



The Corporation of the Township of Billings

Council Meeting Agenda

February 7, 2023 7:00 p.m.

Park Centre – 39 Henry Drive, Kagawong

Council

Bryan Barker, Mayor

David Hillyard, Deputy Mayor

Jim Cahill, Councillor

Vince Grogan, Councillor

Michael Hunt, Councillor

Staff

Emily Dance, CAO/Clerk

Tiana Mills, Deputy Clerk

Todd Gordon, Municipal Project Manager

Cheryl McCulligh, Treasurer

Arthur Moran, By-Law / Health and Safety

1. Call to Order

Mayor Barker to call the meeting to order.

2. Approval of Agenda

Confirm approval of the agenda.

3. Disclosure of Pecuniary Interest

4. Adoption of Minutes

Motion to adopt the minutes of the following meetings of Council:

4.1 Regular Council Meeting – January 17th, 2023

4.2 Special Council Meeting – January 31st, 2023

5. Delegation

5.1. Municipal Property Assessment Corporation (MPAC)

Jeremy Cormier, Account Manager MPAC will be making a presentation on the role of MPAC.

6. Committee Reports

6.1. Members of Council are provided with an opportunity to report on Committee and Board meetings.

6.1.1. Manitoulin Sudbury District Services Board 2022 Third Quarter Reports

7. Staff Reports

- 7.1. TR-2023-02-03 – Municipal Property Assessment Information
- 7.2. TR-2023-02-04 – Municipal Insurance Renewal
- 7.3. BE-2023-02-02 – Wild Turkey Concerns
- 7.4. CLK-2023-02-03 – Parks, Recreation and Wellness Committee Recommendations
- 7.5. CLK-2023-02-04 – Outdoor Rink Project Final Report
- 7.6. CLK-2023-02-05 – Canada Post Community Foundation Grant
- 7.7. MPM-2023-02-04 – Fire Hall Update (4)
- 7.8. CAO-2023-02-06 – Communications and Public Engagement Policies
- 7.9. ECD-2023-02-01 – RED Grant Funding and Western Manitoulin Economic Development Update

8. Correspondence Requiring Direction

- 8.1. Central Manitoulin letter dated January 20, 2023 regarding a request to accept their waste on a temporary short-term basis.

Motion

THAT the Township of Billings Council hereby receives the letter from the Municipality of Central Manitoulin dated January 20, 2023 AND as per the Kagawong Landfill Certificate of Approval from the Ministry of the Environment will not accept waste from the Municipality of Central Manitoulin.

- 8.2. Request from Nic's Farm and Vineyard (supplementary request)

Motion

THAT the Township of Billings Council hereby confirms that there are no objections with Nicolas Harfield of Nic's Farm and Vineyard booking the upper portion of the Kagawong Park Centre at 39 Henry Drive in Kagawong, ON, on February 24th, 2023 for a private event AND deems the event as municipally significant.

- 8.3. Elemental Festival 2023 In-Kind Support

Motion

THAT the Township of Billings Council hereby receives the letter from 4elements dated January 31, 2023 AND authorizes in-kind support for the 2023 Elemental Festival organized by 4Elements Living Arts, in the form of free rental of the Park Centre and Old Church on the Hill for September 23-24, 2023 (value of \$904).

9. Information



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- 9.1. Municipal Property Assessment Corporation - [MPAC's 2022 Municipal Partnership Report](#). The report provides a high-level summary of MPAC's 2022 municipal-focused activities.
 - 9.2. Ministry of Transportation – [Notice of Study Completion](#) – Hwy 6 Little Current Swing Bridge Study- A copy of the Transportation Environmental Study Report is available for public review between January 25 and February 24, 2023 at various locations including the Township of Billings Office. More information on the project can be found at <http://www.swingbridgestudy.ca/>
 - 9.3. Project Lifesaver Donor Update
 - 9.4. Public Health Sudbury Board Member Remuneration

10. Accounts for Payment

- 10.1. Accounts for Payment to February 2, 2023

11. By-Laws and Agreements

- 11.1. By-Law No. 2023-07 Council Code of Conduct
- 11.2. By-Law No. 2023-08 Establish the Office of the Integrity Commissioner
- 11.3. By-Law No. 2023-09 Integrity Commissioner Agreement E4m
- 11.4. By-Law No. 2023-10 Procedural By-Law Amendment (1)
- 11.5. By-Law No. 2023-11 Kagawong Pedestrian Bridge Construction Agreement By-Law

12. Notice of Motions

13. Closed Session

14. Confirmatory By-Law

- 14.1. By-Law No. 2023-12 being the February 7th, 2023 Confirmatory By-Law

15. Adjournment

- 15.1. Motion to Adjourn

Document Accessibility

The Township of Billings is committed to providing information in the format that meets your needs. We have made every attempt to make documents for this meeting accessible but there may still be difficulty in recognizing all the information. Please contact us if you require assistance and we will make every attempt to provide this information in an alternative format.

Please note that third party documents received and found within this document will not be converted to an accessible format by the Township of Billings. However, upon request, we will attempt to obtain these documents in an appropriate accessible format from the third party.

For assistance or to make a request please call (705) 282-2611 or email tmills@billingstwp.ca



The Corporation of the Township of Billings
Council Meeting Minutes
January 17, 2023 7:00 p.m.
Park Centre – 39 Henry Drive, Kagawong

Council Present

Bryan Barker, Mayor
David Hillyard, Deputy Mayor
Jim Cahill, Councillor
Vince Grogan, Councillor
Michael Hunt, Councillor

Staff Present

Emily Dance, CAO/Clerk
Tiana Mills, Deputy Clerk
Todd Gordon, Municipal Project Manager
Arthur Moran, By-Law / Health and Safety

1. Call to Order

Mayor Barker called the Council meeting of the Township of Billings to order at 7:00 p.m.

2. Approval of Agenda

2023-01

Moved by Hunt Seconded by Grogan

THAT the Township of Billings Council hereby amend the order of the January 17, 2023 agenda to move into Closed Session following the Adoption of Minutes.

Carried.

3. Disclosure of Pecuniary Interest

None.

4. Adoption of Minutes

Motion to adopt the minutes of the following meetings of Council:

4.1 Regular Council Meeting – December 19th, 2022

2023-02

Moved by Hillyard Seconded by Grogan

THAT the December 19th, 2022 Regular Council Meeting Minutes be adopted as presented.

Carried.



13. Closed Session

13.1 Motion to move to Closed Session

2023-04

Moved by Hunt Seconded by Hillyard

THAT the Township of Billings Council hereby moves into Closed Session pursuant to [s. 239(2)(b)] Personal matters about an identifiable individual – Committee Appointments AND pursuant to [s. 239(2)(f)] Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Firehall Project AND FURTHER returns to open session upon completion.

14. Report out of Closed Session

Mayor Barker reported that a closed meeting was held where Council discussed identifiable individuals through Committee Appointments and direction was given to staff to bring forward a By-Law appointing members to various boards and committees AND FURTHER THAT the Parks, Recreation and Wellness Committee and Lake Kagawong Resource Committee Terms of Reference (membership) be amended AND FURTHER THAT information was received that is subject to solicitor-client privilege regarding the fire hall project.

2023-10

Moved by Hunt Seconded by Hillyard

THAT By-Law No. 2023-04 being a By-Law to Appoint Members to the Various Boards and Committees in the Township of Billings be read a first, second and third time AND finally passed this 17th day of January, 2023.

Carried.

By consensus of Council the agenda was further amended to bring forward item 8.5 Letter Concerning the Fire Hall and Public Works Garage - Sandy Cook/Ted Kilpatrick following the staff reports regarding the fire hall project 7.6.

5. Delegation

None.

6. Committee Reports

6.1. Members of Council were provided with an opportunity to report on Committee and Board meetings.

6.2. Community Policing Committee Meeting Minutes – May 11, 2022

6.3. Library Board Committee Report – December 20, 2022

6.4. Library Board Committee Report – January 10, 2023



2023-03

Moved by Grogan Seconded by Cahill

THAT the Township of Billings Council hereby receives for information all items listed in Section 6, Committee Reports.

Carried.

7. Staff Reports

7.1. BE-2023-01-01 2022 By-Law Enforcement Year-End Report

2023-11

Moved by Hunt Seconded by Hillyard

THAT the Township of Billings Council hereby receives for information Report BE-2023-01-01 2022.

Carried.

7.2. BP-2023-01-01 Building Year End Report

2023-12

Moved by Hillyard Seconded by Grogan

THAT the Township of Billings Council hereby receives for information Report BP-2023-01-01 2022.

Carried.

7.3. MPM-2023-01-01 Bulk Water Update

2023-13

Moved by Grogan Seconded by Hunt

THAT the Township of Billings Council hereby receives for information Report MPM-2023-01-01 2022.

Carried.

7.4. MPM-2023-01-02 Firehall Renovation Project Update (3)

2023-14

Moved by Hunt Seconded by Grogan

THAT the Township of Billings Council hereby approves Report No. MPM-2023-01-02 AND authorizes moving forward with Option 2 – Demolish the existing Fire Hall, erect new structure on site and utilize components of the current rehabilitation project AND FUTHER authorizes the appropriate By-Laws coming forward.

Carried (Recorded Vote 3:2)

Member	Yes	No	Absent
Mayor Barker	X		
Councillor Cahill		X	



Councillor Grogan	X		
Deputy Mayor Hillyard		X	
Councillor Hunt	X		

7.5. TR-2023-01-02 Firehall Financing Options
2023-15

Moved by Grogan Seconded by Hunt

THAT the Township of Billings Council approves Report TR-2023-01-02 AND approves a combined approach for financing the firehall project AND authorizes the CAO/Clerk to apply to Infrastructure Ontario for both short- and long-term lending AND FURTHER authorizes the appropriate By-Laws coming forward.

Carried.

8.5. Letter Concerning the Fire Hall and Public Works Garage - Sandy Cook/Ted Kilpatrick
2023-16

Moved by Grogan Seconded by Cahill

THAT the Township of Billings Council hereby receives for information the Letter from Sandy Cook and Ted Kilpatrick dated January 11, 2023 AND thanks Ms. Cook and Mr. Kilpatrick for their input.

Carried.

7.6. TR-2023-01-01 Borrowing By-Law & Interim Levy By-Law
2023-17

Moved by Hillyard Seconded by Hunt

THAT the Township of Billings Council hereby approves Report TR-2023-01-01 AND authorizes a By-Law to levy amounts on the assessment of property in the Township of Billings for local municipal purposes as authorized by the Municipal Act AND FURTHER authorizes the Mayor and Treasurer to borrow from time to time by way or promissory note, such sums necessary to meet current expenditures AND FURTHER authorizes the appropriate By-Laws coming forward on tonight's agenda.

Carried.

7.7. CAO-2023-01-01 Revised Council Code of Conduct Report
2023-18

Moved by Cahill Seconded by Grogan



THAT the Township of Billings Council hereby approves Report CAO-2023-01-03 AND approves the revised Council Code of Conduct AND FURTHER authorizes the appropriate By-Law coming forward.

Carried.

7.8. CAO-2023-01-02 Office of the Integrity Commissioner
2023-19

Moved by Grogan Seconded by Hunt

THAT the Township of Billings Council hereby approves Report CAO-2023-01-02 AND establishes the Office of the Integrity Commissioner AND FURTHER authorizes the appropriate By-Law coming forward.

Carried.

7.9. CAO-2023-01-03 Appoint Integrity Commissioner
2023-20

Moved by Grogan Seconded by Hunt

THAT the Township of Billings Council hereby approves Report CAO-2023-01-03 AND appoints E4m as the Integrity Commissioner for the Township of Billings for a two-year term with the option to renew for an additional two-years AND FURTHER authorizes the appropriate By-Law coming forward.

Carried.

7.10. CAO-2023-01-04 Strategic Plan Process
2023-21

Moved by Grogan Seconded by Hillyard

THAT the Township of Billings Council hereby approves Report CAO-2023-01-04 AND directs staff to schedule a Strategic Plan working session to review the current Strategic Plan AND FURTHER that \$30,000 be included for Strategic Plan planning in the 2023 Budget deliberations.

Carried.

7.11. CAO-2023-01-05 Hiring Update
2023-22

Moved by Hunt Seconded by Hillyard

THAT the Township of Billings Council hereby approves Report CAO-2023-01-05 AND directs staff to advertise for 1 public works student, 1 library student, 1 museum student and 2 marina students AND FURTHER directs staff to allocate funds for the summer students wages in the 2023 budget.

Carried.



7.12. CLK2023-01-01 Special Occasion Permit Report
2023-23

Moved by Grogan Seconded by Hillyard

THAT the Township of Billings Council hereby approves Report CLK-2023-01-01 AND confirms that Council has no objections with Nicolas Harfield of Nic's Farm and Vineyard booking the upper portion of the Kagawong Park Centre at 39 Henry Drive in Kagawong, ON, on January 25th, 2023 for a private event AND deems the event as municipally significant.

Carried.

8. Correspondence Requiring Direction

8.1. Support for Manitoulin Fine Arts Association
2023-24

Moved by Hunt Seconded by Hillyard

THAT the Township of Billings Council hereby authorizes a reduction of the rental fees of 50% in support of the Manitoulin Fine Arts Association 2023 Manitoulin Art Tour.

Carried.

8.2. Request for pre-budget approval - Museum Committee
2023-25

Moved by Grogan Seconded by Cahill

THAT the Township of Billings Council hereby authorizes pre-budget approval to the Billings Museum Committee for works necessary to prepare a new exhibit for the upcoming opening season.

Carried.

8.3. Municipal Conferences
2023-26

Moved by Grogan Seconded by Hillyard

THAT the Township of Billings Council hereby authorizes Council to register for 2023 Conferences if interested.

Carried.

