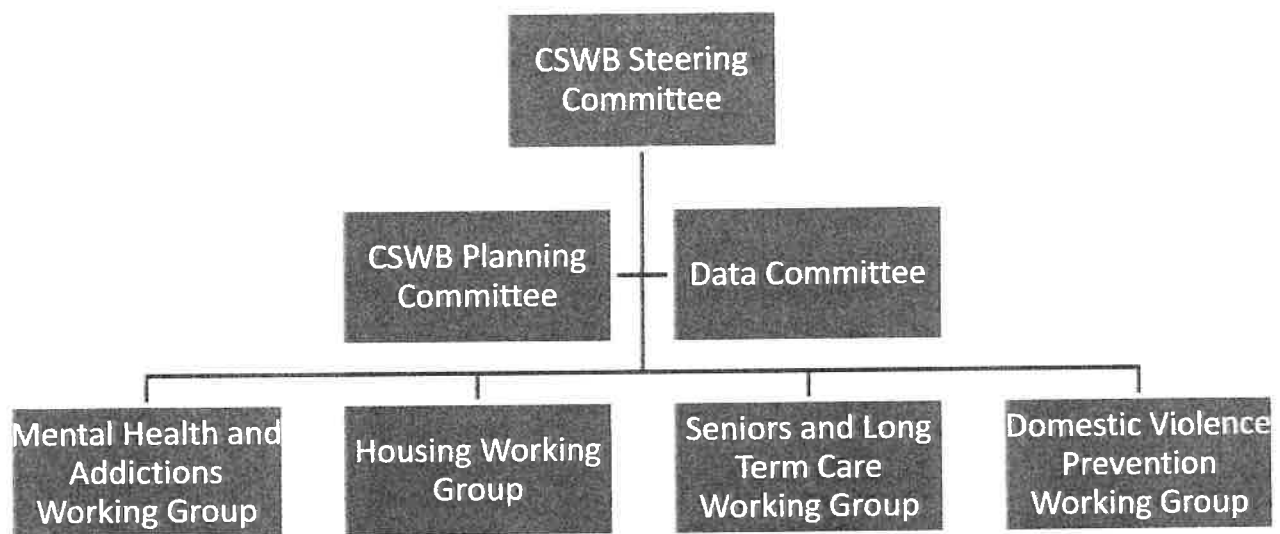
Billings is a municipal corporation responsible for providing a full range of local government services to its ratepayers/residents, including those services prescribed under the Ontario Municipal Act. Billings is a small, rural municipality on Manitoulin Island. A full-time population of 600 expands three-fold in the summer months as people attend their summer residences. Like the rest of Manitoulin, tourism is the major economic driver. The seasonal population dynamic presents service-provision challenges that are different than those for municipalities where this dichotomy is not present.

Like many Ontario Northern and rural municipalities, the population of Billings has an older than average demographic - median age being just under 58 years, compared to that of Ontario, at 43 (2016 Census). However, this masks the reality that there is a significant youth (> 19 years old) cohort. Anecdotal evidence from the pandemic thus far indicates that the youth cohort is expanding. This is a result of families reconsidering rural living as the work world changes, allowing more individuals to engage in some or all their work activity remotely.

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CSWB COMMITTEE STRUCTURE

The CSWB committee structure was designed as a collaborative model that will support information sharing and multi-sector communication for all eight partnering communities. The image below outlines the approach that will be used for on-going CSWB planning in Manitoulin Island.



Overview of Committee Structure

The Community Safety and Well-Being Committee structure was developed to ensure the following commitments:

- The community agencies and groups most experienced to work in each priority area are engaged,
- Break down silos through data sharing and on-going communication,
- Use a strength-based and asset-based approach to enhance the current service delivery model in order to address identified gaps and needs.

The CSWB committee structure is made up of seven groups responsible for the guidance, on-going development and implementation of the Plan. Each group in the committee structure plays a vital role in the overall outcome of the goal to move forward together toward a safer and healthier Manitoulin Island.

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Community Safety and Well-Being Planning Committee Roles and Responsibilities

Committee Name	Roles	Responsibilities	Members
1. Steering Committee	<ul style="list-style-type: none"> • Share knowledge and information about the risks and vulnerable populations in the community; • Support identified protective factors needed to address those risks; • Develop effective partnerships in the community; • Offer guidance on the development and implementation of community safety and well-being plans for local activities; • Ensure equity, inclusion and accessibility in those activities and initiatives; • Advocate for the interest of the vulnerable populations they represent 	<ul style="list-style-type: none"> • Determining the priorities of the plan • Ensure the outcomes are established and responsibilities for measurement are in place to determine the improvements to community safety and well-being that will be achieved through the Plan; • Ensure each section/activity under the Plan for each priority risk is achievable; • Ensuring the right agencies and participants are designated for each activity; • Determine length of the implementation of the Plan, set dates for reviewing achievements and for developing the next version of the plan 	<p>Municipal government representation from all eight communities</p> <p>Refer to next section for committee membership</p>
2. Planning Committee	<ul style="list-style-type: none"> • Ensure appropriate data related to the plan is collected on an on-going basis • Share updates from each initiative and key area to develop up-to-date reports for the Steering Committee 	<ul style="list-style-type: none"> • Report to Steering Committee on the development of all plan elements • In collaboration with key partners, ensure necessary organizations are included in planning • Serve as a rallying 	<p>Leadership representatives from police services, social services, education, and health care</p>

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	<ul style="list-style-type: none"> • Provide updates with regard to risk factors, new partnerships, and barriers for report to Steering Committee 	<p>point for public support for the plan</p> <ul style="list-style-type: none"> • ensure vulnerable populations are included and contributing to the planning and implementation phases 	
3. Data Committee	<ul style="list-style-type: none"> • Developing and maintaining a collective understanding of community trends and issues; • Assessing gaps and areas for improvement in local data measurement; • Facilitating access and dissemination to aggregated data products related to the Community Safety and Well-Being priority risks and initiatives; • Aide in the monitoring of progress toward desired outcomes for the Community Safety and Well-being initiative; • Identifying mutually beneficial research projects 	Engaging community organizations that maintain up-to-date data sets to share with this group to assist in identification of priorities and risk factors.	Data analysts from partner agencies listed above
<u>Community Working Groups</u> 4. Mental Health and Addictions	<ul style="list-style-type: none"> • Members of the priority risk working groups should be selected based on their knowledge about the risk factors and vulnerable 	<ul style="list-style-type: none"> • Identifying activities, establish outcomes and performance measures for priority risks, • Engage community members from the 	Front-line staff and people managers from agencies that work within the

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5. Housing 6. Seniors 7. Domestic Violence	<p>groups associated with the priority,</p> <ul style="list-style-type: none"> • Members should have in-depth knowledge and experience in addressing the priority risk and which protective factors and strategies are needed to address those risks; • Members should have proven track records advocating for the interests of vulnerable populations related to their risk. • Working group members should be able to identify the intended outcomes or benefits that strategies will have in relation to the priority risk and suggest data that could be used to measure achievement of these outcomes, • The members should have experience developing effective stakeholder relations/ partnerships in the community, • Members should also have experience ensuring equity, inclusion and accessibility in their initiatives. 	<p>vulnerable populations relevant to the priority risk to inform the implementation of strategies.</p> <ul style="list-style-type: none"> • Establish implementation guidelines which clearly identify roles, responsibilities, timelines, and reporting relationships and requirements. • Aim to remove barriers and include activities to ensure equity, inclusion and accessibility of the initiatives for diverse community members. 	identified priority area
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STEERING COMMITTEE MEMBERS

A MICSWB has been established comprised of municipal government representatives for each of the partnering communities. The Steering Committee guided the work in the community engagement and plan development phases. The following is a list of Steering Committee members:

Committee Member	Municipality
Alton Hobbs CAO	Assiginack
Marty Ainslie Councillor	Burpee Mills
Hayley Nicklasson Payroll/Reception/CEMC	Central Manitoulin
Connor Woestenenk, Deputy Clerk-Treasurer	Gordon Barrie Island
Stasia Carr, CAO/Clerk	Gore Bay
Kathy McDonald CAO/Clerk, Deputy Treasurer	Billings Township
Heidi Ferguson Economic Development Officer	Northeastern Manitoulin and the Islands
Silvio Berti Clerk-Administrator	Tehkummah

RESEARCH METHODOLOGY AND COMMUNITY ENGAGEMENT:

Community consultations were initiated to examine existing assets and system gaps. Information and data were gathered related to poverty, community demographics, existing services and supports, and existing community groups or committees.

Due to COVID-19 restrictions in the area, community engagement sessions and key stakeholder interviews were conducted virtually. A variety of research methods were used throughout the community engagement process including: one-on-one interviews, virtual group consultations, written communication and local data gathering.

Ten community engagement sessions were conducted with the following groups:

- Community Agencies: 13 local representatives from the health care, social services, police, and education sectors participated in group consultations and/or one-on-one interviews.
- Municipal Government Representatives: Mayors, Reeves and City Councillors from each of the eight communities were invited to participate in group consultation sessions and/or one-on-one interviews
- Members of the Public: 23 people attended the public consultation was held. Engagement from the general public is important ensure that all members of the eight communities had an opportunity to participate in the priority risk identification phase.

The efforts put forth by each of the partnering members lead to the identification of four priority risk areas.

1. MENTAL HEALTH AND ADDICTIONS
2. HOUSING
3. SENIORS
4. DOMESTIC VIOLENCE

Information collected throughout the community engagement sessions was used to inform the structures and strategies within the Plan.