8.4. Manitoulin Streams Request for Funding Support
2023-27

Moved by Hunt Seconded by Grogan

THAT the Township of Billings Council hereby receives and approves the request from Manitoulin Streams for a \$2,500 donation for programs which benefits future restoration projects along the Kagawong River, waterfront and



adapting the community for future climate change hazards AND authorizes pre-budget approval to allow for the donation.

Carried.

9. Information

9.1. 2023 Ontario Community Infrastructure Fund (OCIF)

December 2022, Corporation of the Township of Billings- \$113,493

9.2. Census Profile, 2021 Census of Population, Township of Billings

9.3. Manitoulin Secondary School Awards Night Thank You

9.4. Climate Change in Sudbury and Districts

2023-28

Moved by Grogan Seconded by Hillyard

THAT the Township of Billings Council hereby receives for information all items listed in Section 9 AND directs staff to schedule a presentation for Council from Public Health Sudbury and Districts on Climate Change in Sudbury and Districts: Assessing Health Risks and Planning Adaptations Together.

Carried.

10. Accounts for Payment

10.1. Accounts for Payment to January 12, 2023

2023-29

Moved by Hunt Seconded by Hillyard

THAT the Township of Billings Council hereby approves, ratifies, and confirms the January 12, 2023 Accounts for Payment as presented.

Carried.

11. By-Laws and Agreements

11.1. By-Law No. 2023-01 being the 2023 Township of Billings Borrowing By-Law

2023-30

Moved by Grogan Seconded by Hunt

THAT By-Law No. 2023-01 being a by-law to meet Current Expenditures during the Fiscal Year ending December 31, 2023 be read a first, second and third time AND finally passed this 17th day of January, 2023.

Carried.

11.2. By-Law No. 2023-02 being the 2023 Interim Tax Levy By-Law

2023-31

Moved by Hillyard Seconded by Grogan



THAT By-Law No. 2023-02 being a By-law to Provide for an Interim Tax Levy be read a first, second and third time AND finally passed this 17th day of January, 2023.

Carried.

- 11.3. By-Law No. 2023-03 being the Next Generation 9-1-1- Authority Service Agreement By-Law
2023-32

Moved by Hunt Seconded by Cahill

THAT By-Law No. 2023-03 being a By-law to Authorize Entering into a Service Agreement with Bell Canada for Next Generation 9-1-1 be read a first, second and third time AND finally passed this 17th day of January, 2023.

Carried.

12. Notice of Motions

- 12.1. Church Notice of Motion follow-up from December 19, 2022
2023-33

Moved by Grogan Seconded by Hillyard

WHEREAS the Corporation of the Township of Billings owns the Old Church on the Hill

AND WHEREAS the Old Church is an asset to the Township of Billings and is of historical significance;

AND WHEREAS the Old Church requires renovations for water and septic services

AND WHEREAS the Old Church requires renovations to be accessible

AND WHEREAS The Green and Inclusive Community Buildings (GICB) Program supports green and accessible retrofits, repairs or upgrades of existing public community buildings and the construction of new publicly-accessible community buildings that serve high-needs, underserved communities across Canada

AND WHEREAS The GICB Program has two main funding streams: a continuous, non-competitive intake for small and medium retrofits, and a scheduled, competitive intake process for large retrofits and new builds.

AND WHEREAS eligible applicants with large projects to retrofit existing community buildings or projects to build new community buildings with total eligible costs ranging from \$3 million to \$25 million can apply now until February 28, 2023, 15:00 ET.

AND WHEREAS applicants with small and medium retrofit projects are eligible under the GICB program continuous intake stream for small and medium retrofit projects across Canada. Small retrofit projects are those



that range in size from \$100,000 to \$249,999 in total eligible costs AND Medium retrofit projects are those that range in size from \$250,000 to \$2,999,999 in total eligible costs can apply now until February 28, 2023, 15:00 ET.

THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF BILLINGS hereby directs staff to research GICB funding for renovations to the Old Church that will enhance the historical character of the building and address the servicing and accessibility constraints to turn the Old Church into a community hub for social activities AND FURTHER bring a report back to Council prior to the cut off date for funding.

Carried.

15. Confirmatory By-Law

15.1. By-Law No. 2023-05 being the January 17th, 2023 Confirmatory By-Law 2023-34

Moved by Hunt Seconded by Grogan

THAT By-Law No. 2023-05 being the January 17, 2023 Confirmatory By-Law be read a first, second and third time AND finally passed this 17th day of January, 2023.

Carried.

16. Adjournment

16.1. Motion to Adjourn
2023-35

Moved by Hillyard Seconded by Hunt

THAT the Township of Billings Council hereby adjourns at 8:59 p.m.

Carried.

Mayor Bryan Barker

CAO/Clerk Emily Dance



The Corporation of the Township of Billings
Council Meeting Minutes
January 17, 2023 7:00 p.m.
Park Centre – 39 Henry Drive, Kagawong

Council

Bryan Barker, Mayor (absent)
David Hillyard, Deputy Mayor
Jim Cahill, Councillor
Vince Grogan, Councillor
Michael Hunt, Councillor

Staff

Emily Dance, CAO/Clerk
Tiana Mills, Deputy Clerk
Todd Gordon, Municipal Project Manager

1. Call to Order

Deputy Mayor Hillyard called the Council meeting of the Township of Billings to order at 7:00 p.m.

2. Approval of Agenda

2023-36

Moved by Cahill Seconded by Grogan

THAT the Township of Billings Council hereby approves the January 31, 2023 agenda as presented.

Carried.

3. Disclosure of Pecuniary Interest

None.

4. Staff Reports

4.1. MPM2023-01-03 Pedestrian Bridge

2023-37

Moved by Hunt Seconded by Grogan

THAT the Township of Billings Council hereby approves Report No. MPM-2023-01-03 AND awards the Kagawong River Pedestrian Bridge project to Ferguson Aggregate in the amount of \$325,870.31 (includes HST) AND FURTHER



authorizes the appropriate By-Law coming forward to the February 7, 2023, Council meeting.

Carried.

5. Confirmatory By-Law

5.1. By-Law No. 2023-06 being the January 31st, 2023 Confirmatory By-Law 2023-38

Moved by Grogan Seconded by Hunt

THAT By-Law No. 2023-06 being the January 31, 2023 Confirmatory By-Law be read a first, second and third time AND finally passed this 31st day of January, 2023.

Carried.

6. Adjournment

6.1. Motion to Adjourn
2023-39

Moved by Grogan Seconded by Hunt

THAT the Township of Billings Council hereby adjourns at 7:15 p.m.

Carried.

Deputy Mayor David Hillyard

CAO/Clerk Emily Dance

A light blue silhouette of the province of Ontario is centered on a dark blue background. A white dashed rectangular border frames the map. The text 'MPAC' is prominently displayed in the center of the map.

MPAC

Property Assessment
in Ontario

Ontario's Property Experts

5.5
MILLION

MPAC's database hosts information for over 5.5 million properties across Ontario.

37
BILLION

There was more than \$37 billion of new assessment captured in 2022.

3
TRILLION

Ontario's total property value exceeds \$3 trillion.



Ontario Government

Establishes the province's assessment and taxation laws, sets the valuation date and determines education tax rates.



MPAC

Calculates, captures and distributes assessments for all properties and buildings across Ontario.



Municipalities

Determine revenue requirements, set municipal tax rates and collect property taxes to pay for municipal services.



Property Owners

Pay property taxes for community services and education taxes to help fund elementary and secondary schools in Ontario.

Maintaining Ontario's Property Database



Provincial, Municipal and
Property Owner Support
& Guidance



New Assessment
Forecasting & Market
Analysis/Trends



Municipal Financial
Planning & Insights



Vacancy and Tax
Applications for
Commercial, Business
& Residential



Requests for
Reconsideration &
Appeal Processing



Processing Severances
and Consolidations





MPAC conducts property valuation updates, referred to as **reassessments**.

Assessment Update

Property values for the **2022 and 2023 Tax Years** continue to be based on a **January 1, 2016 valuation date.**

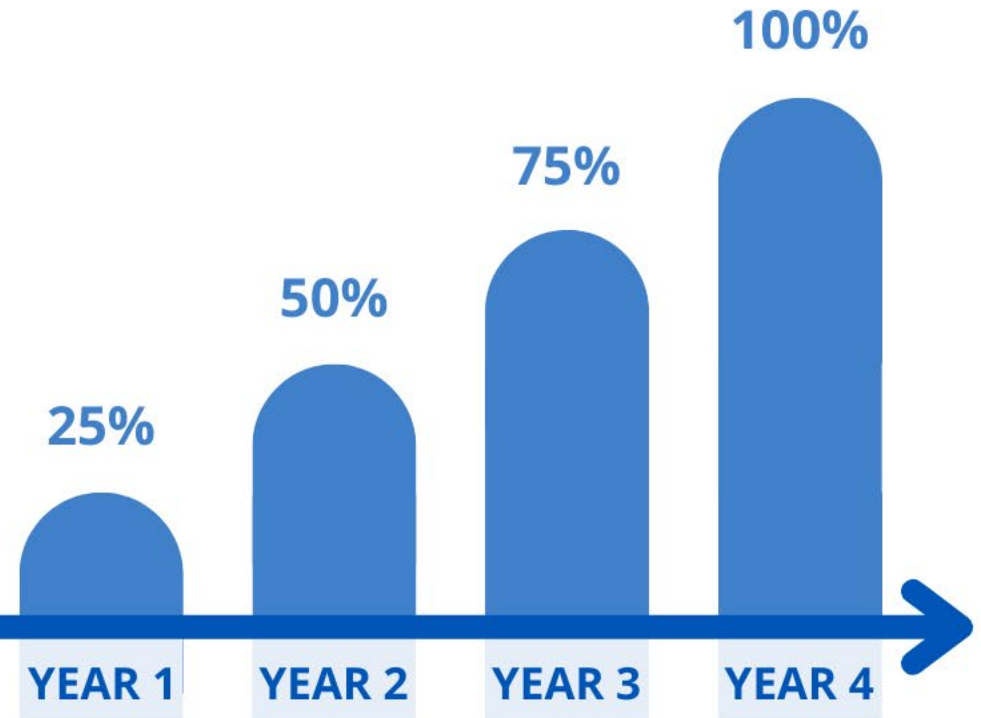


The Assessment Cycle

Valuation Date
January 1, 20XX



Notices mailed



Assessment increases are **phased in equally over four years.**
Decreases are **applied immediately.**

How We Assess Property

Direct Comparison Approach



Residential



Condos



Vacant Land

We analyze recent sales of **comparable properties** that were sold for a similar or identical use as the **property to be valued**.

The 5 Major Factors



Location



Lot Size



Quality of Construction



Square Footage



Age of Property

Did you know?

Five major factors account for approximately **85%** of a property's assessed value.

How We Assess Property

Income Approach



**Industrial
Malls**



**Multi-Residential
Properties**



**Office
Buildings**



**Hospitality
Properties**



**Shopping
Centres**

To value these properties, we need to determine how much **revenue** they could generate and the **sale price**.



Those two factors determine a '**capitalization rate**' that helps us determine the property's **assessed value**.

How We Assess Property

Cost Approach



**Industrial
Properties**



**Grain
Elevators**



**Large and Special
Purpose Properties**



Warehousing

We use the cost approach for properties that are **unique and rarely sold** on the market.

Resolving Assessment Concerns

1



Reflect on the
Current Value
Assessment

2



Visit MPAC's
AboutMyProperty.ca
to confirm details

3



View similar
properties and
their assessed
values

4



Submit a Request
for Reconsideration
if you disagree

Let's Talk **Property Taxes**

Each year, **municipalities** decide how much money they need to raise from property taxes **to pay for services** and **determine tax rates** based on that amount.



Your property's assessed value, provided by MPAC.



Municipal and education tax rates* for your property type.



Property taxes you pay.

*Education tax rates are set by the provincial government

Ready with Resources for You



MYTH	FACT
<p>My property value has doubled.</p> <p>My property taxes will double.</p> <p>X</p>	<p>There is no 1:1 relationship between the change in your assessed value and change in taxation.</p> <p>✓</p>





Your Municipal Contacts

Jeremy Cormier

Account Manager

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Laura Voltti

Regional Manager

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705-419-1085

Your Local Assessment Base

Property Class	Number of Properties	Total Assessed Value	Percentage of Total Portfolio
Residential	1,203	173,132,300	84.29%
Farm	177	13,220,500	6.44%
Commercial	43	4,664,800	2.27%
Industrial	5	627,200	0.31%
Exempt	72	10,985,100	5.35%
Managed Forest	58	2,768,400	1.35%
Total	1,558	205,398,300	100%



2022 Third Quarter Activity Report January 19, 2023

The following is the most recent consolidated Quarterly Report that the DSB will be sending to member municipalities and posting on the public website. Expect Quarterly Reports in February, May, September, and November of each year.

The program statistics are provided separately and updated monthly. They are available on the website by clicking the following link: [Monthly Program Statistics](#)

CAO Overview

The DSB 2022 First Quarter (Unaudited) Financial Report was presented to the Board and projects a year-end municipal **surplus of \$752,164**. Children's Services and Ontario Works is forecasted to be on budget. Community Housing is forecasted to be under budget by \$547,973. Paramedic Services is forecasted to be under budget by \$78,344. Interest revenue on non-reserve accounts is forecasted to be \$125,847 less than budgeted.

The DSB quarterly financial reports are available on the DSB website by clicking the following link: [Quarterly Financial Reports](#).

Paramedic Services

COVID-19 Pandemic Recovery

In conjunction with Public Health agencies, Paramedic Services have moved from a "Response" to a "Recovery" framework. This includes but not limited to ongoing participation and advocacy regarding vaccination and preparing for COVID-19 long term resurgence for years to come.