Throughout the community engagement process, there was one theme that was quite evident:

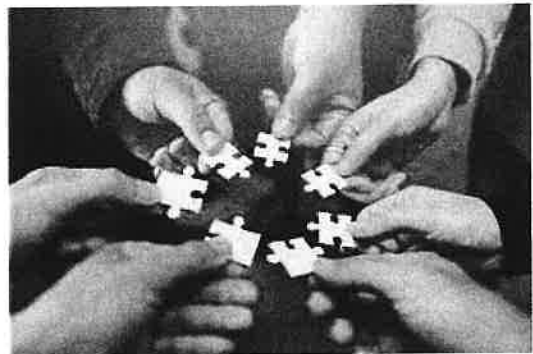
There is a willingness within the communities of Manitoulin Island to find impactful solutions for the risks that are affecting or could affect their residents.

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COMMUNITY STRENGTHS AND CHALLENGES

During the information gathering and engagement phase, key stakeholders and members of the public provided beneficial feedback that would guide the planning phase of this process. As part of the consultations and stakeholder interviews, individuals spent time discussing the positive aspects and challenges related to safety and well-being in their community. The CSWB Planning Framework focuses on multi-sector approaches that are strength based and evidence based. In order to guide the development of priority risk planning, the positive aspects and challenges identified by residents and partners must be analyzed. There were themes heard throughout the engagement phase that were used to analyze all identified risks. Below is a summary:

COMMUNITY COLLABORATION: There are a number of community committees addressing the five priority risks identified for Manitoulin Island. A key component of CSWB planning is to identify existing working groups through community service and asset mapping. These committees were identified during the community engagement phase and can be expanded to incorporate multi-sector planning. The new committee structure aims to create working groups that will bring community partners together to fill gaps within the current service delivery model.



SERVICES AND PROGRAMS: Agencies that provide service to the residents of Manitoulin Island are currently offering a wide spectrum of programming. Agencies in the human services sector have come together to implement new initiatives that are showing positive outcomes. Some of these initiatives include: rapid response situation tables, mental health crisis response teams, and multi-sector leadership tables. In some cases, these initiatives may be funding based. As part of CSWB Planning, on-going sustainability of strategies is an important factor. This plan identifies areas for collaboration and outcome sharing to promote the commitment to community safety and well-being on Manitoulin Island on a long-term basis.



DATA GATHERING: Key stakeholders that participated in the community engagement phase have access to useful data that can be used to guide the on-going planning for the MICSWB Plan. Engaging community partners with valuable planning data will be a priority action item within the implementation of this Plan.

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PRIORITY RISK PLANNING

Data collected from community partner agencies was compared to identify the strategies under each priority area. For example, OPP calls for service from the Espanola and Manitoulin Island detachment area were analyzed to have a better understanding of the impacts of mental health and addictions, domestic disputes and others relevant to the identified risks in this Plan. Since many local agencies cover a service delivery area that includes more than just Manitoulin Island, the need for localized data sharing will be an important outcome as part of this Plan.

The following data is based on the OPP report from 2016 to 2020 for the Espanola and Manitoulin Island detachment area.

- Dispute occurrences account for 4.83% of total police calls
- Mental Health Act occurrences account for 2.22% of the total calls for service

During the implementation phase, the data committee and priority risk working groups will begin to share data at the local level to ensure that data being used is specific to all partnering communities on Manitoulin Island.

PRIORITY AREA	STRATEGIES	LEADS
#1. Mental Health and Addictions	1. Establish Mental Health Working Group (social development) 2. Community Mental Health Response Team (emergency response) 3. Rapid Response Situation Table (risk intervention) 4. Community Resource Centres: (prevention)	Mental Health and Addictions Working Group
#2 Domestic Violence	1. Development of a Domestic Violence Prevention Working Group (social development) 2. Rapid Response Situation Table (risk intervention) 3. Healthy Relationships Programs (prevention) 4. Establish Collaborative Support System for Victims of Domestic Violence (social development)	Domestic Violence Working Group

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#3 Housing	1. Development of Housing Working Group 2. Homeless Prevention Initiatives (Risk Intervention) 3. Shelter and Transitional Housing Asset Mapping (Prevention) 4. In-Home Care Programs (Social Development)	Housing Working Group
#4 Seniors	1. Development of Seniors and Long-Term Care Working Group 2. Age Friendly Community Action Plan: 3. Community Paramedicine and Mobilization: 4. Seniors Health and Safety Campaign	Seniors Working Group

#1 PRIORITY RISK: MENTAL HEALTH AND ADDICTIONS

Mental health and addictions was identified as a risk during each engagement session that was conducted. Further analysis of community feedback and local data indicated that all partnering communities, to some degree, are experiencing crisis occurrences as a result of mental health and addictions. Data shared by community partner agencies provided further information to detail the work that is already happening in this area as well as areas for improvement and collaboration.

Over the last five years, OPP calls for service from the Espanola-Manitoulin detachment area indicate approximately 43% of calls for service were directly associated with the Mental Health Act. Within the same five-year time period, approximately 50% were drug and alcohol related offences.

Vulnerable Groups	People aged 15-45, children and families
Risk Factors	Behavioural problems, poor mental health, negative influences in youth's life, long waitlists, availability of drugs
Protective Factors	Effective problem solving skills, personal coping strategies, adequate parental behaviour and

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	practices, access to resources, professional services and social supports, positive, cohesive communities
Strategies	<ol style="list-style-type: none"> 1. Establish Mental Health Working Group (social development) 2. Community Mental Health Response Team (emergency response) 3. Rapid Response Situation Table (risk intervention) 4. Community Resource Centres: (prevention)

Strategies

Action Item #1	Establish Mental Health Working Group
Strategy Overview	<p>Develop a committee comprised of organizations and groups that deliver service and supports related to mental health and addictions.</p> <p>This committee will be responsible for the on-going development and implementation of strategies to reduce the risks associated with mental health and addictions.</p>
Key Partners	<p>Health care agencies</p> <p>Social services</p> <p>Police services</p> <p>Education providers</p>
Pillar	Social Development

Action Item #2	Community Mental Health Response Team
Strategy Overview	<p>The Algoma-Manitoulin OPP detachment has recently developed a mobile crisis program. A social service worker and an OPP officer work in partnership to respond to calls for service related to the Mental Health Act.</p> <p>Through the Data Committee, we will map and analyze calls for service related to mental health and addictions. Neighbourhoods or communities that are showing the most calls for service will be identified as hotspots.</p> <p>This information will be reported to the planning committee on an on-going basis to guide the areas most in need of services.</p> <p>Engage more partners in this initiative to ensure residents from all eight communities are receiving the same services. Include additional agencies in the police sector and health care sector across Manitoulin Island communities.</p>

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Key Partners	OPP Detachments responsible for Manitoulin Island district Health care teams: family health teams, hospitals, crisis services Data committee
Pillar	Emergency Response

Action Item #3	Rapid Response Situation Table
Strategy Overview	<p>Rapid Response Situation tables have already been established in Manitoulin Island. Currently, the tables have representation from the education sector, police services, social services and health care.</p> <p>There is an opportunity to form one collaborative situation table that includes all current representatives as well as any other organizations that share expertise in this area. Amalgamating local tables that work to provide critical services to individuals and families will ensure that all residents are receiving access to the same resources to meet their needs in times of crisis.</p>
Key Partners	<p>Education providers Social Services Health care providers Police Services Non-profit organizations</p>
Pillar	Risk Intervention

Action Item #4	Community Resource Centres
Strategy Overview	<p>A community resource centre is a service delivery location that is established in a neighbourhood or community experiencing high volumes of calls for service across the eight locations partnered in this Plan. It is important to highlight that for some residents, access to basic services can take up to 30 minutes to travel from their home to the nearest service location.</p> <p>The Data Committee will overlay de-identified data to determine the areas needing the most attention. Collaboration with community partners to report on:</p> <ul style="list-style-type: none"> • locations of calls for service under the Mental Health Act (police and EMS), • locations of service delivery locations such as social service agencies, • Manitoulin-Sudbury District Services Board client distribution across communities <p>The areas showing the highest level of calls for service related to mental health and addictions and the lowest level of accessible service locations will be an area of focus for the planning of a community resource centre.</p>
Key Partners	<p>Health care agencies Social services</p>

	Police services Education providers Data Committee
Pillar	Prevention

Outcomes

The activities that will be implemented to address this risk are intended to achieve the following outcomes:

Immediate Outcomes:	<ul style="list-style-type: none"> Increased public and partner education, awareness and existing service provision in order to reduce wait times and off-hours service availability. Clarify pathways of care, to support families with children who have mental illness. Promote the earlier intervention for mental health crisis through integration of mental health specialists into both emergency response and primary health care
Intermediate Outcomes:	<ul style="list-style-type: none"> Increase capacity for early intervention related to hoarding and other at-risk behaviours. Advocate for appropriate funding for identified areas of mental health growth.
Long-Term Outcome:	<ul style="list-style-type: none"> Increase awareness, and promote design and delivery of resiliency programs both in community and in partnership with school boards.

#2 PRIORITY RISK: DOMESTIC VIOLENCE

Key stakeholder interviews assisted in determining that domestic violence is a priority area across the partnering communities. Further analysis of community feedback and local data has shown that there are programs and initiatives delivered by community partner agencies in Manitoulin Island addressing risks in this area. The key areas of focus in this priority area are strengthening community partnerships, creating opportunities for data and information sharing, and identifying opportunities for collaboration.

Over the last five years, approximately 41.6% of them were domestic disputes and 25.5% of them were family disputes. Localizing data to accurately reflect service related statistics will be important to better understand the impacts of this priority risk in each community.

Vulnerable Groups	Youth and Adults in the community
Risk Factors	Negative parenting, low-self esteem, low income, mental health and addictions, antisocial behaviour, victim of physical or psychological abuse, poor neighbourhood cohesion
Protective Factors	Strong social supports, employment, coordination of community resources and services, neighbourhood cohesion
Strategies	<ol style="list-style-type: none"> 1. Development of a Domestic Violence Prevention Working Group (social development) 2. Rapid Response Situation Table (risk intervention) 3. Healthy Relationships Programs (prevention) 4. Establish Collaborative Supportive System for Victims of Domestic Violence (social development)

Strategies

Action Item #1	Development of a Domestic Violence Prevention Working Group
Strategy Overview	<p>Develop a committee comprised of organizations and groups that deliver service and supports related to domestic violence prevention and support.</p> <p>This committee will be responsible for the on-going development and implementation of strategies to reduce the risks associated with domestic violence.</p>
Key Partners	<p>Health care agencies</p> <p>Social services</p>

	Police services Community Groups
Pillar	Social Development

Action Item #2	Rapid Response Situation Table
Strategy Overview	<p>Rapid Response Situation tables have already been established in Manitoulin Island. Currently the tables have representation from the education sector, police services, social services and health care.</p> <p>There is an opportunity to form one collaborative situation table that includes all current representatives as well as any other organizations that share expertise in this area. Amalgamating local tables that work to provide critical services to individuals and families will ensure that all residents are receiving access to the same resources to meet their needs in times of crisis.</p>
Key Partners	<p>Education providers Social Services Health care providers Police Services Non-profit organizations</p>
Pillar	Risk Intervention

Action Item #3	Healthy Relationships Programs
Strategy Overview	Develop and implement a program that will address the root causes of domestic violence. Deliver this program on an on-going basis in schools, through social services programs and to other identified vulnerable groups.
Key Partners	<p>Education providers Police Services Women's Shelter Social Services providers</p>
Pillar	Prevention

Action Item #4	Establish Collaborative Supportive System for Victims of Domestic Violence
Strategy Overview	A collaborative support system will allow residents to receive appropriate support services based on their unique needs. Whether it is police services, EMS, or social services working with an individual who is/was a victim of domestic violence, information on all services that can assist victims of domestic violence along with a description of what services they offer will be shared with the individual.

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	This activity will allow accurate information to be accessible to individuals and families impacted by this priority risk. This resource will also provide an opportunity for knowledge and information sharing across community agencies. Programs with similar outcomes could discover opportunities to collaborate and enhance existing services.
Key Partners	Community Groups Police Services Women's Shelter Social Services providers Individuals with lived experience
Pillar	Social Development

Outcomes

The activities that will be implemented to address this risk are intended to achieve the following outcomes:

Immediate Term	<ul style="list-style-type: none"> • Increase victim's awareness of services in the community • Awareness of the impact of domestic violence on children • Enrolment in a healthy relationships program for those who have been arrested for domestic-violence related offences • Connecting individuals with acutely elevate risk to service
Intermediate Term	<ul style="list-style-type: none"> • Victims of domestic violence are provided with the support they require to leave their situation and/or victims and perpetrators are provided with the support they require to improve their situation.
Long Term	<ul style="list-style-type: none"> • Increase community safety and well-being

#3 PRIORITY RISK: HOUSING

“In September and October 2019, meetings were held with all four municipal associations – the LaCloche Foothills Association, the Town of Chapleau, the Manitoulin Municipal Association and the Sudbury East Municipal Association - representing all municipalities and Territories without Municipal Organizations in the Manitoulin-Sudbury DSB catchment. This was done to obtain the municipal perspective on the local housing environment, specifically in relation to current perceptions of housing development across the Sudbury-Manitoulin Districts. In addition, discussions with the municipal representatives at these meetings identified any special measures that they may be taking to sustain housing considering climate change”

https://www.msdsb.net/images/SH/reports/2019/FINAL_Housing_and_Homelessness_Plan_Nov_20_2019.pdf

The plan to end chronic homelessness as outline in this document will be supported through the strategies outlined in this priority area.

Vulnerable Groups	Seniors, people with disabilities, children and youth, women, those with mental health needs or addictions, low-income families
Risk Factors	Sense of alienation, families with few resources, feeling unsafe in neighbourhoods, lack of affordable housing, lack of accessibility to a continuum of services
Protective Factors	Close friendships with positive peers, positive support within the family, positive cohesive communities, appropriate housing in close proximity to services, high awareness of determinants of well-being
Strategies	Development of Housing Working Group: Homeless Prevention Initiatives Shelter and Transitional Housing Asset Mapping: In-Home Care Programs

Strategies

Action Item #1	Development of Housing Working Group:
Strategy Overview	Develop a committee comprised of organizations and groups that deliver service and supports related to affordable and supportive housing. This committee will be responsible for the on-going development and implementation of strategies to reduce the risks associated with affordable and supportive housing.

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Key Partners	Shelters Social Housing Providers Private Housing providers Community service agencies
Pillar	Social Development

Action Item #2	Homelessness Prevention Initiatives
Strategy Overview	Continue to build on partnerships to allow for preventative /upstream housing stabilization of at-risk tenants. Expand existing community groups to include agencies or stakeholders that can provide supportive services to individuals at risk of homelessness.
Key Partners	Shelters Social Housing Providers Social services providers Community service agencies Health care agencies
Pillar	Risk Intervention

Action Item #3	Shelter and Transitional Housing Asset Mapping and Needs Assessment
Strategy Overview	Collect and analyze data related to affordable housing supply and demand. The data committee will overlay data shared from community agencies working with the most vulnerable populations in this priority area. Results from the data committee report will assist in determining the communities or neighbourhoods most in-need of housing supports.
Key Partners	Shelters Social Housing Providers Social services providers Community service agencies
Pillar	Prevention

Action Item #4	In-Home Care Programs
Strategy Overview	Identify and expand on existing home care programs that can support individuals who may not have access to the housing options they need. Home care programs can be delivered in collaboration with service delivery partners across many sectors including: health care, social services, EMS, Police, Education.

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Key Partners	Health care, social services, EMS, Police, Education
Pillar	Prevention

Outcomes:

The activities that will be implemented to address this risk are intended to achieve the following outcomes:

Immediate Term	<ul style="list-style-type: none"> • Identify the inventory, and promote access to emergency supports and housing for people in critical need. • Identify vulnerable neighbourhoods and complete a service inventory to improve wraparound supports.
Intermediate Term	<ul style="list-style-type: none"> • Engage with landlords to ensure safe housing, and education surrounding cultural norms. • Develop early intervention strategies to reduce chronic homelessness.
Long Term	<ul style="list-style-type: none"> • Reduced rates of homelessness through collaboration by working with both the public and private sectors. • Increase of appropriate affordable housing

#4 PRIORITY RISK: SENIORS

By 2021, there will be about 3,650 adults 65 years and older living in Manitoulin District accounting for 26.5% of the total population. The number grows to 4,660 by 2031 representing 33.9% of total population. The total number of seniors actually peaks around 2037 when their numbers total approximately 4,900 or 35.9% of the total population.

Vulnerable Groups	People aged 55+
Risk Factors	Sense of alienation, families with few resources, feeling unsafe in neighbourhoods, lack of affordable housing, lack of accessibility to a continuum of services
Protective Factors	Close friendships with positive peers, Positive support within the family, Positive cohesive communities, Appropriate housing in close proximity to services, High awareness of determinants of well-being
Strategies	<ol style="list-style-type: none"> 1. Development of Seniors and Long-Term Care Working Group 2. Age Friendly Community Action Plan: 3. Community Mobilization: 4. Seniors Health and Safety Campaign

Strategies

Action Item #1	Development of a Seniors Working Group
Strategy Overview	<p>Develop a committee comprised of organizations and groups that deliver service and supports related to seniors.</p> <p>This committee will be responsible for the on-going development and implementation of strategies to reduce the risks associated with seniors living in Manitoulin Island.</p>
Key Partners	<p>Health care providers</p> <p>Long Term Housing providers</p> <p>Social services</p> <p>Community groups</p> <p>Senior Centres or Seniors Program Groups</p>
Pillar	Social Development

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Action Item #2	Manitoulin Island Age Friendly Community Plan
Strategy Overview	Explore the options for developing an age friendly community plan for all eight communities partnering in this Plan. The age friendly community framework has been used by communities in Ontario and Canada to implement protective factors for risks facing seniors.
Key Partners	Municipal government representatives and Recreation Department Staff
Pillar	Social Development

Action Item #3	Community Mobilization
Strategy Overview	The data committee will collect and report on the areas across all eight communities with the highest level of senior populations. This information will be used to guide community partner agencies in the development of mobilization strategies focused on bringing the services most in need by seniors close to where they live. This data will also be used to explore opportunities for agency co-location sites; these could be existing office spaces that are opened up to community partners delivering beneficial services for seniors or vulnerable populations.
Key Partners	Data Committee Health care providers Long term care housing providers Social services housing providers Senior Centres or Seniors Program Groups
Pillar	Prevention

Action Item #4	Seniors Health and Safety Campaign
Strategy Overview	Develop and implement a health and safety campaign delivered to seniors that will provide information on strategies to remain safe and healthy in Manitoulin Island. This campaign will be developed using a multi-sector approach to ensure that all aspects of senior living are addressed and supportive information and services are highlighted.
Key Partners	Health care providers Housing providers Seniors recreation providers Police Services Seniors Advocate Groups
Pillar	Prevention

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Outcomes:

The activities that will be implemented to address this risk are intended to achieve the following outcomes:

Immediate Term	<ul style="list-style-type: none"> Enhance access to services and supports and provide earlier intervention programming
Intermediate Term	<ul style="list-style-type: none"> Enhance education and promotion of programs designed to mitigate the impact of social isolation for seniors. Identify and set out tactical programs to address caregiver support and elder abuse prevention. Enhance Community Paramedicine wellness programs, post discharge home visits, and early interventions for vulnerable seniors.
Long Term	<ul style="list-style-type: none"> Enhance system support for seniors Identify gaps with, and increase access to existing programs to reduce social isolation. Improve access to long term care services for seniors

Conclusion

The Township of Billings is committed to working alongside the communities that have partnered to deliver this Community Safety and Well-Being Plan. We wish to acknowledge the contributions of every individual, organization and group that participated in the engagement and data gathering phase. The CSWB Plan is another step in moving forward together toward a safer and healthier community for all!