Coinciding with the Chief Medical Officer of Health's announcement that effectively ended mandatory masking, Paramedic Services rescinded our masking policy on June 10th. However, the service reinstated mandatory masking on July 27th due to an increase in workplace and community COVID-19 infections. This was extended past the August 29th deadline to September 26th at which time, given the stability of COVID infections and the government's easing of isolation measures, the mandatory masking was once again rescinded. Given Public Health's anticipation of increased influenza and COVID-19 activities later this fall, we will monitor the situation closely and may revisit mandatory masking if necessary.

Community Paramedicine Long-Term Care

Our Community Paramedic team continues to roster patients and provide vital services to our most vulnerable and marginalized populations. The Remote Patient Monitoring program has 6 rostered patients, and the team is ramping up for the upcoming Influenza Vaccination campaign. The Service has received additional one-time funding from Ontario Health to continue providing high intensity supports to those requiring care in our communities.

Ministry of Health Ambulance Service Review

Paramedic Services underwent their three (3) year Ambulance Service Review in June and subsequently attended the exit interview with the Ministry Review Team on July 27, 2022. Overall, the experience was a positive one and it appears the Ministry was satisfied with their findings. The service will receive a preliminary report within 90 days outlining the team's findings and whether (or not) the service has satisfied all requirements to be certified as a land ambulance operator in the province of Ontario. The service expects to receive this letter in early November of 2022. It is important to note that the Review Team stated verbally that our service had met the requirements for certification.

Fall Recruitment

Due to our current staffing pressures, Paramedic Services held a fall recruitment intake in September that only yielded 2 successful candidates out of 12 applicants. As staffing is an issue across Ontario, we anticipate this type of result for the next few intakes. As such, an "open" posting for Part-Time Paramedics has been issued in an attempt cast a wider net and attract more applicants.

Non-Urgent Patient Transportation Services (NUPTS)

NUPTS has not been immune to the staffing pressures experienced by Paramedic Services. Ongoing departures and lack of interest during recruitment are straining the system beyond its ability to cope. We have deployed similar strategies to Paramedic Services in our attempt to actively recruit suitable candidates but to date, none have shown to be effective at attracting any applicants.

Children's Services

In the third quarter, the average enrollment in licensed child care was 547 children, 416 full fee and 131 subsidized. Compared to last quarter there has been a 1% increase and compared to last year at this time, enrollment has increased by 1.2%.

The number of total visits to EarlyON Child & Family Centres by parents/caregivers and children was 2011, and the total activity kits provided was 483. Compared to last quarter the number of visits decreased by 1.15% which is common during the summer months, and activity kits provided increased by 1%. Compared to last year at this time, number of visits increased by 3.6%, and activity kits provided decreased by 2.7%.

2022-23 School Year Health and Safety Measures in Child Care

A [memo](#) was sent to child care providers on August 16th, 2022 regarding Health and Safety Measures in child care for 2022-23 school year. Highlights of the memo include the recommendation that staff, providers, children and visitors continue to self-screen before attending child care, that individuals should stay home if they are feeling ill, and that appropriate hand hygiene and respiratory etiquette should continue to be promoted. Providers are to continue to monitor absence rates and follow guidance provided by local health authority.

An additional memo was sent to child care providers on August 31st, 2022, regarding updated [screening tools](#). Updates to the screening tool reflect the revisions to [guidance](#) from the Ministry of Health based on evolving evidence for COVID-19, as well as considerations for other illnesses that are likely to circulate over the coming months.

Canada-Wide Early Learning and Child Care System (CWELCC)

In a [memo](#) received on August 17th, 2022, the Ministry of Education provided updated [CWELCC Guidelines](#) to further assist service system managers and service providers with implementing the CWELCC System across the province.

Some of the key changes include:

- Extending enrolment dates for providers to sign on to the CWELCC system to November 1, 2022
- Directing service system managers to process applications and confirm eligibility within 10 calendar days of date of application
- Directing service system managers and service providers to execute an agreement within 30 calendar days of date of application, and,
- Requiring service providers to deliver rebates to families within 20 calendar days of receiving funding.

The Manitoulin-Sudbury DSB established a universal rate structure in 2013, all families in our District pay the same amount for child care thereby making the fee reduction calculations straightforward.

We are pleased to confirm that all Service Providers in our District have opted in to the CWELCC System and applications for enrolment have been approved. Service Providers have agreed to drop their rates effective October 1st, 2022, to ensure consistency of rates across the district.

The ministry plans to consult with child care partners on additional CWELCC priorities, including workforce recruitment and retention and the development of a growth and inclusion framework to support space expansion priorities as well as the needs of vulnerable and diverse populations including Indigenous, Francophone, Black and other racialized, newcomer, low-income and children with special needs.

Ontario Works

Ontario Works

In the third quarter of 2022, the Ontario Works/Temporary Care Caseload average was 490. Compared to last year at this time, the caseload has increased by 4.93%.

The Ministry of Children, Community and Social Services (MCCSS) announced that the province would begin to lift some of the temporary social assistance delivery measures that were put in place during the pandemic, including the extension of Additional Benefits and Special Diet Allowances. The 3-month staggered approach to ending these extensions began September 30th and reports were provided on July 13th to assist staff in preparing for and implementing these changes and to ensure that the individuals receiving these benefits have time to renew if eligible. The final extension is scheduled to end November 30th and regular reviews will be maintained moving forward.

As a continuance of the [memo](#) shared with all Employment Ontario partners on December 1st, 2021, an updated report was shared on August 15th, 2022 identifying recipients of Ontario Works who had also received the Canada Recovery Benefit (CRB) at one time, up to end of July 2022. These reports will be provided to Ontario Works Case Managers monthly along with information on how to connect social assistance clients with employment related services to proactively support CRB beneficiaries in their return to work.

A communication was shared on August 2nd, 2022, regarding the class action settlement between former daytime attendees of residential schools across Canada and the Canadian government which was approved by the Federal Court of Canada on September 24, 2021. The claims process is open from January 4, 2022, until October 4, 2023, and payments may have started to issue as early as May 2022. These pain and suffering compensation payments should be treated as fully exempt from income and assets under social assistance as per ss.39 and 54 of [Ontario Works General Regulation 134/98](#) and therefor will not affect a recipient's eligibility for Ontario Works funding.

MCCSS announced an increase of 5% to the monthly maximum amount for the Ontario Disability Support Program and Assistance for Children with Severe Disabilities Program effective September 1st, 2022, this 5% increase does not apply to Ontario Works.

MCCSS confirmed that our [2023 Ontario Works Program Delivery Funding Planning Allocations](#) will be maintained at the same levels as 2022, in the amount of \$1,414,200.00.

In April 2022, as a response to the Russian Invasion of Ukraine. The government amended O. Reg 134/98 under the Ontario Works Act, 1997 to allow Ukrainian migrants with documentation confirming they are in Ontario under the Canada-Ukraine Authorization for Emergency Travel (CUAET) to apply for Emergency Assistance. In the Manitoulin-Sudbury DSB, 12.7% of all social assistance applications for the third quarter were Emergency Assistance and of those applications 7% were Ukrainian migrants under CUAET.

Employment Ontario

Employment Ontario programs are delivered from our Chapleau office, programs are intended to help individuals get the training, skills and experience to achieve their employment goals.

As of the end of October, our Employment Service targets have been met.

On October 3rd staff partnered with the hospital to host on the spot interviews in our Chapleau office, the partnership was successful and new hires were established. Other employers are seeking a similar opportunity and plans are underway for on the spot interviews.

Staff held a job fair on October 19th, this was the first in person job fair since the pandemic and although participation was not as high as pre-pandemic staff and employers are optimistic and intend to host another fair in the spring.

Staff attended an open house in Mattagami First Nation and have been invited to return in for another in January.

As in other communities, there are more jobs than workers in Chapleau, staff continue to engage with employers and offer supports to assist with recruiting employees.

Our Youth Job Connection (YJC) program has placed 3 youth in the community and has experienced success supporting new comers. Similar to employment services staff are noting there are more employment opportunities than employees, employers are hiring quickly and not necessarily wanting to wait for participants to complete program training.

In addition to the YJC program we offer a YJC summer program, as of the end of October 16 students completed their pre-employment training, 9 completed their placements, 3 continue to work during the school year, 2 continue to work with staff to find a suitable placement and 2 did not complete their placement.

The high school is very supportive of this program and is working with staff to assist with student recruitment. Staff are finding creative ways to offer the pre-employment training during the school year, including school holidays and professional development days.

Community Housing

Community Housing

Total applications at end of quarter 3 is 742. The applicant breakdown is as follows:

1 Bedroom	571	2 Bedroom	81
3 Bedroom	53	4 bedroom	37

Direct Shelter Subsidy (DSS)

Staff continue to identify and complete the application process with eligible applicants for the DSS program. All applicants receiving the benefit are deemed housed. As of the end of this quarter there were 201 active DSS recipients. At the end of Q2 of this year there were 214 recipients and at this time last year there were 216.

Income Mixing

Per DSB Policy, every effort is being made where the waitlist allows us to mix the Community Housing Buildings with RGI, Affordable and Market Rent Tenants. As of the end of this quarter we have successfully secured 11 market rent tenants and 94 affordable rent tenants. This represents 4% and 34% of our portfolio. There is no change in market rent tenants from last quarter and an increase of 2 affordable tenants. Last year at this time we had 10 market rent tenants (3.5%) and 74 affordable (27%)

Smoke Free Housing – Unit Count-down

As of the end of the 3rd quarter of 2022, 191/275 of the portfolio's units are designated as smoke-free. This represents 69% of the full portfolio currently. Units are designated as turnover occurs.

Canadian Mental Health Association Housing Case Manager Program Annual Report

A copy of the full annual report can be found [here](#).

Throughout the 2021-2022 fiscal year, the COVID-19 pandemic continued to impact the way the CMHA staff were able to conduct services. Manitoulin-Sudbury DSB and CMHA staff worked collaboratively to shift the duties of the Housing Case Managers to best meet the needs of the tenants.

In 2021, the Housing Case Management program was expanded to provide services in Sudbury East. A Housing Case Manager for Sudbury East was hired in March 2022. Programing officially started on March 29, 2022, and weekly Community Paramedicine Clinics started the following week in Warren, Noelville and St.-Charles. Paramedicine clinics resumed in LaCloche and Manitoulin at this time as well.

During the past year, the Housing Case Managers' time was allocated to a variety of tasks. During this time:

- 25 individuals were supported through case management
- 87% of referrals with "at risk" tenancies were preserved or are working towards resolution (61% preserved and 26% are working with a Housing Case Manager to resolve the issues)
- 2,575 brief services were offered

During the year the Housing Cases Managers provided support in a variety of areas including activities of daily living, mental health, budgeting, and cleaning. A full listing of the support provided may be found on page 7 of the report.

In 2021/2022, there were a total of 26 tenancies at risk that were referred to the program. 23 of those tenancies actively engaged in services which resulted in 14 tenancies preserved, 6 tenants are still working with a housing case manager to preserve their tenancy and unfortunately 3 of the referrals were not successful in maintaining their housing.

Over the next year we plan to expand the Housing Case Manager program to Sudbury North and have all Housing Case Managers become certified Living Life to the Full program facilitators.

Little Current Project – New Build

The new seniors housing building construction in Little Current is well underway. This build is for 3 pods of 4 units each with a Senior demographic being the target group. Two of the units will be fully accessible. The Board has been provided with a slideshow showing the progress of the building. As of this date, the planned completion date is Spring of 2023.

Capital Projects with Housing Services Corporation

Manitoulin

The scheduled electrical work for Little Current and Manitowaning has been delayed due to supply issues with the electrical components. The contractor on record is T & G Electrical. This work will replace the main switch gears at both buildings that were identified via Therma Scan done on the properties.

Balcony repairs and rehabilitation in Little Current, Manitowaning and Mindemoya are also progressing despite the delay with concrete. The reappearance of nicer weather has helped substantially with the project that has been pushed much past the expected completion dates. Some unexpected structural issues were discovered in Mindemoya that has resulted in a return to the Engineers to determine the best course of action.

Sudbury East

Most of the work at the Warren Community Housing site has been completed. This large job included walkways, retaining wall replacement, and resurfacing of the parking lot including the light standards. This project has a few minor items to be tied up, but the residents have now returned to parking at the building and are very happy with the improvements.

LaCloche

The project to remove and replace the sanitary drain lines at our Family Housing units on Marguerite is now complete. This large project re-established the path of the lines to the Town of Espanola sewers with new piping from units to the main town sewers. This project started later than expected but is now complete. The project was done due to the ongoing issues with sewer back-ups into the units.

Work Orders

During the 3rd quarter a total of 214 Work Orders were generated: 161 for Community Housing; 8 for Administration Offices, and 45 for Paramedic Services. There was a total of 123 Work Orders closed or resolved during that time. There were 9 work orders for unit turnovers: 2 family units and 7 apartments. Work orders are closed if the work is done in-house, or when the invoice is paid from an outside source.

Provincial Funding

The fourth year of funding through Canada-Ontario Community Housing Initiative (COCHI) and Ontario Priorities Housing Initiative (OPHI), began as of April 1st, 2022. The Investment Plan has now been approved which is outlined in this [issue report](#).

Summary

The DSB had a very busy quarter. If municipal Councils have any questions or would like DSB staff to attend a municipal Council meeting, please feel free to contact me directly.