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Economic Development
HIAH Corp
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☐ **LAKEVIEW SCHOOL**
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Library
Ph: 705-377-5540

☐ **BINOOJINH GAMGOONHS DAY CARE**
Tel: 705-377-5383
Fax: 705-377-4377

April 8, 2021

Hydro One
Zone 6 Scheduling

Re: Request for relocation of Hydro Poles

Dear Hydro One,

My name is Daisy Hayward, and I am the Lands and Resource Coordinator for the M'Chigeeng First Nation.

M'Chigeeng First Nation will be opening an up-open road allowance (Located on Reserve between Lot 15 and 16 Concession 4), as we had to reach out to Billings Township for approval due to the on-going 1990 Lands Claim. We are now approved to go ahead with our project, but unfortunately the un-open road allowance has 4 hydro poles that would need to be relocated to the edge of this road allowance.

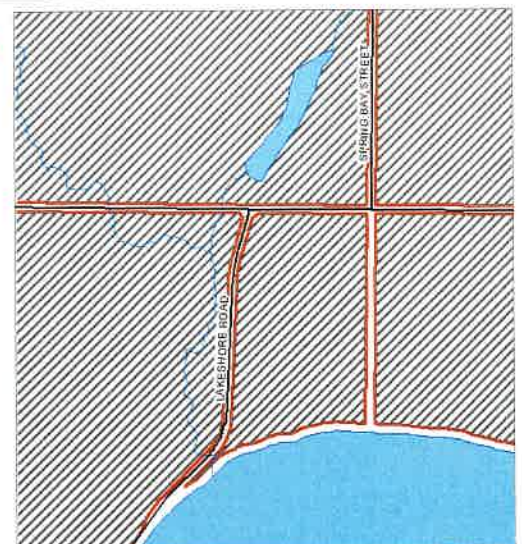
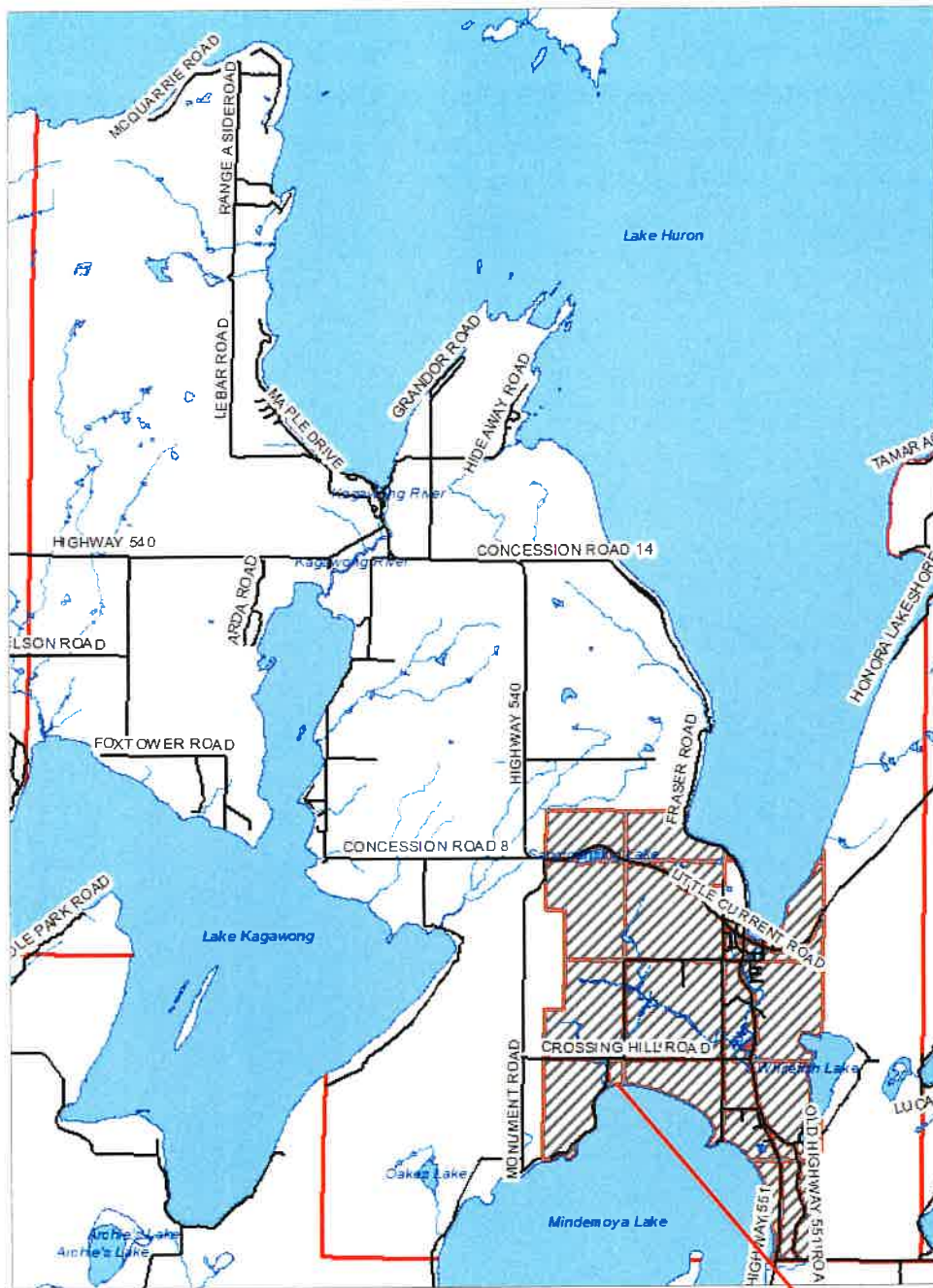
Can you please verify if there is anything that is needed from the M'Chigeeng First Nation in order to have our request granted?

Please feel free to contact me if you have any questions or concerns at 705-377-5362 ext. 212 or by email at daisyh@mchigeeng.ca

Sincerely;

Daisy Hayward
Lands & Resource Coordinator
M'Chigeeng First Nation

CC: Chief Ogimaa-Kwe Linda Debassige
Enaagdenjged- Art Jacko



Administration Office

Finance & Administration

Capital Projects/Public Works

HUB:

- Ontario Works
- Education Department
- LDM

HIAH Economic Development/M.E.R.E



Administration Office

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May 4, 2021

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Billings Township
15 Old Mill Road
P.o. Box 34
Kagawong, ON
P0P 1G0

Dear Mayor Anderson and Council;

Re: Reimbursement Confirmation – Hydro Pole Relocation

Please accept this letter as formal confirmation that M'Chigeeng First Nation will reimburse Billings Township for the costs associated with the relocation of poles issued by Hydro One located on the Unopened road allowance between Lot 15 and Lot 16 Concession 4.

We appreciate your continued support in addressing this situation within M'Chigeeng First Nation. We kindly ask that you forward any invoices received to our Enaagdenjged Art Jacko by email to artj@mchigeeng.ca and to our Lands and Resources Coordinator Daisy Hayward at daisyh@mchigeeng.ca

If you have any additional questions or concerns, please feel free to contact me on my cell at 705-210-9985.

Miigwech,


Ogimaa Kwe Linda Debasige

cc: Art Jacko- Enaagdenjged
Daisy Hayward-Lands and Resource Coordinator
Penny Roy-Corbiere, Finance Manager

TOWNSHIP OF BILLINGS
Parks, Recreation and Wellness Committee
MINUTES

June 28, 2021

Electronic Meeting

Present: Sharon Jackson, Sharon Alkenbrack, Diane Larocque, Deb Flaxman, Tiana Mills (staff), Andrew Preyde, Shannon Smith

1. Opening

Motion by Sharon Alkenbrack, seconded by Andrew Preyde
That the meeting be called to order at 7 p.m. with Chair Jackson presiding.
Carried

2. Approval of the Agenda

Motion by Sharon Alkenbrack, seconded by Andrew Preyde
That the agenda for the June 28th, 2021 meeting be accepted as amended.
Carried

3. Declaration of Pecuniary Interest

None

4. Adoption of Minutes

Motion by Andrew Preyde, seconded by Shannon Smith
That the minutes for the May 25th, 2021 meeting be accepted as presented.
Carried

5. Delegations

None

6. Council Report

May 27th, 2021 – Senior of the Year Nominated, Jim Chambers
June 1st, 2021 – Main Street Construction is well ahead of schedule, SCB open with a waiting list
June 8th, 2021 – By Law Special Council Meeting, continuation is scheduled for June 30, 2021
June 21st, 2021 – RFQ – Call to Artists delayed until spring 2022

7. Financial Report

None

8. Old Business

a) Outdoor Rink Update

Randy Noble to start work on the break wall in the upcoming weeks, construction material must be relocated for him to begin his work
Work required in the corners by Public Works or Andrew Preyde
Donations received to date: \$5,325.00.
Reviewed quote from Permafib out of Quebec for professional boards and installation. Quote is \$53,444.54 (installation included).
Council approved \$40,000 to be placed in the draft budget for outdoor rink renovations at their March 2nd Regular Council Meeting.

Motion by Sharon Jackson, seconded by Andrew Preyde
That a recommendation be made to Council to allow staff to purchase the professional rink boards from Permafib at a price of \$53,444.54 (includes installation).

Carried

9. New Business

a) Community Engagement Survey Questions

Committee decided to postpone until winter 2021.

b) July Newsletter Content

Rink Fundraising

Upcoming work to the rink, Randy Noble to start work in the upcoming weeks

Add the same list of amenities that are open as posted in the June newsletter

Businesses new and existing are reopening, come check out lower Kagawong!

10. Correspondence

None.

11. Information

None

12. Notice of Motion

Noted above

13. Closed Session

None

14. Next Regular Committee Meeting Monday July 26th, 2021

15. Adjournment

Motion by Diane Larocque, seconded by Andrew Preyde

That this meeting be adjourned at 8:01 p.m.

Carried

Billings Museum Committee
Minutes

July 5, 2021

Electronic Meeting

Present: Barb Edwards, Dianne Fraser, Sabine Huege, Michael Hunt (Chair), Brad MacKay, Kathy McDonald (staff) and Rick Nelson (staff).

Regrets: Deb Flaxman, Diane Larocque

1. Open

The meeting was called to order at 7:12 by Michael Hunt

2. Approval of the Agenda

Motion by Barb Edwards, seconded by Sabine Huege

That the agenda for the July 5, 2021, meeting be accepted as presented.

Carried

3. Disclosure of Pecuniary Interest

None

4. Adoption of the Minutes

Motion by Dianne Fraser, seconded by Barb Edwards

That the minutes of the June 7, 2021, meeting be amended as follows:

Under 6. Old Business, Museum Opening add that all sales of Guys souvenirs will be given to the museum and change the last sentence to read: Deb will be picking up 8 cases of 12 jars of hawberry jelly when the museum is ready to open.

Under 6. Old Business Donor Wall remove the last sentence.

Carried

Motion by Brad MacKay, seconded by Dianne Fraser

That the minutes of the June 22, 2021, meeting be accepted as presented.

Carried

5. Financial Report

Motion by Barb Edwards, seconded by Sabine Huege

That the financial report be accepted as presented.

Carried

6. Old Business

a) Museum Opening

The museum opening is still scheduled for around July 25. The museum is ready to open as soon as the province enters Stage three of its reopening plan.

b) Exhibit Case

Doug Clark has made an exhibit case.

The Canadian Museum of History is going to give the museum an extension on the Empress of Ireland display, until the end of the 2022 season. Guy has also agreed to leave his artifacts

in the museum for the 2022 display. Rick advised that the funders had been contacted and are also on board.

The museum is getting some new display cases from the Art Zone. They will hold onto them for the heritage centre until fall 2022.

Rick requested an extension of museum hours to 5 p.m. due to the short season. All agreed the hours could be extended from 10 a.m. to 5 p.m. for this season.

c) Donor Wall

Diane has taken on working with Beacon Images and is waiting for the mock-up of the donor wall and for the status of the other three signs.

d) Sign

Once the roadwork is completed in the area of the sign at the top of the hill will be painted white and the banner placed on it.

7. New Business

a) Council developments

Councillor Hunt updated the committee on Council developments.

8. Next Meeting

August 9, 2021, 7 p.m.

9. Adjournment

The meeting was adjourned at 7:40 p.m. on a motion by Brad Mackay



CHRISTINE TARLING
Director of Legislated Services & City Clerk
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519.741.2200 x 7809 Fax: 519.741.2705
christine.tarling@kitchener.ca
TTY: 519-741-2385

July 12, 2021

Right Honourable Justin Trudeau
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa ON K1A 0A2

Dear Prime Minister Trudeau:

This is to advise that City Council, at a meeting held on Monday June 28, 2021, passed the following resolution with respect to Motion M-84 Anti-Hate Crimes and Incidents and private member's bill Bill-C 313 Banning Symbols of Hate Act:

"WHEREAS racism and hate crimes in Kitchener have been on the rise since the start of the global pandemic; and,

WHEREAS the City of Kitchener continues to seek opportunities to dismantle systemic racism; and,

WHEREAS the City's Strategic Plan has identified Caring Community as a priority, and the proposed motion M-84 Anti-hate crimes and incidents and private member's bill Bill-C 313 Banning Symbols of Hate Act supports several of the bodies of work currently being moved forward under this strategic goal; and,

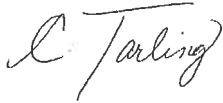
WHEREAS MP Peter Julian's motion M-84 Anti-hate crimes and incidents and private member's bill Bill-C 313 Banning Symbols of Hate Act is an opportunity to make all Canadians feel safer in the communities that they live;

THEREFORE IT BE RESOLVED that the City of Kitchener endorses MP Peter Julian's private member's motion, Motion M-84 Anti-Hate Crimes and Incidents and his private member's bill Bill-C 313 Banning Symbols of Hate Act; and,

THEREFORE BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Right Honourable Justin Trudeau, Minister of Municipal Affairs Steve Clark, Minister of Citizenship and Multiculturalism Parm Gill, to the local

MP's and MPP's, to the Federation of Canadian Municipalities, to the Association of Municipalities Ontario, and all other municipalities in Ontario."

Yours truly,

A handwritten signature in cursive script, appearing to read "C. Tarling".

C. Tarling
Director of Legislated Services
& City Clerk

c: Hon. Minister Steve Clark
Hon. Minister Parm Gill
Mike Harris (Kitchener Conestoga), MPP
Amy Fee (Kitchener South-Hespeler), MPP
Laura Mae Lindo (Kitchener Centre), MPP
Catherine Fife (Waterloo), MPP
Raj Saini (Kitchener Centre), MP
Tim Louis (Kitchener Conestoga), MP
Bardish Chagger (Waterloo), MP
Marwan Tabbara (Kitchener South-Hespeler), MP
Association of Municipalities of Ontario (AMO)
Ontario Municipalities

Tiana Mills

To: Kathy McDonald
Subject: RE: Updating environmental assessment requirements for transmission lines

From: EA Modernization (MECP) <EAModernization.MECP@ontario.ca>
Sent: Monday, July 05, 2021 5:43 PM
To: EA Modernization (MECP) <EAModernization.MECP@ontario.ca>
Cc: EA Modernization (MECP) <EAModernization.MECP@ontario.ca>
Subject: Updating environmental assessment requirements for transmission lines

Hello,

The Ontario government is updating the almost 50-year-old environmental assessment (EA) program to support building safer and stronger communities, while maintaining strong environmental oversight.

That's why, over the past two years, the government has been working to build a strong environmental assessment program that considers the input of local communities and focuses on projects that have the highest impact to the environment. As part of this plan, we are developing sensible, practical changes that would ensure environmental protection while reducing delays on infrastructure projects that matter most to Ontario communities.

As you may be aware, the ministry has been consulting on a proposed list of projects which would be subject to the comprehensive environmental assessment requirements in Part II.3 of the *Environmental Assessment Act* (to be proclaimed). The notice can be found at: <https://ero.ontario.ca/notice/019-2377>.

I am writing today to share some information with you on the ministry's new proposal to update the environmental assessment requirements for establishing electricity transmission line projects. These proposed changes, if approved, will update EA requirements for critical transmission infrastructure to support expanded access to lower carbon energy sources from Ontario's electricity grid, promote regional economic development and shorten-times for building critical infrastructure projects across the province.

The proposed changes, if made, would update the thresholds that determine which projects are required to undergo an individual (comprehensive) EA process. This would align the thresholds with those used by the federal government for international electrical transmission lines to help streamline the approvals process for critical transmission infrastructure.

We are proposing that transmission lines 75 km or more in length and 345 kV or greater in voltage would be required to complete an individual environmental assessment. We are also proposing that establishing other transmission lines that are more than 2 km in length and with a nominal voltage of 115 kV or more would follow the Class Environmental Assessment for Minor Transmission Facilities (Class EA), as amended from time to time.

Details of our policy proposal, including the proposed thresholds for transmission line projects are available on the Environmental Registry of Ontario here: <https://ero.ontario.ca/notice/019-3937>.

How you can provide input

The ministry is looking for your feedback on our proposal to update the environmental assessment requirements for transmission line projects.

Please review the proposal and submit your comments via the Environmental Registry of Ontario here or directly by e-mail to EAmmodernization.mecp@ontario.ca by **September 3, 2021**.

Please do not hesitate to contact the ministry at EAmmodernization.mecp@ontario.ca with any questions you may have at any time.

Sincerely,

Annamaria Cross
Director, Environmental Assessment Modernization
Ministry of the Environment, Conservation and Parks



Health and Safety Report to Council

June/July 2021

Listed below are the health and safety activities that have taken place since my last report.

JH&SC

- 1) JH&SC activities have been minimal since the last report due to road work and road repairs.
- 2) A JH&SC meeting will be scheduled for early August.

Training

- 1) All student summer help has received new hire health and safety training.

Covid

- 1) A discussion took place with the operator of Artisans on the Bay regarding Covid protocols and having a Covid plan.
- 2) A pre-shift discussion was held with the Public Works Department regarding the importance and need for receiving vaccinations.
- 3) Employees will be encouraged to continue with disinfecting and PPE practices.

WSIB Program of Excellence

- 1) Work is continuing on topic submission packages
- 2) An employee health and safety culture survey was produced and distributed to all full-time employees. Survey results will be evaluated and posted.

WHMIS

- 1) A hazardous materials inventory was performed and Safety Data Sheets will be reviewed and updated to meet regulatory compliance.

Respectfully

Arthur Moran
H&S Coordinator



Bylaw Report to Council June/July 2021

Listed below are the bylaw activities that have taken place since the May/June report.

Bylaw Compliance Patrols

- 1) Three bylaw compliance patrols of various Township roads were performed. During these patrols owners of recreational trailers were contacted and were informed of the bylaw and that the trailers have since been removed.
- 2) During the patrols, discussions were held with the trailer owners regarding the draft trailer bylaw. The response from these discussions were positive towards implementing a trailer permit system.

Bylaw Complaints

- 1) Ongoing complaint follow-up regarding trailer on property without a building permit on Monument Road. Follow-up letter has been sent. Issue has been resolved.
- 2) June 11 complaint regarding bright lights on cottages overlooking Lake Kagawong at Hawk Road. Follow-up letter has been sent. Issue is still ongoing.
- 3) June 22 complaint regarding alterations being made to a Township access to Lake Kagawong at Greenwood Trail area. Follow up letter has been sent. Issue is resolved.
- 4) July 6 Noise Complaint of a generator being run over night on Monument Road.
- 5) July 13 Complaint regarding posting of "No Trespassing" signs on Township property at water access at Lake Kagawong in the Greenwood Trail area. Issue has been resolved
- 6) July 18 Contact OPP regarding possible physical violence at Greenwood Trail area.
- 7) July 23 Complaint regarding a dog chasing a cyclist on Hideaway Road. Follow-up letter has been sent. Issue is still ongoing.