Donna Stewart

Chief Administrative Officer
Manitoulin-Sudbury District Services Board
Phone: 705-222-0499
E mail: donna.stewart@msdsb.net
Website: www.msdsb.net

Manitoulin-Sudbury DSB
3rd Quarter Report (Unaudited)
AS AT 9/30/2022

	<u>Total Gross Budget</u>				<u>Municipal Share Budget</u>			
	YTD ACTUAL	YTD BUDGET	OVER(UNDER) BUDGET	ANNUAL BUDGET	YTD MUNICIPAL	MUNICIPAL SHARE FORECAST	MUNICIPAL SHARE BUDGET	Over(Under) Budget Forecast
Ontario Works	\$ 1,792,680	\$ 1,807,154	\$ (14,474)	\$ 2,457,231	\$ 761,665	\$ 1,043,031	\$ 1,043,031	\$ -
100% Funded	\$ 4,708,373	\$ 4,656,195	\$ 52,178	\$ 6,208,260				
Child Care	\$ 7,739,333	\$ 7,506,011	\$ 233,322	\$ 10,026,568	\$ 501,029	\$ 668,038	\$ 668,038	\$ -
Community Housing	\$ 1,666,765	\$ 2,241,468	\$ (574,703)	\$ 2,954,945	\$ 1,174,639	\$ 1,750,803	\$ 2,298,776	\$ (547,973)
100% Funded	\$ 2,088,120	\$ 454,212	\$ 1,633,908	\$ 605,616				
Paramedic Services	\$ 11,040,312	\$ 11,724,124	\$ (683,812)	\$ 15,714,278	\$ 3,837,079	\$ 6,879,194	\$ 6,957,538	\$ (78,344)
100% Funded	\$ 2,512,754	\$ 1,959,941	\$ 552,813	\$ 3,919,882				
TOTAL EXPENSES	\$ 31,548,338	\$ 30,349,105	\$ 1,199,233	\$ 41,886,780	\$ 6,274,410	\$ 10,341,066	\$ 10,967,383	\$ (626,317)
Interest Revenue	\$ (168,758)	\$ (74,372)	\$ (94,386)	\$ (99,163)	\$ (168,758)	\$ (225,010)	\$ (99,163)	\$ (125,847)
TOTAL EXPENSES	\$ 31,379,580	\$ 30,274,733	\$ 1,104,847	\$ 41,787,617	\$ 6,105,653	\$ 10,116,055	\$ 10,868,220	\$ (752,164)

Variance Analysis Sept 30, 2022		
Actual to Budget	NET Municipal Variance	Explanation of Unaudited Municipal Share- ALL NUMBERS ARE FORECASTED AS OF Sept 30, 2022
Ontario Works	\$ -	Municipal share of administration expenses are forecasted to be on budget.
Child Care	\$ -	Municipal share of Child Care expenses are forecasted to be on budget.
Community Housing	\$ (547,973)	<p>(\$191,539) + (\$293,712) + (\$62,722) = (\$547,973) forecasted surplus</p> <p>Direct operated rev & exp and program support allocation is forecasted to be (\$191,539) under budget</p> <ul style="list-style-type: none"> - Rental Revenues are forecasted to be (\$145,714) more than budgeted. - Direct operating expenses are forecasted to be \$149,017 over budget due to: <ul style="list-style-type: none"> utilities \$9,869 over budget, salaries & benefits for custodians \$4,692 over budget, maintenance expenses over budget \$156,008, other admin expenses under budget (\$21,552). - Program Support Allocation is (\$194,842) under budget. - Direct Shelter Subsidy is forecasted to be (\$293,712) under budget due to expenses reallocated to 100% funding. <p>Non-Profit, Rent Supp, and Urban Native expenses are forecasted to be (\$62,722) under budget.</p>
Paramedic Services	\$ (78,344)	<p>Paramedic Services municipal share is forecasted to be (\$78,344) under budget.</p> <p>The MOHLTC funding is forecasted to be (\$91,599) over budget.</p> <p>Medic Staffing and Benefits is forecasted to be (\$109,135) under budget.</p> <p>Administration Wages and Benefits are forecasted to be (\$111,244) under budget.</p> <p>Non Wages are forecasted to be over budget by \$233,634.</p> <ul style="list-style-type: none"> - Transportation & Communication is forecasted to be \$83,879 over budget - Program Support is forecasted to be (\$27,002) under budget - Other revenues are forecasted to be (1,200) more than budget - Vehicle repairs and maintenance is forecasted to be over budget by \$66,891. - Building repairs and maintenance, grounds and utilities are forecasted to be \$79,931 over budget - Supplies are forecasted to be \$31,135 over budget.
Interest Revenue	\$ (125,847)	Interest Revenue is forecasted to be (\$125,847) more than budgeted which results in a municipal surplus.
	\$ (752,164)	



COUNCIL REPORT

Department: Treasury

Date: February 7, 2023

Report Number: TR-2023-02-03

File: Property Assessment

Recommendation:

THAT the Township of Billings Council hereby receives for information Report TR-2023-02-03

Background:

Property taxation is a levy based on the assessed value of property and is the largest revenue source for the Township.

Property taxes have two components: a municipal portion and an education portion. The rates for the municipal portion of the tax are established by the municipality and the rates for the education portion of the tax are established by the Minister of Finance and help to fund the public elementary and secondary education system in Ontario.

Property taxes are calculated using the Current Value Assessment of a property, as determined by the Municipal Property Assessment Corporation (MPAC) and multiplying it by the combined municipal and education tax rates for the applicable class of property.

Discussion:

Property assessments are typically updated every four years. The last province-wide assessment update took place in 2016 for the 2017 to 2020 property tax years. The valuation date for the properties was January 1, 2016.

A new province-wide assessment update took place in 2019 for the 2021 to 2024 property tax years however the implementation of this new update was paused by the province during the height of the pandemic to focus on responding to COVID-19. As a result, the property valuations effective January 1, 2016 will continue to be used for the 2023 property tax year.

Jeremy Cormier, Account Manager MPAC will be in attendance at the February 7, 2023 Council meeting to introduce the role of MPAC, provide an assessment update and answer any questions of Council.

Financial Impacts

A strong assessment base is critical to a municipality's ability to generate revenues. Property assessment is the basis upon which municipalities raise taxes.

Respectfully Submitted By:

Emily Dance, CAO/Clerk



COUNCIL REPORT

Department: Treasury

Date: February 7, 2023

Report Number: TR-2023-02-04

File: Municipal Insurance Renewal

Attachment: Marsh Canada 2023 Municipal Insurance Renewal Proposal

Recommendation:

THAT the Township of Billings Council hereby approves Report TR-2023-02-04 AND approves the 2023 Municipal Insurance Renewal Proposal with Marsh Canada in the amount of \$65,482 AND FURTHER direct staff to investigate cyber security measures.

Background:

Township of Billings insurance comes up for renewal every year. Attached is a copy of the Marsh Municipal Insurance Renewal Proposal for 2023 that was received on February 2, 2023 and the insurer requests that confirmation of renewal be received by February 17, 2023.

Discussion:

The renewal is up 13% from the expiring term (2022 - \$55,698.20). Our insurance provider has provided the following information to explain the factors for the increase:

Municipal General Liability Including Environmental Impairment Liability:

- 10% increase due to market conditions
- \$10,000 Deductible
- Perfluorinated compounds, Perfluoroalkyl and Polyfluoroalkyl Substances Exclusion
- Attached Communicable Disease Endorsement to apply with \$1m write-back, \$25,000 Self Insured Retention (similar to a deductible)
- Absolute Communicable Disease Exclusion per the attached verbiage
- Excluding Cyber – wording as provided/ per Binder
- Coverage on above ground storage tanks is subject to tanks being under 25 years and double skin or secondary containment – 3 above ground storage tanks Insured
- Coverage on Underground Storage Tanks are subject to tanks being under 20 years of age. Info must be reviewed and approved by insurer prior to coverage confirmation. – None Disclosed
- Coverage on landfills is subject to active monitoring – One open landfill insured. No closed landfills disclosed.

Umbrella:

- 15% added to layers 1 & 2
- Terms as per primary above
- Excluding coverage sub-limited within the Primary
- Excluding Communicable disease absolutely

Automobile

- 3% rate increase
Property
- The premium is up due to account for the 8% inflationary limit increase as well as rate increase.



-
- Properties with special exposures are separated from the blanket market.
Critical Illness
 - 9 Councillors or Volunteer Firefighters. Limit increase from \$5,000 to \$10,000.

Insurance costs continue to rise across the industry, as municipal lawsuits in general continue, premiums are increasing. Due to timing constraints, there is not time for a complete Request for Proposal however, the proposed increase is comparable to the rise across the board for insurance in Ontario.

The coverage does not include cyber security insurance. With the increasing threat of cyber-attacks and risks to our privacy, staff recommend that cyber security measures be investigated further to ensure the Township has appropriate cyber security measures in place.

Financial Impacts

The increased premium will be reflected in the 2023 Township of Billings Budget.

Respectfully Submitted By:

Emily Dance, CAO/Clerk



Municipal Insurance Renewal Proposal for The Corporation of the Township of Billings

February 1, 2023

Presented by:
Timothy Hutchison, President

MIS Municipal Insurance Services

A division of McDougall Insurance Brokers Ltd.

In Partnership with

Public Sector Division

Marsh Canada Inc.

This presentation is a condensed report of your insurance coverage. Nothing herein alters the terms, conditions and exclusions contained in the printed insurance contract.



Corporation of the Township Of Billings

Insurance Proposal

Policy Period

03 February 2023 - 03 February 2024

31 January 2023

1

Important – Please Note The Following

Duty of Disclosure

In addition to providing all basic information necessary to enable us to place the risk, you must ensure that you are complying with your legal duty of disclosure of all material matters relating to the risk. In particular, you must satisfy yourself as to the accuracy and completeness of the information you provide to insurers. In this respect, you must provide all information relating to the risk, whether favourable or not, which would influence the judgement of a prudent insurer in determining whether he will take the risk, and, if so, for what premium and on what terms. If all such information is not disclosed by you, insurers have the right to void the policy from its inception which may lead to claims not being paid.

Payment Terms

Premiums are due and payable on receipt of a Marsh invoice. Payment should be made immediately to avoid any possible cancellation for non-payment of premium.

Period of Validity of Quote

This offer remains open for acceptance by the Insured until the expiry of the current Municipal Insurance program policy (ies).

Breach of Warranty or Subjectivity

If any of the terms and conditions contained in this proposal are identified as a “warranty” or as a subjectivity to binding or continuing cover, you should be aware that if the terms of the warranty as stated are breached or the subjectivity is not met, insurers may have the right to void the applicable coverage and deny any resulting or subsequent losses as a result.

Underinsurance

It is important that all policy limits and amounts insured be reviewed carefully and at least annually to be certain they are adequate to provide full recovery in event of a loss.

Underwriting / Binding Authority

Certain portions of this quotation of cover have been provided by Marsh Canada Limited acting in an underwriting capacity on behalf of the Insurer who, under a binding authority agreement, has given us authority to quote and confirm insuring terms, conditions and premiums. Marsh

Canada Limited is not acting as an insurance broker in this instance and is not providing alternative terms or markets for the cover other than as quoted. For covers where Marsh Canada Limited does not act in an underwriting capacity nor has a binding authority agreement with the Insurer, coverage cannot be bound with those Insurers unless a request is made to the Insurer and confirmation of coverage is subsequently received by Marsh Canada Limited from the Insurer.

Material Changes From Expiring Policy

You should carefully note any items identified in the “Changes from Expiry” section under each coverage as they represent material changes in cover from your previous policy.

Risk and Claims Information

This proposal has been based on the risk and claims information provided and/or verified by you to Marsh Canada Limited. If any of this information is not correct or has changed in the interim, you must advise us immediately as the terms quoted may therefore be invalid and cover cannot be bound as quoted.

Taxes Payable By Insureds

The following taxes as prescribed by federal and/or local laws and regulations will apply to all or certain portions of the premiums quoted and will be charged by Marsh Canada Limited in addition to the premiums quoted:

Provincial Sales Tax

Canadian Councils Liability

Limits of Liability:	\$ 5,000,000	General Liability, including Sudden and Accidental Pollution any one Occurrence
	\$ 5,000,000	and in the Annual Aggregate for Products and Completed Operations during the Policy Period
Extensions of Coverages:	\$ 5,000,000	Employers' Liability; any one Claim
	\$ 5,000,000	Tenant Legal Liability; any one Occurrence
	\$ 5,000,000	Employee Benefit Liability; any one Claim
	\$ 5,000,000	Incidental Medical Malpractice; any one Claim Retroactive Date: November 15, 1993
	\$ 50,000	Voluntary Medical Payments; any one Claim and in the Annual Aggregate during the Policy Period
	\$ 2,000,000	Forest Fire Fighting Expense; any one Occurrence and in the Annual Aggregate during the Policy Period
	\$ 50,000	Voluntary Payment for Property Damage; any one Occurrence and in the Annual Aggregate during the Policy Period
	\$ 250,000	Incidental Garage Operations; any one Occurrence and in the Annual Aggregate during the Policy Period
	\$ 100,000	Municipal Marina Legal Liability; any one Pleasure Craft
	\$ 1,000,000	Municipal Marina Legal Liability; in the Annual Aggregate for Legal Liability for Property Damage during the Policy Period
	\$ 500,000	Wrongful Dismissal (Legal Expense); any one Claim and in the Annual Aggregate during the Policy Period
	\$ 100,000	Conflict of Interest Reimbursement Expenses; any one Claim
	\$ 100,000	Legal Expense, Reimbursement Expenses; any one Claim and
	\$ 500,000	Legal Expense, Reimbursement Expenses; in the Annual Aggregate during the Policy Period
	\$ 5,000,000	Non-Owned Automobile (including Contractual Liability for Hired Automobiles); any one Occurrence
	\$ 250,000	Legal Liability for Damage to Hired Automobiles; any one Occurrence
	\$ 5,000,000	Wrap-Up Liability – Difference in Conditions and Difference in Limits; any one Occurrence
	Endorsements:	\$ 5,000,000
\$ 2,500,000		Environmental Impairment Liability; any one Claim and
\$ 5,000,000		Environmental Impairment Liability; in the Annual Aggregate during the Policy Period Retroactive Date: Unlimited