Bylaws

- 1) There are currently two bylaws being reviewed by Council, Domestic Animal Control and Recreational Trailer/Vehicle.
- 2) There has been a request by a resident that the Township develop a dark sky/lighting bylaw.
- 3) A review of the current parking bylaw is taking place to determine if the administrative process of issuing parking infraction notices requires amending.

Respectfully

Arthur Moran
Bylaw Enforcement Officer

H&M COFI Broadband/Internet Update

12 July 2021

Chiefs, Mayors and Agency Leaders

This letter is the 6th update I have provided with respect to the H&M COFI (Huron Shore and Manitoulin Island Community Owned Fiber Infrastructure) project sponsored by the Municipality of Huron Shores and its partner Whitefish River First Nation. We are moving forward and are cautiously optimistic regarding any ICON (Provincial) and UBF (Federal) announcements in support of our broadband project.

Since creating the H&M COFI Non-Profit Corporation, the founding board has been preparing documentation of its bylaws and a collaboration document for the municipalities, and First Nations and Agencies in the catchment area. These documents indicate the relationship of the members that join the H&M COFI Corporation. We have also sought out advisors and organizations that will support us going forward, in particular, Wishart LLP for legal services, KPMG for taxation and auditing services and investing advice, Northern Credit Union (NCU) for banking services, and ELNOS (Elliot Lake and North Shore) Corporation for Business Development for economic development advice. Together with our design, build and operating partner ROCK Networks Inc., we will proceed should a favourable funding announcement be made.

The next phase for Municipalities, First Nations and Agencies is to determine the capacity to invest financially in the project. We have raised the Private Equity capital to design, build and operate a Fibre to the Home (FTTH) capability for all residences, businesses and institutions in the catchment area to ensure the project will proceed - a "Backstop," so to speak, in the event of no community investment. However, for this initiative to indeed be a community owned project, we require investment from our community partners.

The project is costed at \$150 million. We have submitted grant applications for \$75 million. The board members and our advisors felt that the appetite to raise \$75 million was not there, but working within a Public, Private Partnership (P3) structure, we could raise \$25 million. Going it alone would provide access to 100% of the net revenues, but raising a third of the cost, \$25 million, would allow us to access up to 50% of the net revenues along with a nearly 50% equity stake in the project. Hence at this time, the H&M COFI Board is recommending that we seek to determine the level of investment interest within your community. We are in discussions with KPMG to create an investment package that they will present to community members. We have also discussed the project with NCU and other lending agencies that are willing to work on a case-by-case basis to discuss the availability of funds for investment of any community.

The opportunity will be a once-in-a-generation chance to invest in a project financially supported in part by the Federal and Provincial Governments, which are currently funding rural broadband projects. If we are selected, there will be a short period to align all interested partners and raise our share of the required capital. Recall, this is a direct regional investment into a project that will provide real highspeed

broadband to 100% of our region and provide us with a return on that investment, which can be invested back into the participating communities. It is not an expenditure.

Therefore, the board requests that your community consider its desire to invest and at what level. As a guide or a starting point, we have provided in an Appendix to this letter, the prorated investment amount based on the number of dwellings in your respective communities. These values only serve as a guide in helping us reach the \$25 million required. The Appendix also includes an amount to reach \$75 million. Please advise as to whether either amount is too difficult to raise. There will likely be room for those communities willing to invest more and receive a higher percentage of the returns.

H&M COFI is requesting that all Municipalities, First Nations and Agencies examine their potential to invest in this ground-breaking project. Broadband/Internet services will enhance the area's economic capabilities and bring us into the 21st century. Businesses, education facilities, health centres, hospitals and individuals will benefit from receiving the excellent communication services that we all deserve. In turn, your investment will enable you to generate another revenue stream for your community and those underfunded community projects.

H&M COFI will be contacting every partner, municipality and First Nation to explain how they can become participating members of the Corporation and benefit financially. If you are interested in speaking with NCU, contact us, and we will connect you. Please share this information with your Council or Board members at a future meeting.

Georges Bilodeau
Chairperson
H&M COFI
geobilo25@gmail.com

Enclosed: Appendix

Appendix A

District	Community	% Owned Based on Homes	Option 1 \$75M	Option 2 \$25M
Algoma First Nations	Mississauga First Nation	0.59%	\$ 444,811	\$ 148,270
	Garden River First Nation	1.40%	\$ 1,053,121	\$ 351,040
	Sagamok Anishinabek First Nation	1.29%	\$ 964,159	\$ 321,386
	Serpent River First Nation	0.50%	\$ 377,489	\$ 125,830
	Thessalon First Nation	0.20%	\$ 151,476	\$ 50,492
Manitoulin First Nations	Aundeck Omni Kaning First Nation (Sucker Cree	0.46%	\$ 346,232	\$ 115,411
	M'Chigeeng First Nation	1.55%	\$ 1,166,127	\$ 388,709
	Sheguiandah First Nation	0.21%	\$ 158,689	\$ 52,896
	Sheshegwaning First Nation	0.23%	\$ 170,711	\$ 56,904
	Whitefish River First Nation	0.82%	\$ 615,523	\$ 205,174
	Wikwemikong Unceded First Nation	3.51%	\$ 2,635,207	\$ 878,402
	Zhiibaahaasing First Nation (on Cockburn Island	0.07%	\$ 50,492	\$ 16,831
ALGOMA	Blind River, Town of	7.11%	\$ 5,335,332	\$ 1,778,444
	Bruce Mines, Town of	0.96%	\$ 718,911	\$ 239,637
	Elliot Lake, City of	20.07%	\$ 15,049,049	\$ 5,016,350
	Hilton Beach, Village of	0.41%	\$ 307,761	\$ 102,587
	Hilton Township	1.02%	\$ 762,190	\$ 254,063
	Huron Shores, Municipality of	4.02%	\$ 3,012,695	\$ 1,004,232
	Jocelyn Township	1.09%	\$ 817,491	\$ 272,497
	Johnson Township	1.67%	\$ 1,252,685	\$ 417,562
	Laird Township	1.69%	\$ 1,267,111	\$ 422,370
	Macdonald, Meredith and Aberdeen Add'l, Towns	2.76%	\$ 2,067,772	\$ 689,257
	Plummer Additional, The Township of	1.65%	\$ 1,238,259	\$ 412,753
	Spanish, Town of	1.40%	\$ 1,050,717	\$ 350,239
	St. Joseph, The Township of	2.73%	\$ 2,050,941	\$ 683,647
	Tarbutt & Tarbutt Additional Township	1.28%	\$ 961,754	\$ 320,585
	The North Shore, Township of	1.18%	\$ 882,410	\$ 294,137
	Thessalon, Town of	2.00%	\$ 1,500,337	\$ 500,112
MANITOULIN	Assiginack, Township of	2.34%	\$ 1,755,201	\$ 585,067
	Billings, Township of	2.34%	\$ 1,757,606	\$ 585,869
	Burpee and Mills, The Township of	0.88%	\$ 658,802	\$ 219,601
	Central Manitoulin, Municipality of	5.22%	\$ 3,916,744	\$ 1,305,581
	Cockburn Island (Pronounce Couburn)	0.28%	\$ 206,777	\$ 68,926
	Gordon/Barrie Island, Municipality of	1.68%	\$ 1,257,494	\$ 419,165
	Gore Bay, Town of	1.43%	\$ 1,074,760	\$ 358,253
	Meldrum Bay, Unincorporated	1.06%	\$ 798,256	\$ 266,085
	Northeastern Manitoulin and The Islands, Town of	7.42%	\$ 5,561,344	\$ 1,853,781
	Tehkummah, Township	1.07%	\$ 800,660	\$ 266,887
SUDBURY	Baldwin, Township of	0.89%	\$ 666,015	\$ 222,005
	Espanola, Town of	7.54%	\$ 5,652,711	\$ 1,884,237
	Greater Sudbury SW Unorganized Area	0.00%	\$ -	\$ -
	Nairn and Hyman, The Township of	0.61%	\$ 456,833	\$ 152,278
	Sables-Spanish Rivers, Township of	5.37%	\$ 4,027,346	\$ 1,342,449



Corporate Services Department

Clerk's Office

CITY of STRATFORD
City Hall, P.O. Box 818
Stratford ON N5A 6W1

519-271-0250 Ext. 5237
Fax: 519-273-5041
www.stratford.ca

July 23, 2021

Honourable Premier Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

premier@ontario.ca

Dear Premier Ford:

Re: Resolution to Phase Out Ontario's Gas Plants

At their June 28, 2021 Regular Council meeting, Stratford City Council adopted a resolution petitioning the provincial government to immediately take steps to replace gas powered electrical generation with non-carbon-based sustainable alternatives.

A copy of the resolution is attached for your consideration. We kindly request your support and endorsement.

Sincerely,

Tatiana Dafoe
Clerk

Encl.
/ja

cc: MPP Randy Pettapiece
MP John Nater
Association of Municipalities of Ontario
Federation of Canadian Municipalities
All Ontario municipalities



THE CORPORATION OF THE CITY OF STRATFORD

Resolution: Phase Out Ontario's Gas Plants

WHEREAS the Earth is on course toward a climate crisis, unless timely actions are taken to minimize the greenhouse effect;

AND WHEREAS the use of fossil fuels is a major contributor to the greenhouse effect because of the increasing amount of heat trapping Carbon Dioxide in the atmosphere;

AND WHEREAS Stratford, along with other municipalities has declared a "Climate Emergency" and is considering a Carbon Net Zero goal to be achieved by 2050;

AND WHEREAS the 2050 Carbon Net Zero goal has been, and is being adopted by countries and governments at all levels, as well as by industries, social and economic institutions;

AND WHEREAS the most effective way of achieving that goal is through initiatives in reducing carbon footprint, and greening;

AND WHEREAS in the Province of Ontario, Electricity generation fueled by Natural gas contributes substantially to the province's carbon footprint and provides an opportunity for rapid reduction of carbon dioxide emissions through the elimination of this form of generation;

AND WHEREAS in the interest of environmental and economic wellbeing for the province of Ontario, immediate action to replace the gas generators by sustainable zero carbon alternatives should be undertaken;

NOW THEREFORE IT BE RESOLVED that the City of Stratford strongly appeal to the Government of Ontario to immediately take steps to replace gas powered electrical generation with non-carbon based sustainable alternatives;

AND BE IT FURTHER RESOLVED that this resolution be circulated to Ontario municipalities and their organizations including AMO and OSUM for their consideration of support.

Adopted by City Council of The Corporation of the City of Stratford on June 28, 2021

The Corporation of the City of Stratford, P.O. Box 818, Stratford ON N5A 6W1
Attention: City Clerk, 519-271-0250 ext 5329, clerks@stratford.ca

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW 2018-41


BEING A BY-LAW TO ADOPT A CODE OF CONDUCT FOR MEMBERS OF COUNCIL

WHEREAS section 223.2(1) of the Municipal Act, 2001, as amended requires all municipalities to establish a code of conduct for members of the council of the municipality and of its local boards on or before March 1, 2019;


NOW THEREFORE the Council of the Corporation of the Township of Billings hereby enacts as follows:

1. That the Code of Conduct for Members of Council and Local Boards attached hereto as Schedule "A" is adopted and forms part of this by-law; and,
2. That this by-law shall come into force and take effect upon the day of the final passing thereof.

Read a First, Second and Third time and enacted this 17th day of September, 2018.



Austin Hunt, Mayor



Kathy McDonald, CAO/Clerk

**CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS**

PRINCIPLES WHICH FORM A BASIS FOR THIS CODE:

Improving the quality of municipal government and administration can best be achieved by maintaining high standards of proper conduct on the part of all municipal officials. In particular, the public is entitled to expect the highest standards of conduct from those whom it elects to local government.

Adherence to these standards will also serve to protect and maintain the municipality's integrity and reputation.

Key statements of principle which underlie the requirements of this Code are the following:

- Members must serve and be seen to serve their constituents in a conscientious and diligent manner, and in the public interest;
- Members must be committed to performing their responsibilities with integrity, and avoiding conflicts of interest and other improper use of the influence of their office, both real and apparent;
- Members are expected to perform their duties in office in the public interest, and to arrange their private affairs in a manner that promotes public confidence and will bear public scrutiny;
- Members must recognize and act upon the principle that democracy is best achieved when the operation of government is made as transparent and accountable as possible;
- Members shall uphold and comply with both the spirit and intent, as well as the words, of the laws and policies of Parliament, the Ontario Legislature, and the municipal Council.

APPLICATION OF THIS CODE

This Code of Conduct applies to every Member of the Council and local boards of the Township of Billings.

STATUTES PROVIDING CONTEXT TO THIS CODE

This Code of Conduct shall be interpreted and complied with in a manner consistent with statutes and other laws which govern the conduct of its Members, including the following:

- **The Criminal Code of Canada;**
- **Municipal Act, 2001, and Regulations;**
- **Municipal Conflict of Interest Act;**
- **Municipal Affairs Act;**
- **Municipal Freedom of Information and Protection of Privacy Act;**
- and
- **Municipal Elections Act.**

DEFINITIONS

In this Code of Conduct:

“closed meeting” means all or part of a meeting lawfully held in the absence of the public, or from which members of the public have been lawfully precluded or prohibited from attending.

“confidential information” includes information, documents or records:

- (a) which the Township is prohibited by law from disclosing or is required by law to refuse to disclose;
- (b) which the Clerk as head of the municipality for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, has the lawful power or discretion to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act* or other law, has decided to refuse to disclose, and has not revoked or amended that decision in a manner which would permit such disclosure; and

SCHEDULE 'A'

(c) concerning matters that are considered at a closed meeting.

"Council" means the Council of the Township of Billings;

"information" includes a record or document, however created or stored;

"Member" means a Member of the Council or local board;

"municipality" means The Corporation of the Township of Billings;

"person" includes a corporation, partnership, association, and any other entity as the context allows or is stated to apply.

COMPLIANCE WITH DECLARATION OF OFFICE

1. Every Member shall comply with his or her declaration of office.

ADHERENCE TO THIS CODE AND OTHER COUNCIL LAWS AND PROCEDURES

2. Every Member shall observe and comply with every requirement of this Code of Conduct, as well as other laws and procedures adopted or established by Council affecting the Member, whether or not acting in the capacity as a Member.

CONDUCT AT MEETINGS

3. Every Member shall conduct himself or herself properly and in a civil manner at Council, committee, and other meetings, and in accordance with applicable provisions of the Procedure By-law, this Code of Conduct, and other applicable law and municipal policies.

CONFIDENTIALITY

4. No Member shall disclose or release by any means, directly or indirectly, any confidential information, or other information acquired by virtue of her or his office, except when required or lawfully authorized to do so, and to a person authorized by law to receive it.
5. No Member shall do any of the following:
 - (a) use confidential information for financial or other gain, or use or disclose information obtained by reason only of the Member's

SCHEDULE 'A'

membership on the Council or other body, for any other purpose or to any other person, except as authorized by law, for the benefit of the municipality, and in the public interest;

- (b) disclose any confidential information for the purpose, or with the effect, directly or indirectly, of providing a benefit to any person bidding, or who may bid, upon any tender, request, proposal or other procurement process of the municipality or any agency, board or other body associated with the municipality;
- (c) disclose the content of any matter that has been discussed or considered, or has been the subject-matter or substance of consideration, debate or deliberations at a closed meeting of the Council or other body, except where such disclosure has been authorized by the Council or is otherwise authorized or required by law;
- (d) access or seek to obtain access, to confidential information unless such access is necessary for the performance of the Member's duties, and not prohibited by law.

CONDUCT RESPECTING OTHERS

- 6. Every Member shall treat members of the public, one another, and municipal employees appropriately, and without abuse, bullying, harassment or intimidation, and shall seek to ensure that the municipality's work environment is free from improper discrimination, harassment or abuse.
- 7. Every Member shall be respectful of the role of municipal employees and proceed on the assumption that department managers and members of administrative staff will provide advice to the Council based on political neutrality and objectivity, and without undue influence from any one or more Members of Council.
- 8. Every Member shall refrain from individually providing direction to management and employees on daily operational matters. Council provides direction through policy statements, by-laws and

SCHEDULE 'A'

resolutions which establish the types of services delivered and the level of service delivery.

9. No Member shall use any indecent, abusive or insulting words or expression toward any municipal employee, any other Member, or any member of the public, or maliciously or falsely injure or impugn the professional or ethical reputation of any such person.
10. No Member shall compel or seek to compel any municipal employee to engage in any political or partisan activity, or purport to do so, or attempt to issue any order or requirement to any municipal employee except in the course of the implementation of decisions of the Council and in accordance with the lawfully required responsibilities of the person.

GIFTS AND BENEFITS

11. (a) No Member shall, except in the case of the exceptions set out in paragraph (b) below, request or accept, or take any step at Council or other meetings or otherwise, to bring about, any direct or indirect gift or benefit, that is connected, directly or indirectly, to the Member's membership on Council or the performance of her or his responsibilities.

(b) Each of the following, where authorized by law, is recognized as an exception from paragraph (a):
 - i. a gift or benefit of the kind that normally accompanies the responsibilities of office and is received as an incident of protocol or social obligation;
 - ii. a political contribution otherwise authorized and reported as required by law in the case of a candidate for political office;
 - iii. services provided without compensation by a person volunteering his or her time;
 - iv. a suitable memento of a function honouring the Member;
 - v. food, lodging, transportation or entertainment lawfully provided by any governmental body, or by those organizing a conference, seminar or event where the Member is speaking or attending in an official capacity;

SCHEDULE 'A'

- vi. food and beverages consumed at a banquet, reception or similar event, if:
 - a. attendance by the Member is for a legitimate municipal purpose;
 - b. the person extending the invitation, or a representative of the organization holding the event, is in attendance; and
 - c. the value is reasonable;
- vii. communications to the office of a Member, including subscriptions to newspapers and periodicals; and
- viii. a sponsorship or donation for a community event organized or run by a Member, a third party on behalf of the Member, subject to any limitations set out in any applicable municipal policy; and,
- ix. compensation and benefits authorized by law.

(c) In the case of the foregoing exceptions: (i), (iv), (v), (vi), (vii), and any one or more of them, the Member shall, within 30 days of receipt of the gift or benefit, file a disclosure statement with the municipal CAO/Clerk indicating:

- the nature of all such gifts or benefits and the amount of each;
- the source and date of such receipt; and
- the circumstances under which it was given or received.

USE OF MUNICIPAL PROPERTY, SERVICES AND OTHER RESOURCES

- 12. No Member shall use or permit the employment of municipal land, facilities, equipment, supplies, services, municipal employees or other resources for purposes or activities other than the furtherance of the business of the municipality.
- 13. No Member shall obtain, or seek to obtain, financial gain from the use or sale of municipal owned or developed property, including intellectual property.
- 14. No Member shall use her or his newsletter, or any other asset or

By-law 2018-41

SCHEDULE 'A'

resource of the municipality, for personal, or election-related activities, or for any other purpose, other than the performance of municipal responsibilities in the public interest.

15. No Member shall use the influence of her or his office for any purpose other than for the lawful exercise of his or her official duties and for municipal purposes. Without limiting the generality of the foregoing, no Member shall seek or attempt to gain direct or indirect personal advantage by reason of a decision or implementation of a decision by the Council or municipal employees.
16. Every Member shall comply with every requirement of the Code of Conduct, and shall co-operate with and assist the municipality's Integrity Commissioner, and every other person lawfully engaged in the administration and/or enforcement of this Code of Conduct, including in respect of any inquiry or seeking of information and records relating to any complaint or request relating to all or any part of the Code of Conduct.