	\$ 250,000 Abuse / Molestation Liability; any one Claim and
	\$ 500,000 Abuse / Molestation Liability; in the Annual Aggregate during the Policy Period Retroactive Date: February 3, 2008
	Voluntary Compensation; As per Endorsement No. 4 – Schedule of Benefits
	\$ 5,000,000 Police Officer Assault; any one Occurrence
Deductible(s):	\$ 10,000 Public Entity General Liability; any one Occurrence and in the Annual Aggregate for Products and Completed Operations during the Policy Period, per Claimant in respect of Sewer Back-up
	\$ 10,000 Extensions of Coverage; per Occurrence / per Claimant for all Extensions of Coverage except;
	NIL Extensions of Coverage; any one Occurrence with respect to Non-Owned Automobile Liability, Conflict of Interest and Legal Expense Reimbursement As per Endorsement No. 4 – Schedule of Benefits for Voluntary Compensation
	\$ 1,000 Extensions of Coverage; with respect to Legal Liability for Damage to Hired Autos
	\$ 10,000 Extensions of Coverage; with respect to Wrongful Dismissal (Legal Expense)
	\$ 10,000 Municipal Errors and Omissions Liability; any one Occurrence
	\$ 10,000 Environmental Impairment Liability; any one Claim
	\$ 10,000 Abuse / Molestation Liability; any one Claim
	\$ 10,000 Police Officer Assault; any one Occurrence
Endorsements:	Communicable Disease Exclusion Endorsement including \$1,000,000 write-back
	PERFLUORINATED COMPOUNDS, PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES (PFAS) EXCLUSION (For use on liability (re)insurance policies)
	The following exclusion applies only to the Insured's water treatment, water supply and firefighting operations:
	1. This POLICY does not cover any claim for actual or alleged loss, liability, damage, compensation, injury, sickness, disease, death, medical payment, defence cost, cost, expense or any other amount, directly or indirectly and regardless of any other cause contributing concurrently or in any sequence, originating from, caused by, arising out of, contributed to by, resulting from, or otherwise in connection with any PFAS.
	2. For the purposes of this Exclusion, loss, liability, damage, compensation, injury, sickness, disease, death, medical payment, defence cost, cost, expense or any other amount, includes, but is not limited to, any cost to clean-up, detoxify, remove, monitor, contain, test for or in any way respond to or assess the effect of any PFAS.
	3. PFAS means any organic molecule, salt, free radical or ion, the composition of which includes at least one:
	a. perfluorinated methyl group (-CF3); or
	b. perfluorinated methylene group (-CF2-).
	LMA5595 amended 29 July 2022
Policy Form:	EK2004502 B0509BOWCI2151416

Insurer(s) and Proportion of Participation(s):	Certain Lloyd's Underwriters (Syndicate 1886) – 100%
Subject To:	Environmental Impairment Liability - a) Excluding ASTs >25 years or where not double walled/skinned or has no secondary containment b) Excluding USTs (underground tanks) which are either >20 years old or single skinned Subject to schedule of tanks to be held on file and tanks not seen are not covered Completion of Casualty Questionnaire/Waiver Terms will remain as indicated subject to no claims deterioration as of February 3, 2022
Changes from Expiring Policy:	Cyber Exclusion (Other Than Bodily Injury or Property)

Canadian Councils Umbrella Liability (1st Layer)

Limit of Coverage:	<p>\$ 20,000,000 any one Occurrence</p> <p>\$ 20,000,000 any one Occurrence in the Annual Aggregate in respect of Products & Completed Operations</p> <p>\$ 20,000,000 any one Occurrence in the Annual Aggregate in respect of Municipal Errors and Omissions Liability</p> <p>\$ 20,000,000 any one Occurrence in the Annual Aggregate in respect of Employee Benefits Liability</p>
Excess of Underlying Coverage(s) and Limit(s):	<p>\$ 5,000,000 General Liability; any one Occurrence including Sudden and Accidental Pollution and Police Officer Assault Endorsement</p> <p>\$ 5,000,000 any one Occurrence and in the Aggregate in respect of Products and Completed Operations during the Policy Period</p> <p>\$ 5,000,000 Incidental Medical Malpractice; any one Claim</p> <p>\$ 5,000,000 Municipal Errors and Omissions; in the Annual Aggregate</p> <p>\$ 5,000,000 Employer's Liability and Tenant's Legal Liability; any one Occurrence</p> <p>\$ 5,000,000 Employee Benefits Liability; any one Claim</p> <p>\$ 5,000,000 Non-Owned Automobile Liability including Contractual Liability for Hired Automobiles; any one Occurrence</p> <p>\$ 5,000,000 Owned Automobile Liability (Aviva Insurance Company of Canada); any one Occurrence</p>
Endorsements:	<p>Standard Excess Automobile Liability Policy Follow Form Named Insured, SPF No. 7 Excluding coverage sub-limited within the Primary Excluding Communicable disease absolutely – wording as provided PERFLUORINATED COMPOUNDS, PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES (PFAS) EXCLUSION (For use on liability (re)insurance policies)</p> <p>The following exclusion applies only to the Insured's water treatment, water supply and firefighting operations:</p> <ol style="list-style-type: none"> 1. This POLICY does not cover any claim for actual or alleged loss, liability, damage, compensation, injury, sickness, disease, death, medical payment, defence cost, cost, expense or any other amount, directly or indirectly and regardless of any other cause contributing concurrently or in any sequence, originating from, caused by, arising out of, contributed to by, resulting from, or otherwise in connection with any PFAS. 2. For the purposes of this Exclusion, loss, liability, damage, compensation, injury, sickness, disease, death, medical payment, defence cost, cost, expense or any other amount, includes, but is not limited to, any cost to clean-up, detoxify, remove, monitor, contain, test for or in any way respond to or assess the effect of any PFAS. 3. PFAS means any organic molecule, salt, free radical or ion, the composition of which includes at least one: <ol style="list-style-type: none"> a. perfluorinated methyl group (-CF₃); or b. perfluorinated methylene group (-CF₂-).

	LMA5595 amended 29 July 2022
Policy Form:	EK2004498, B0509BOWCI2151417
Insurer(s) and Proportion of Participations(s):	Certain Lloyd's Underwriters (Syndicate 1886) – 100%
Subject To:	Terms will remain as indicated subject to no claims deterioration as of February 3, 2022

Canadian Councils Umbrella Liability (2nd Layer)

Limit of Coverage:	<p>\$ 25,000,000 any one Occurrence General Liability including Sudden and Accidental Pollution and Police Officer Assault Endorsement</p> <p>\$ 25,000,000 any one Occurrence in the Annual Aggregate in respect of Products & Completed Operations</p> <p>\$ 25,000,000 any one Occurrence in the Annual Aggregate in respect of Municipal Errors and Omissions Liability</p> <p>\$ 25,000,000 any one Occurrence in the Annual Aggregate in respect of Employee Benefits Liability</p>
Excess of Underlying Coverage(s) and Limit(s):	<p>\$ 25,000,000 any one Occurrence General Liability including Sudden and Accidental Pollution and Police Officer Assault Endorsement</p> <p>\$ 25,000,000 any one Occurrence and in the Aggregate in respect of Products and Completed Operations during the Policy Period</p> <p>\$ 25,000,000 Incidental Medical Malpractice; any one Claim</p> <p>\$ 25,000,000 Municipal Errors and Omissions; in the Annual Aggregate</p> <p>\$ 25,000,000 Employer's Liability and Tenant's Legal Liability; any one Occurrence</p> <p>\$ 25,000,000 Employee Benefits Liability; any one Claim</p> <p>\$ 25,000,000 Non-Owned Automobile Liability including Contractual Liability for Hired Automobiles; any one Occurrence</p> <p>\$ 25,000,000 Owned Automobile Liability (Aviva Insurance Company of Canada); any one Occurrence</p>
Endorsements:	<p>Standard Excess Automobile Liability Policy Follow Form Named Insured, SPF No. 7 Excluding coverage sub-limited within the Primary Excluding Communicable disease absolutely – wording as provided</p> <p>PERFLUORINATED COMPOUNDS, PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES (PFAS) EXCLUSION (For use on liability (re)insurance policies)</p> <p>The following exclusion applies only to the Insured's water treatment, water supply and firefighting operations:</p> <p>4. This POLICY does not cover any claim for actual or alleged loss, liability, damage, compensation, injury, sickness, disease, death, medical payment, defence cost, cost, expense or any other amount, directly or indirectly and regardless of any other cause contributing concurrently or in any sequence, originating from, caused by, arising out of, contributed to by, resulting from, or otherwise in connection with any PFAS.</p> <p>5. For the purposes of this Exclusion, loss, liability, damage, compensation, injury, sickness, disease, death, medical payment, defence cost, cost, expense or any other amount, includes, but is not limited to, any cost to clean-up, detoxify, remove, monitor, contain, test for or in any way respond to or assess the effect of any PFAS.</p> <p>6. PFAS means any organic molecule, salt, free radical or ion, the composition of which includes at least one: a. perfluorinated methyl group (-CF₃); or b. perfluorinated methylene group (-CF₂-).</p> <p>LMA5595 amended 29 July 2022</p>

Policy Form:	EK2004498 B0509BOWCI2151418
Insurer(s) and Proportion of Participations(s):	Certain Lloyd's Underwriters (Syndicate 1886) – 100%
Subject To:	Terms will remain as indicated subject to no claims deterioration as of February 3, 2023

Combined Physical Damage & Machinery Breakdown

Coverage:	Property Of Every Description – All Risks of Direct Physical Loss or Direct Physical Damage (Subject to Policy Exclusions)	
Limits of Liability:	\$ 8,773,607	Blanket Limit of Loss on Blanket Property of Every Description including
	\$ 25,000	Computer/Electronic Data Processing (Included in Blanket Limit)
	\$ 665,922	Contractors Equipment
	\$ 29,595	Log Museum Building - ACV
	\$ 73,988	Anex Building - ACV
Physical Damage Extensions of Coverage:	The limits for the following extensions of coverage are included in the Blanket Limit shown above:	
	\$ 500,000	Valuable Papers;
	\$ 500,000	Extra Expense;
	\$ 500,000	Accounts Receivable;
	\$ 500,000	Gross Rentals;
	\$ 500,000	Computer Media;
	\$ 25,000	Fine Arts
	The limits for the following extensions of coverage are in addition to the Blanket Limit shown above:	
	\$ 1,000,000	Newly Acquired Property;
	\$ 1,000,000	Building in the Course of Construction; Contractors and Consultants
	\$ 500,000	Property in Transit;
	\$ 1,000,000	Unnamed Locations;
	\$ 500,000	Expediting Expense;
	\$ 300,000	Business Interruption – Profits; Subject to maximum of \$25,000 per
	\$ 1,000,000	Contingent Business Interruption;
	\$ 100,000	Fire Extinguishing Material and Fire Fighting Expense;
	\$ 500,000	Professional Fees;
	\$ 10,000	Master Key;
	\$ 100,000	Land and Water Pollution Clean Up Expense;
	\$ 100,000	Stock Spoilage;
	\$ 100,000	Commercial Property Floater;
	\$ 1,000,000	Off Premises Service Interruption;
	\$ 100,000	Exhibition Floater;
	\$ 100,000 or 10%	Environmental Upgrade;
	\$ 15,000	Money, Cash Cards and Securities;
	\$ 15,000	Preservation of Property;
	\$ 25,000	Technological Advancement;
	\$ 1,000,000	Demolition and Increased Cost of Construction;
	\$ 50,000 / \$ 100,000	Prevention of Ingress / Egress;
	\$ 100,000 or 25%	Debris Removal;
	\$ 15,000	Property of Councillors, Board Members and Employees; any one loss (\$25,000 maximum annual policy limit)

Insurance Proposal

Machinery Breakdown:	<p> \$ 1,000,000 Newly Acquired Property; \$ 500,000 Expediting Expense; \$ 500,000 Professional Fees; \$ 100,000 Consequential Damage; \$ 500,000 Hazardous Substance; \$ 10,000 Data and Media; \$ 500,000 Ammonia Contamination; \$ 500,000 Water Escape; \$ 10,000 Reproduction Costs; 4 Weeks \$50,000 / \$100,000 Interruption by Civil Authority </p>
Endorsements:	<p>Automobile Replacement Cost Deficiency Endorsement</p>
Deductible(s):	<p> \$ 10,000 each occurrence for all losses except \$ 1,000 each Computer/Electronic Data Processing loss \$ 1,000 each Fine Arts loss \$ 100,000 Each Flood loss 5 % of total loss or 100,000 minimum, whichever is greater, each Earthquake occurrence </p>
Policy Form:	<p>Municipal Insurance Program - Master Policy (January 1, 2022)</p>
Insurer(s) and Proportion of Participations(s):	<p> Physical Damage: Aviva company of Canada - 70% Zurich company of Canada - 30% Machinery Breakdown: Aviva company of Canada - 100% </p>

<p>Subject To:</p>	<p>A Schedule of Property including Construction, Occupancy, Protection, Exposure, civic address including postal codes for all locations.</p> <p>Schedule of Miscellaneous Tools and Contractors Unlicensed Equipment.</p> <p>All cooking facilities are ULC wet chemical compliant with semi-annual maintenance contract and Class K portable extinguisher.</p> <p>Unless specifically agreed, all heritage properties are covered for Replacement Cost only. For Heritage Replacement Cost, a professional appraisal must be provided for approval by the insurer.</p> <p>All locations may be subject to Engineering Inspection.</p> <p>Terms will remain as indicated subject to no claims deterioration as of February 3, 2023.</p>
<p>Changes from Expiring Policy:</p>	<ul style="list-style-type: none"> • Property for councillor's has increased to \$15,000 and now includes, Board Members and Employees • Technological Advancement has been added for \$25,000 • Environmental Upgrade has been added for a limit of \$100,000 or 10%