Adopted by Bylaw 2018-41
by the Council for the Corporation of the Township of Billings

Each member of council is asked to swear an Oath
to Observe and Comply with this Code of Conduct
as well as other laws and procedures
adopted or established by the Council for
the Corporation of the Township of Billings

Expertise for Municipalities

Peggy Young-Lovelace
Partner

1894 Lasalle Blvd.
Sudbury, ON P3A 2A4

Tel. 705-
Fax. 705-806-4000

Email
peggy@E4m.solutions

September 7, 2018

The Municipality of Billings
15 Old Mill Road
P.O. Box 34
Kagawong, ON
POP 1J0

Via Email – clerktreasurer@billingswp.ca

Attention: Ms. Kathy MacDonald - CAO

RE: LETTER OF ENGAGEMENT – Integrity Commissioner

Dear Ms. MacDonald:

The following outlines the considerations pursuant to our appointment as Integrity Commissioner for the Municipality of Billings:

1. Undertaking

The Municipality of Billings is contracting the services of Expertise for Municipalities; hereinafter referred to as E⁴m, as Integrity Commissioner as set out in Section 223.3(1) of the *Municipal Act, 2001, R.S.O. 1990*; hereinafter referred to as the "Act".

As Integrity Commissioner for the Municipality of Billings, E⁴m shall carry out the roles and responsibilities of the Office as outlined in the "Act", (as amended) and Bylaw ~~2018-41~~ of the Municipality of Billings.

2. Fees and Payments¹

Fees will be based on time spent in connection with carrying out the duties and responsibilities of the Office of Integrity Commissioner as outlined in the "Act" and Bylaw ~~2018-41~~ of the Municipality of Billings.

Investigations will be conducted at a rate of \$125 per hour for the term of this appointment. While it is likely that most investigations can be conducted remotely, if attendance in Billings is a necessity of any investigation, all travel and accommodations would be in addition to the hourly fee. Travel time in excess of three (3) hours would be charged at a rate of \$50 per hour, again for the term of this agreement.

Written advice will be provided at a rate of \$100 per hour, for the term of this agreement. It is our opinion that providing written advice, for the most part can be provided remotely so there would be no additional travel or accommodation cost.

¹ All rates are subject to HST if applicable.

Educational sessions conducted in a workshop setting for Council or Local Board orientation or similar purposes will be invoiced at a cost of \$1,000 per day plus travel, accommodation and other costs, for the term of this agreement. These workshops would be limited to one E⁴m presenter. Additional presenters can be added for an additional cost which would be negotiated on an as needed basis.

Every effort will be taken to keep disbursements to a minimum using technology when appropriate. Disbursements incurred in connection with providing advice, any investigation or workshop include; postage, deliveries, travel expenses, photocopying and other reasonable expenses and office charges.

Accommodation costs will be on expenses incurred and mileage will be billed at a rate equivalent to the Treasury Board of Canada; adjusted annually or as adjusted by the Treasury Board. The current rate is 55.5 cents per kilometre.

In the event our participation is required in any legal proceeding; our hourly investigative rate of \$125 per hour for the term of this agreement will apply for preparation and participation. Should such a circumstance arise, a separate Letter of Engagement detailing the specifics of the circumstance(s) along with the proposed plan of action will be necessary for the benefit of and clarity for both parties.

An invoice will be delivered by email to the attention of the Chief Administrative Officer or designate on the first of every month for work carried out during the previous month and immediately after the completion of any final report; as necessary.

E⁴m reserves the right to increase investigative, advisory and workshop rates annually at the rate of the Consumer Price Index (CPI) for Ontario. Any and all changes will be communicated in writing to the Chief Administrative Officer or designate at the time of change.

3. Product

Documents, workshop presentations, voice recordings, handwritten notes and any draft reports are the property of E⁴m and will be retained as part of our file.

Any work product that is not considered confidential, may not be reproduced without prior permission.

4. Confidentiality

In keeping with Section 223.5 of the "Act", as amended, any work as well as any and all information obtained during the course of any investigation will be kept strictly confidential and not disclosed except as may be required by law.

5. Indemnity

E⁴m can confirm that that it currently carries Professional Liability Insurance covering all work and services in the amount of \$2 million (\$2,000,000) and shall continue to carry this amount for twelve months following the completion of all work.

As of March 1, 2019, Section 223.3 (6) of the “Act” provides:

A municipality shall indemnify and save harmless the Commissioner or any person acting under the instructions of that officer for costs reasonably incurred by either of them in connection with the defence of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a duty or authority under this Part or a by-law passed under it or an alleged neglect or default in the performance in good faith of the duty or authority.

As of March 1, 2019, the Municipality of Billings agrees to indemnify E⁴m, as required under the “Act”, against any and all claims, demands, suits or other proceedings for costs, damages, losses, liabilities, and expenses including reasonable legal fees that may be incurred in defending any claims that may be made against E⁴m by a third party arising out of this agreement or any of the duties of the Office of Integrity Commissioner except where costs, damages, liabilities and expenses result directly from negligent, dishonest or fraudulent acts committed by E⁴m in the course of any undertaking.

6. Termination of Services

This Letter of Engagement shall be for a term of two (2) years from the date of signing by both parties.

Either party may terminate this agreement in writing at any time, with such notice being provided ninety (90) days in advance of the actual termination date. Should events arise prohibiting E⁴m from carrying out our obligations under this agreement, in keeping with professional standards, E⁴m reserves the right to terminate our services at any time with the same ninety (90) day notification.

No Integrity Commissioner investigations would be started by E⁴m during the notice period if they could not be completed by the end of the notice period. Any investigation(s) started prior to notice being given, which will be incomplete as of the specified termination date, will survive the termination of this agreement until such a time as the investigation has been completed. During this period the parties are governed by the terms and conditions of this agreement as if notice had not been given.

If the Municipality of Billings terminates our services, or if services are withdrawn, fees up to the termination date as well as any investigations in process after the date of termination will be invoiced and owing.

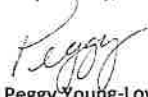
7. Reporting

All reporting will be conducted in keeping with the applicable sections of the "Act" and Bylaw ~~2018-41~~ of the Municipality of Billings.


Progress reporting for any responsibility of the Office of Integrity Commissioner will be done on a bi-weekly basis or as otherwise arranged. Such reporting will be limited to details as to what has transpired and not judgements as to the merit of the allegation, nor identity of witnesses or witness statements/information (in the case of an investigation). Should you have questions or pertinent information respecting any investigation please bring these matters to my attention as soon as possible.

We look forward to working with you and the Municipality of Billings.

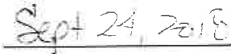
Respectfully,


Peggy Young-Lovelace
Partner


On behalf of the Municipality of Billings, I agree to the terms of the letter of engagement and by signing below confirm that I am authorized to accept said terms.




Signature
I have authority to bind the Corporation



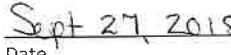
Date



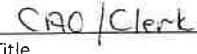
Title



Signature
I have authority to bind the Corporation



Date



Title

Township of Billings
ACCOUNTS FOR PAYMENT from Jul 17, 2021 to Jul 29, 2021

Cheque No.	Cheque Date	Payee	Amount
6847	Jul 29, 2021	Township of Billings	171.70
6848	Jul 29, 2021	Alternate Starts Ltd.	169.44
6849	Jul 29, 2021	Beckett, Dennis	140.00
6850	Jul 29, 2021	BJ'S & Addison's OK Tire	423.75
6851	Jul 29, 2021	Brendan Addison Mobile Mechanical	2,668.89
6852	Jul 29, 2021	Bridal Veil Variety	384.61
6853	Jul 29, 2021	Couillard, Louis	23.91
6854	Jul 29, 2021	Deluxe Canada	295.81
6855	Jul 29, 2021	Denis Gratton Construction Ltd.	1,020,115.81
6856	Jul 29, 2021	Encompass IT	1,088.19
6857	Jul 29, 2021	Farquhars Dairy	670.50
6858	Jul 29, 2021	Freelandt Caldwell Reilly	13,701.25
6859	Jul 29, 2021	Grand & Toy Ltd.	63.16
6860	Jul 29, 2021	Kiviaho, Connie	108.48
6861	Jul 29, 2021	Larry Hunter	847.50
6862	Jul 29, 2021	Manitoulin Fuels	6,956.52
6863	Jul 29, 2021	Municipality of Central Manitoulin	500.00
6864	Jul 29, 2021	Pioneer Construction	4,131.12
6865	Jul 29, 2021	PSD Citywide Inc.	7,076.63
6866	Jul 29, 2021	Purolator Courier Ltd	45.62
6867	Jul 29, 2021	Randy Noble Trucking Ltd	588.96
6868	Jul 29, 2021	S.T.O.P. Restaurant Supply	78.26
6869	Jul 29, 2021	SEC Graphics	248.60
6870	Jul 29, 2021	Steele's Home Hardware	40.73
6871	Jul 29, 2021	Stinson Equipment Limited	56.06
6872	Jul 29, 2021	The Manitoulin Expositor	42.70
6873	Jul 29, 2021	Wally's Septic Service & Portable Toilets	254.25
PREAUTHORIZED PAYMENTS			
DS	Jul 19, 2021	Permafib (Rink Boards down payment	27,067.58
DS	Jul 20, 2021	Superior Propane	252.09
DS	Jul 21, 2021	Payroll	19,575.02
DS	Jul 21, 2021	Canada Life-RSP	1,358.38
DS	Jul 23, 2021	Bell Canada	594.19
DS	Jul 26, 2021	Hydro One	2,962.53
DS	Jul 26, 2021	LBPC Leasing-Copier	175.00
Total			1,112,877.24