Comprehensive Crime

Limits:	\$ 1,000,000	Employee Dishonesty – Form A
	\$ 200,000	Broad Form Loss of Money (Inside Premises)
	\$ 200,000	Broad Form Loss of Money (Outside Premises)
	\$ 200,000	Money Orders & Counterfeit Paper Currency
	\$ 1,000,000	Depositors Forgery
	\$ 200,000	Professional Fees / Audit Expenses
	\$ 200,000	Computer Fraud or Funds Transfer Fraud
Deductible(s):	\$ NIL	per Loss
Policy Form:	Master Crime Wording (April 2012)	
Insurer(s) and Proportion of Participations(s):	Aviva Insurance Company of Canada – 100%	
Subject To:	<p>Bank Accounts NOT being reconciled by the same person(s) authorized to deposit and withdraw funds.</p> <p>All cheque requisitions and issued cheques containing dual signatures.</p> <p>If the above is not part of your internal Financial controls, please provide explanation(s).</p> <p>Terms will remain as indicated subject to no claims deterioration as of February 3, 2023</p>	

Automobile Insurance (Ontario)

Limits:	<p>\$ 5,000,000 Liability – Bodily Injury / Property Damage</p> <p>Accident Benefits – Basic Benefits; Limits as stated in Policy Accident Benefits – Options; None Selected; Limits as stated in Policy Uninsured Automobile; Limits as stated in Policy Direct Compensation – Property Damage; Limits as stated in Policy</p> <p>Loss or Damage – All Perils Deductible: \$2,500</p>
Endorsements:	<p>OPCF 3 Drive Government Automobiles Endorsement OPCF 4A Permission to Carry Explosives OPCF 4B Permission to Carry Radioactive Material OPCF 5 Permission to Rent or Lease OPCF 20 Loss of Use Endorsement - Applicable to Light Units per occurrence (Applicable only to Private Passenger Vehicles and Light Commercial Vehicles) OPCF 21B Blanket Fleet Endorsement – No Annual Adjustment OPCF 24 Freezing of Fire-Fighting Apparatus OPCF 31 Non-Owned Equipment OPCF 32 Use of Recreational Vehicles by Unlicensed Drivers OPCF 43R Removing Depreciation Deduction – 24 Months New OPCF 44 Family Protection Endorsement Applicable to Private Passenger Vehicles, Light Commercial Vehicles, Skidoos and All Terrain Vehicles, and Police Vehicles</p> <p>Notice of Cancellation Ninety (90) Days Tarmac Exclusion</p>
Policy Form:	Provincial Statutory Owners Policy
Insurer(s) and Proportion of Participations(s):	Aviva Insurance Company of Canada – 100%
Subject To:	<p>Terms will remain as indicated subject to no claims deterioration as of February 3, 2023 Provision of updated Vehicles Schedule List to insurer Provision of updated Drivers List to insurer</p>

Councillors' Accident Coverage

Limits of Coverage:	\$200,000 Principal Sum
Included Coverage:	<p>Number of Councillors: 5</p> <p>While on Duty/24-7 Only Coverage</p> <hr/> <p>Based on 5 Members</p> <p>Out of Province Emergency Medical Coverage for 15 days including Spouse's Coverage</p>
Policy Form:	Insurers Standard Form
Insurer(s) and Proportion of Participations(s):	AIG Insurance Company of Canada – 100%
Subject To:	<p>\$2,500,000 Aggregate Limit of Indemnity Per Accident</p> <p>Terms will remain as indicated subject to no claims deterioration as of February 3, 2023</p>

Volunteer Fire Fighters' Accident Coverage

Limits of Coverage:	\$ 100,000	Principal Sum
	\$ 300	Disability Benefit 1st 4 weeks
	\$ 500	Disability Benefit after 4 weeks
		While on Duty Only Coverage
Policy Form:	Insurers Standard Form	
Insurer(s) and Proportion of Participations(s):	AIG Insurance Company of Canada – 100%	
Subject To:	Terms will remain as indicated subject to no claims deterioration as of February 3, 2023	

Municipal Accident Coverage

Limits of Coverage:	\$ 50,000	Principal Sum – Volunteers of the Policyholder while on Duty Only under the age of 80
	\$ 1,000,000	Aggregate Limit of Indemnity Per Accident
Policy Form:	Insurers Standard Form	
Insurer(s) and Proportion of Participations(s):	AIG Insurance Company of Canada – 100%	
Subject To:	Terms will remain as indicated subject to no claims deterioration as of February 3, 2023	

Public Entity Recovery Assistance Plan (Critical Illness)

Sum Insured:	\$10,000 Limit for Insured(s) who are age 69 or less 9 Councillors or Volunteer Firefighters
Policy Form:	Insurers Standard Form
Insurer(s) and Proportion of Participations(s):	Sutton Special Risk – 100%
Subject To:	Terms will remain as indicated subject to no claims deterioration as of February 3, 2023



Acceptance of Municipal Insurance Program Proposal

To: Marsh Canada Limited
Public Sector Division
120 Bremner Boulevard, Suite 800
Toronto, Ontario Canada M5J 0A8
Telephone: 416 868 2600

Policy Term (mm/dd/yy): 02/03/23 - 02/03/24

Annual Premium: \$65,482

We agree with the underwriting and claims information submitted and to the terms quoted in the Municipal Insurance Program proposal. This is your authority to proceed with binding cover(s) as outlined in the Municipal Insurance Proposal effective the date(s) noted above. We have also noted below our choice of any optional items in the Insurance Proposal as well as any specific instructions.

Indicated below are our instructions regarding any optional coverages shown in the insurance proposal.

Optional Coverages / Specific Instructions:

Signed on Behalf of Corporation of the Township of Billings

Authorized Signature

Date

Please print the name of the person signing above

Implementation of Limit of Liability:

In no event shall either party be liable for any indirect, special, incidental, consequential or punitive damages or for any lost profits arising out of or relating to any services provided by Marsh or its affiliates. The aggregate liability of Marsh, its affiliates and its and their employees to you or your affiliates arising out of or relating to the provision of services by Marsh or its affiliates shall not exceed \$10 million. This provision applies to the fullest extent permitted by applicable law.



Marsh Canada Limited
120 Bremner Boulevard, Suite 800
Toronto, Ontario M5J 0A8
+1 416 868 2600

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COUNCIL REPORT

Department: By-Law Enforcement

Date: February 7, 2023

Report Number: BE-2023-02-02

File: Wild Turkey Concerns

Attachment Draft Letter to Minister of Natural Resources and Forestry

Recommendation:

THAT the Township of Billings Council hereby approves Report BE-2023-02-02 AND directs staff to draft a letter on behalf of Council requesting further action from the Ministry of Natural Resources and Forestry regarding the wild turkey concerns in Kagawong.

Background:

In January 2020, By-Law Enforcement was contacted by residents regarding wild turkeys on the roadway causing a major traffic safety concern. It is understood that a resident who had originally raised the turkeys, was now feeding them by broadcasting corn onto the Township roadway in the residential area.

The person(s) responsible for the feeding were contacted and were directed by the Township to cease and desist with the feeding of wildlife as per Township of Billings By-law No. 2021-31 being a By-Law to Regulate the keeping and feeding of domestic and exotic animals or wildlife other than cats or dogs.

At the same time, the Ministry of Natural Resources and Forestry was contacted, and after discussions and email exchanges with Ministry staff, the Township was informed that the turkeys could not be hunted because there is not a turkey hunting season on Manitoulin Island as well as being informed that the Ministry would not perform a capture and relocation of the turkeys.

The problem that Billings Township residents are facing is an ever-increasing flock of approximately 60+ wild turkeys that roost and feed in a residential area in the hamlet of Kagawong.

In November/December 2022 By-Law Enforcement was contacted by a resident who has the flock of turkeys roosting on their property. It should be noted that there were similar complaints from another resident who had the turkeys roosting on their property, but only the flock was smaller last year and has since relocated.



The resident produced evidence of the property damage being done, by these turkeys, to outside structures, trees and even a pet becoming quite sick after consuming turkey excrement.

And now that winter is upon us and the residential roads are becoming narrower with snow banks, the turkeys will become more traffic and pedestrian safety concern.

These birds are living and propagating in a growing residential area and they are not showing any signs fear towards the residents as well as they are not demonstrating any signs of natural relocation.

Discussion:

Staff were made aware that this problem was created when a local resident introduced the species to the area by bringing in and raising hatchlings and then releasing them. It should be noted that the MNRF had been made aware of this activity, but staff are not aware of any enforcement actions being taken.

As you can see, this is a serious issue that has public health, public safety and monetary concerns that can no longer be ignored.

Township staff have once again approached the MNRF office in Sudbury to seek assistance with the possible relocation of the birds or any other solution options, but after having the issue raised with the MNRF Regional Operations Division, the Township has once again been informed that there is not anything that the Ministry will do.

Staff have exhausted all enforcement avenues available and are recommending that Council send a letter to the Minister of Natural Resources and Forestry, His Honourable Graydon Smith requesting further action from the Ministry of Natural Resources and Forestry regarding the wild turkey concerns in the Township of Billings.

Financial Impacts: There are not any financial impacts.

Respectfully Submitted By: Arthur Moran, By-Law Enforcement Officer

Reviewed By: Emily Dance, CAO/Clerk



Right Honourable Graydon Smith
Minister of Natural Resources and Forestry
Room 6630, 5th Floor
99 Wellesley Street
Toronto Ontario
M7A 1W3

February xx, 2023

Dear Minister Graydon Smith,

RE: Nuisance Wild Turkeys – Township of Billings

On behalf of Mayor Barker and Council of the Township of Billings I am writing to request action by the Ministry of Natural Resources and Forestry regarding nuisance wild turkeys that have become a health concern, property damage concern, traffic concern and a general personal safety concern in our Township.

The problem that Billings Township residents are facing is an ever-increasing flock of approximately 60+ wild turkeys that roost and feed in a residential area in the Village of Kagawong. This is a problem that was created when the wild turkeys were unlawfully introduced to the area, raised, and then released.

These nuisance wild turkeys are causing private property damage to outside structures, trees and even a pet becoming quite sick after consuming turkey excrement. With winter upon us and the residential roads becoming narrower with snow banks, the turkeys will become more traffic and pedestrian safety concern.

These birds are living and propagating in a growing residential area and they are not showing any signs fear towards the residents nor demonstrating any signs of natural relocation.

The Township of Billings have been in contact with Ministry staff on numerous occasions to resolve the issue without success and have exhausted all enforcement tools available; as a result, we are requesting the Ministry of Natural Resources take action to solve this problem.

Regards

Arthur Moran
Bylaw Enforcement Officer
Township of Billings

Cc: Michael Mantha, MPP Algoma-Manitoulin
Ministry of Municipal Affairs and Housing



COUNCIL REPORT

Department: Clerk

Date: February 7, 2023

Report Number CLK-2023-02-03

File: Parks, Recreation and Wellness Committee Meeting Report

Attachment: Parks, Recreation and Wellness Committee DRAFT Minutes – January 23, 2023

Staff Recommendation:

THAT the Township of Billings Council hereby approves Report CLK-2023-02-03 AND approves the request of the Parks, Recreation and Wellness Committee's of \$500 to host a Family Day Skate and Slide Event on Monday January 20th, 2023 AND FURTHER authorizes the closure of Henry Drive for the event.

THAT the Township of Billings Council hereby directs staff to draft a letter to Central Manitoulin to inquire on the purchase of a used ice re-surfacer AND FURTHER provide a staff report regarding the feasibility

Background:

In previous years, the Parks, Recreation and Wellness Committee would organize a Family Day Skate and Slide Event. Family Day is February 20th, 2023. During their first committee meeting on January 23rd, 2023 a recommendation was made to be presented to Council as follows:

Motion By: Meg and Jenna

THAT \$500 be requested of Council as a pre-budgeted expense to host a Family Day Skate and Slide Event at the Outdoor Rink.

Carried.

A second recommendation was made to be presented to Council as follows:

Motion By: Meg and Shannon

THAT the Township of Billings Parks, Recreation and Wellness Committee recommends to Council to write a letter of interest to the Municipality of Central Manitoulin for the refurbished ice re-surfacer.

Carried

Central Manitoulin has an ice-resurfacer in storage. To enter into any discussions with Billings for the purchase of the ice-resurfacer, they require a letter from Staff as directed by Council.



Discussion:

Family Day Skate and Slide Event

The rink will be open for skating and Henry Drive will be closed off at Main Street and square hay bales will be used in the Park Centre Parking Lot to allow a safe path for tobogganing. To safely accommodate the tobogganing, the Committee is requesting the closure of Henry Drive for the event.

There will be active supervision by the volunteers of the Parks, Recreation and Wellness Committee for the duration of the event however, Council should be aware of the risk associated with the tobogganing aspect of the event.

The Committee is seeking donations from local businesses for the event and the Billings Volunteer Fire Department may be on site with education materials and warming stations. The Park Centre will be open for the event. The \$500 will be used for event expenditures such as hot chocolate, marshmallows, paper cups, napkins, spoons, and treats.

Ice Re-surfacer

Staff have reached out to Central Manitoulin to inquire on the status of a surplus ice re-surfacer. It was noted that the unit has been parked for some time now and at a high level it will need a tune up and has some issues with chewed wires and hoses from a mouse nest. Considerations will need to be given for its current state, costs associated with upkeep, volunteer training, and storage both in and off-season.

Following the Parks, Recreation and Wellness Committee meeting, the Lead Rink Volunteer began to research other alternatives including pull behind units that may be available and better suit the needs of the rink.

Staff recommend drafting a letter of interest to Central Manitoulin for more information on the ice re-surfacer. Following, the Public Works Superintendent and Rink Volunteer Coordinator can review to determine if this equipment will meet the needs at the Outdoor Rink.

Financial Impacts:

As required, the Parks, Recreation and Wellness Committee will be presenting their 2023 budget to Council following their February 21st, 2023 Committee Meeting. This Family Day Skate and Slide Event requires pre-budgeted approval as it falls before the 2023 Budget has been passed.

Respectfully Submitted by:

Tiana Mills, Deputy Clerk

Reviewed By:

Emily Dance, CAO/Clerk



The Corporation of the Township of Billings
Parks, Recreation and Wellness Committee Meeting Minutes

January 23, 2023 7:00 p.m.

Park Centre – 39 Henry Drive, Kagawong

Present

David Hillyard, Deputy Mayor (Chair)

Andrew Preyde

Shannon Smith

Catherine Joyce

Meg Middleton

Nathalie Fert

Jenna Carter

Staff

Tiana Mills, Deputy Clerk

1. Call to Order

Deputy Mayor David Hillyard called the meeting to order at 7:01pm.

2. Approval of Agenda

Confirm approval of the agenda.

Motion By: Andrew and Natalie

To accept the January 23, 2023 Parks, Recreation and Wellness Committee Agenda as presented.

Carried.

3. Disclosure of Pecuniary Interest

None.

4. Adoption of Minutes

Motion to adopt the minutes of the following Committee meetings:

4.1. Regular Council Meeting – September 26, 2022

Motion By: Cathy and Shannon

To accept the September 26th, 2022 Parks, Recreation and Wellness Committee Minutes as presented.

Carried.

5. Delegation

None.

6. Staff Reports

6.1. PRW2023-01-01-Rink Report



Motion By: Meg and Jenna

THAT the Township of Billings Parks, Recreation and Wellness Committee hereby receives for information Report PRW2023-01-01 AND THAT \$500 be requested of Council as a pre-budgeted expense to host a Family Day Skate and Slide Event at the Outdoor Rink.

Carried.

Motion By: Meg and Shannon

THAT the Township of Billings Parks, Recreation and Wellness Committee recommends to Council to write a letter of interest to the Municipality of Central Manitoulin for the refurbished ice re-surfacer.

Carried

6.2. PRW2023-01-02-Initial Budget Discussions

Motion By: Andrew and Cathy

THAT the Township of Billings Parks, Recreation and Wellness Committee hereby receives for information Report PRW2023-01-02.

Carried.

7. Correspondence Requiring Direction

None.

8. Information

8.1. Meeting Dates at a Glance

Motion By: Shannon and Andrew

THAT the Township of Billings Parks, Recreation and Wellness Committee hereby receives all the items presented for Information during the January 23rd, 2023 meeting.

Carried.

9. Old Business

10. New Business

10.1. Graham Property Uses

Staff was directed by the Committee to add the "Graham Hill Property Uses" to an upcoming agenda to discuss.

11. Adjournment

11.1. Motion to Adjourn

Motion By: Andrew and Shannon

THAT the Township of Billings Parks, Recreation and Wellness January 23rd, 2023 Committee Meeting adjourns at 9:00pm.

Carried.



Document Accessibility

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Please note that third party documents received and found within this document will not be converted to an accessible format by the Township of Billings. However, upon request, we will attempt to obtain these documents in an appropriate accessible format from the third party.

For assistance or to make a request please call (705) 282-2611 or email tmills@billingswp.ca



COUNCIL REPORT

Department: Clerk

Date: February 7, 2023

Report Number CLK-2023-02-04

File: Outdoor Rink Final Project Report

Staff Recommendation:

THAT the Township of Billings Council hereby receives for information Report CLK-2023-02-04 regarding the outdoor rink.

THAT the Township of Billings Council hereby approves the recommendation to set the Kagawong Market vendor fee rate at \$15 per table per week.

Background:

On December 15, 2021 the Township of Billings entered into a funding agreement with the Federal Economic Development Agency for Northern Ontario (FedNor) to create a *Redeveloped Downtown Multi-Purpose, 4 Season Recreation Facility*.

The 2023 Kagawong Market (Wednesdays from June 28th – August 30th) will move to the Outdoor Rink with vendors inside and out. The cabanas along Henry Drive will be moved by the Public Works Department this Spring, closer to the Outdoor Rink next to the current changeroom.

Discussion:

The total project costs for the *Redeveloped Downtown Multi-Purpose, 4 Season Recreation Facility Project* were approved at \$279,385, FedNor to be responsible for 75% (\$209,538) and the Township to be responsible for the remaining 25% (\$69,847). The project was completed on time and was over budget by \$1,701. As per the grant specifications and milestones, the project has been completed. The final project claim was due on January 31st, 2023 and has been submitted.

During the 2022 Kagawong Market season the vendor rate was set at \$10 per table per week (a \$2 increase from the previous year). After a discussion among Staff and the Market Coordinator, it is being recommended that the vendor rate be increased to \$15 per table per week. Vendor fees have historically been used to purchase Market signage and been set aside for Economic Development within Billings.

Financial Impacts:

As outlined in the report.

Respectfully Submitted by:

Tiana Mills, Deputy Clerk

Reviewed By:

Emily Dance, CAO/Clerk



COUNCIL REPORT

Department: Clerk

Date: February 7, 2023

Report Number CLK-2023-02-05

File: Canada Post Community Foundation Grant

Staff Recommendation:

THAT the Township of Billings Council hereby approves Report CLK-2023-02-05 AND directs staff to apply to the Canada Post Community Foundation Grant for an initiative that will support making a difference in the lives of children and youth.

Background:

During the January 23, 2023 Parks, Recreation and Wellness Committee meeting there was discussion on funding opportunities that could be used to provide an opportunity (dance class, cooking class etc.) for the children in Billings Township free of charge. Following the committee meeting, Deputy Mayor David Hillyard presented this application as an opportunity.

As detailed on the Canada Post Website:

The Canada Post Community Foundation provides grants to Canadian schools, charities and community organizations that make a difference in the lives of children and youth (up to age 21). Since 2012, the Community Foundation has granted over \$12.3 million to 1,100 projects across Canada.

Discussion:

With a recommendation from Council to apply for this grant, the Parks, Recreation and Wellness Committee will discuss the details of the application (which type of class this grant will be used to sponsor) during their February 27th, 2023 committee meeting. Staff will use this information to complete an application and submit before the deadline of March 9th, 2023 at 12pm.

Financial Impacts:

There are no financial impacts associated with this report.

Respectfully Submitted by:

Tiana Mills, Deputy Clerk

Reviewed By:

Emily Dance, CAO/Clerk



COUNCIL REPORT

Department: Project Management

Date: February 07, 2023

Report Number: MPM-2023-02-04

File: Firehall Renovation Project Update

Attachment: Roof design rendering

Recommendation:

THAT the Township of Billings Council hereby receives for information Report No. MPM-2023-02-04 and selects roof design (Option A *or* Option B) _____, for submission to Tulloch, project engineers.

Background:

Following the January 17th regular meeting of Council, at which Council decided to proceed with demolition of the existing firehall, to the floor/foundation, and a rebuild, the MPM met with Tulloch, via telephone, to discuss next steps on the project, and a plan was established.

Discussion:

Dan Moody, project manager with Tulloch, requested input on roof design. Renderings of two possible sloped roof designs are attached.

Option A (first image) is a standard Hip roof (6/12 pitch) with a 3-foot overhang.

Option B (second image) is a Dutch Hip roof (6/12 pitch) with a 3-foot overhang.

Both options will be constructed of readily available wood roof trusses.

By way of further information, Tulloch expects to have updated drawings to Quinan next week which will permit them to review/comment and solidify pricing. A revised construction schedule should be available soon after. Quinan is in the process of securing the required sub-contractors to facilitate abatement and demolition of the building.

Financial Impacts:

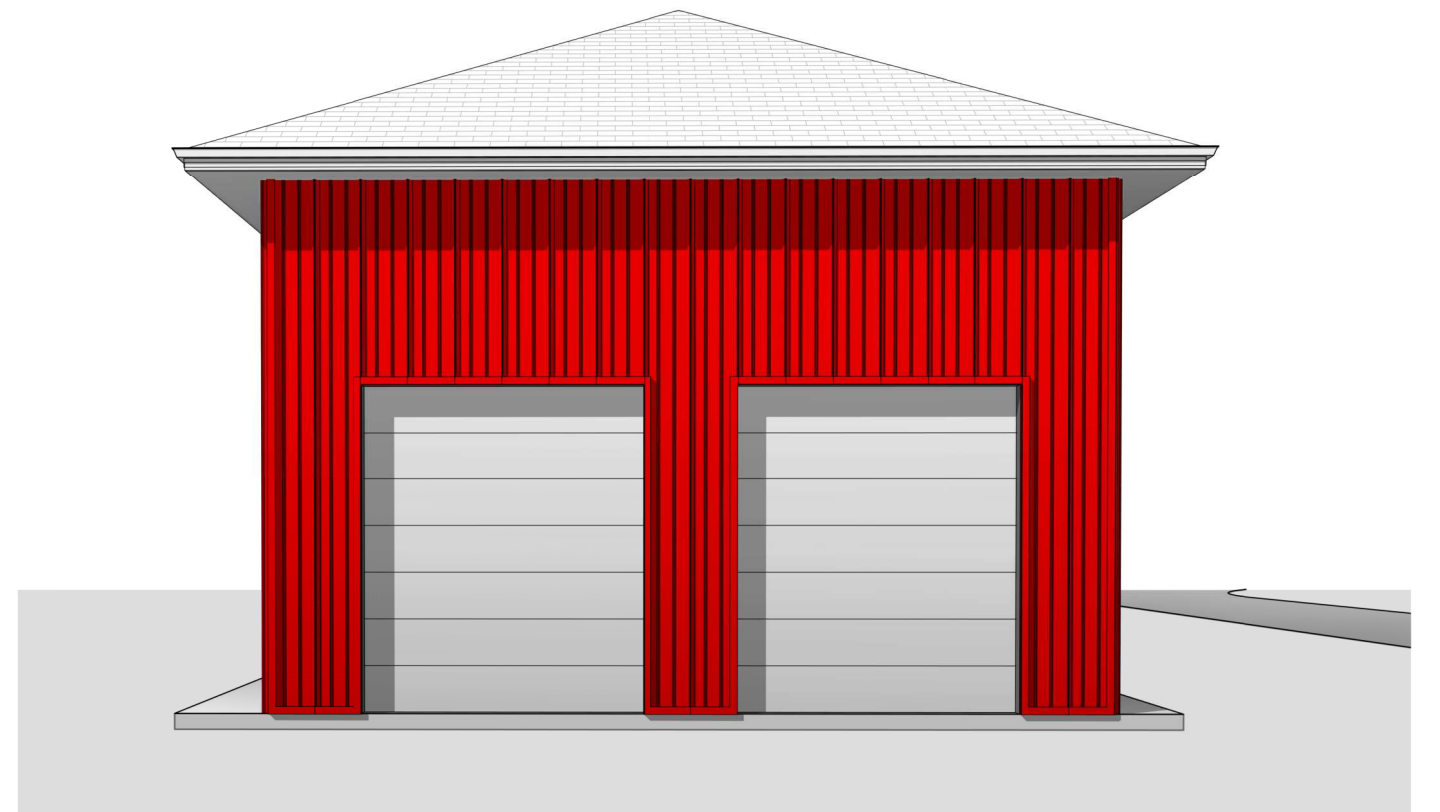
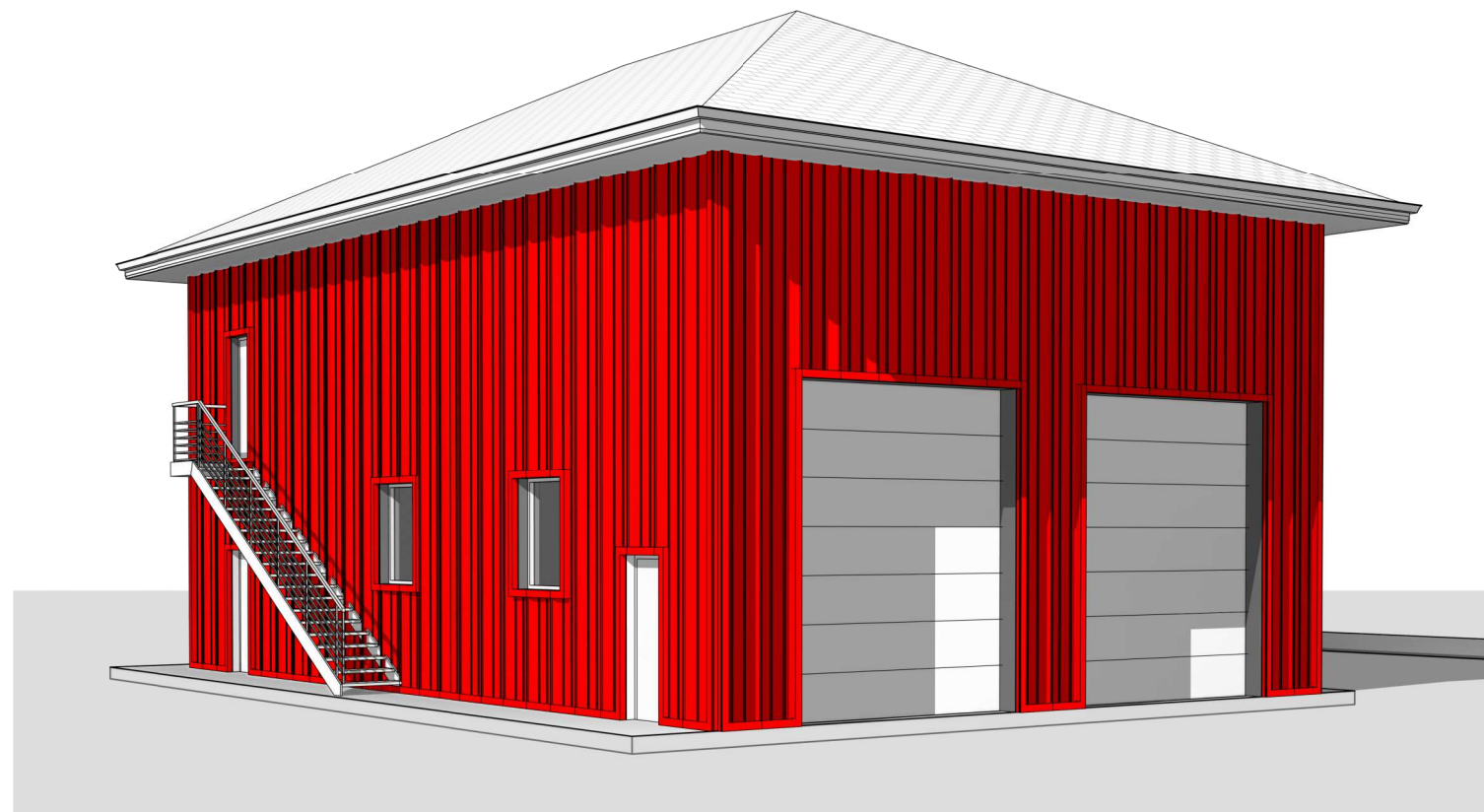
Further cost information, both construction and engineering is pending, but not yet available. As for the two roof options, costing has not yet been provided. Option B is likely marginally more expensive than Option A.

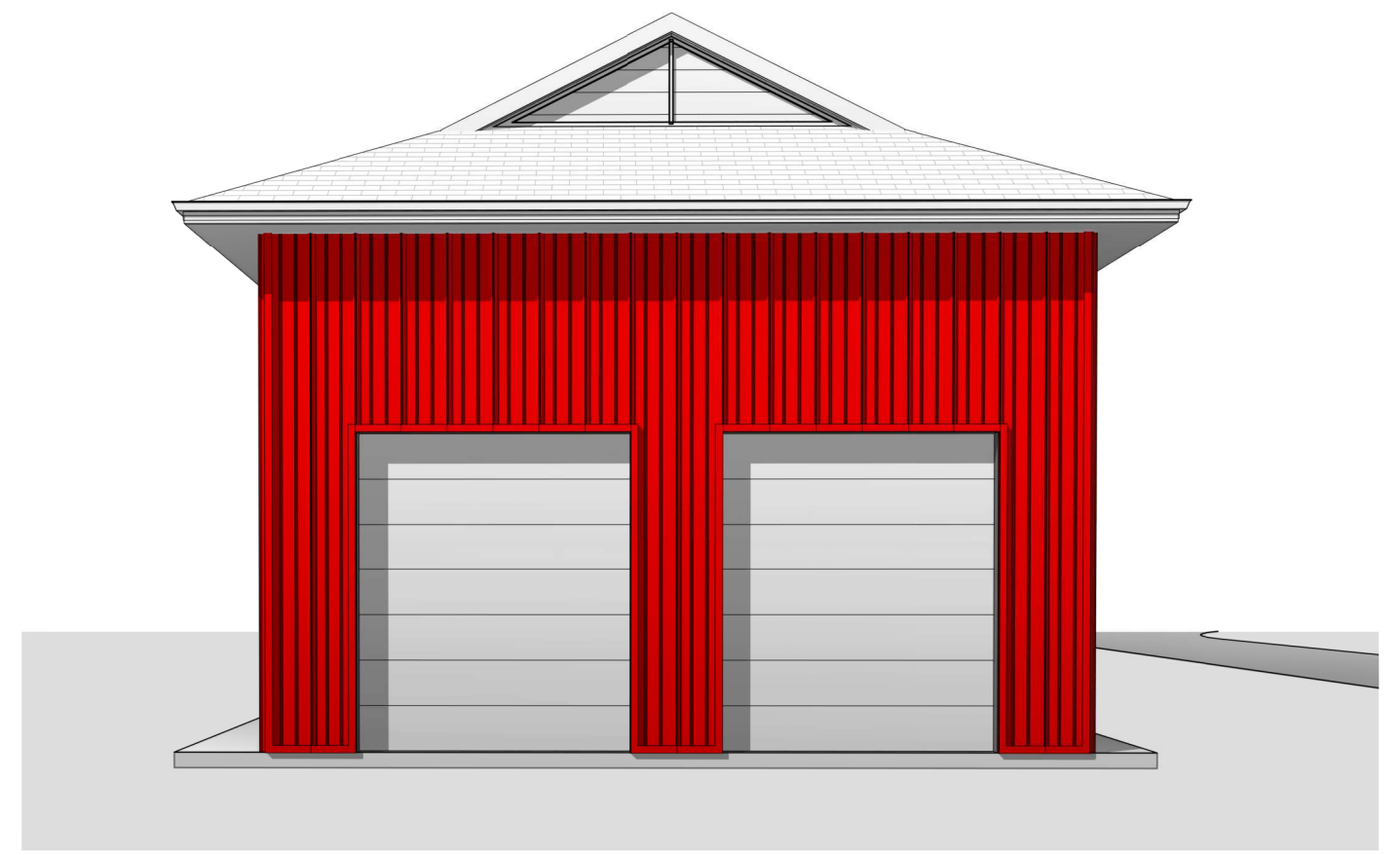
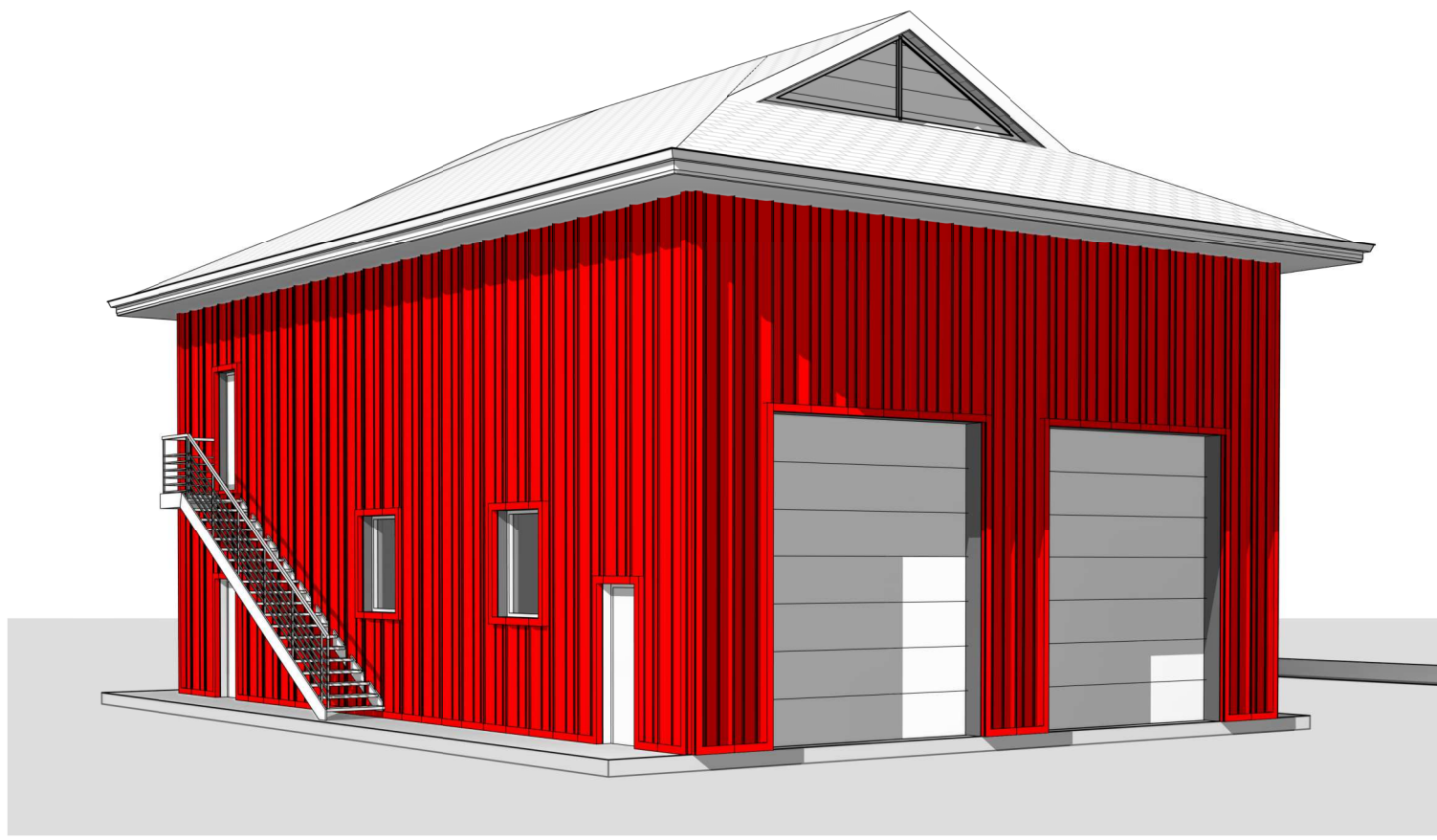
Respectfully Submitted By:

Todd Gordon, MPM

Reviewed By:

Emily Dance, CAO/Clerk







COUNCIL REPORT

Department: Chief Administrative Officer

Date: February 7, 2023

Report Number: CAO-2023-02-06

File: Policies - Communication and Public Engagement

Attachments: DRAFT Communication Policy, Key Communication Tools, DRAFT Public Engagement Policy

Recommendation:

THAT the Township of Billings Council hereby approves Report CAO-2023-02-06 AND approves the Communications Policy and Public Engagement Policy AND FURTHER authorizes the appropriate By-Laws coming forward.

Background:

At the December 19, 2022 Council meeting during discussions on Boards and Committees (Report CLK-2022-12-05), Council supported implementing community engagement policies and procedures as an alternative to an Ad-Hoc By-Law Review Committee.

Discussion:

There are various ways the Township communicates with the public regarding the introduction of By-Laws, new legislation, projects, emergency orders, initiatives, etc. The manner to which the information is shared varies depending on the content and any associated legislative requirements.

Common avenues include: posting of the agenda, delegations to Council, mail-outs, surveys, newspaper notice, website news, social media posts, monthly e-newsletter etc. (a list of key communication tools is attached for information)

To create a more cohesive, collaborative, and positive culture of communication to benefit our projects, initiatives, and day to day to operations, Staff is recommending implementing a Communications Policy and a Public Engagement Policy. These policies will incorporate the legislative requirements as outlined in the Notice By-Law (By-Law No. 2009-02) and provide guidance to staff and Council to ensure that we are effectively communicating with the public while giving the public the tools they need to provide input.

Communications Policy

The purpose of a communication policy is to provide guidelines for processing communications and to provide staff with the tools necessary to achieve levels of efficiency, having regard to available resources.



Public Engagement Policy

Public Engagement is the act of involving members of our community: residents, visitors, business owners, in the process of local decision making.

The International Association of Public Participation ([IAP2](#)) designed a Spectrum of Public participation to assist with the selection of the level of participation that defines the public's role in any public participation process.

The Public Engagement Policy will be following the spectrum to determine the appropriate level of engagement depending on the project/issue.

Implementing any new policies will take time and will have some challenges and road blocks along the way. The Township does not have a dedicated communication person or multiple communication channels and engagement tools available; therefore, it is important for staff, Council and the Public to have a clear expectation when it comes to our processes and procedures and a clear understanding of what needs to be communicated, when and through what channels.

Financial Impacts

Communication channels including newspaper advertising and mailouts can be included in the general operating budget, any additional channels will require budget approval.

Respectfully Submitted By:

Emily Dance, CAO/Clerk

Policy – Communications

By-Law No: 2023-xx

Revision

Date: February 7, 2023

Policy Statement:

The Township of Billings is committed to communication that is transparent, accessible, clear, open, accurate and timely. Communication, both incoming and outgoing, is vital for the successful management of the Township of Billings.

Purpose:

The Township of Billings recognizes the importance of providing public service and promotes the dissemination and receiving of communications related to municipal government. Guidelines for processing communications provide staff with the tools necessary to achieve levels of efficiency, having regard to available resources and a clear direction for the public to provide input.

Coverage:

This policy applies to internal and external communications for all Township Representatives when communications activities relate to the business or operations of the Township.

Associated Legislation and Policies

Accessibility for Ontarians with Disabilities Act, (AODA), Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), Social Media Policy, Notice By-Law, Accountability and Transparency Policy, Council Code of Conduct.

Contents:

“Communication” shall mean any, electronic communication, facsimile, hard copy communication, addressed to a Member of Council, any staff member of the Corporation, or the Corporation generally, whether specifically addressed to Council, an individual person(s) or department(s), or intended to be specifically addressed.

Processing of Communications

1. All communications received by the Township shall be reviewed, and where applicable, processed in a timely manner, having regard to all of the circumstances of the communication.
2. Communications addressed to Council, shall be included on the next agenda of Council as information.
3. Following Council receipt of public communications, staff will provide a written response to the sender noting the communication was received and indicate (if applicable) any decision, direction or comment given.

4. Council and staff shall have regard to the provisions of the Municipal Freedom of Information and Protection of Privacy Act when considering any communications.
5. Communications deemed to be discriminatory, espousing hatred or harassment, violence or racism, or containing aggressive, abusive or derogatory comments directed at a member of Council or staff will not be responded to.
6. Communications that are unsigned will not be responded to.
7. Communications that provide insufficient information for staff to respond will be referred back to the author for clarification and will not be processed until such or sufficient clarification is provided.
8. Communications for information that has already been provided to the requester directly or to any third party having made a request on behalf of the requester may be deemed to be frivolous and/or vexatious and may be treated accordingly.
9. Communications shall be referred by the CAO/Clerk to the appropriate staff member on the basis of subject matter for response.
10. Communications which contain personal information and/or containing aggressive, abusive or derogatory comments directed at a member of Council, staff or any other party will not be referred to Council and will be returned to the sender and/or reported to relevant authorities and/or legal counsel for further action if deemed appropriate.
11. Council and/or staff will not provide responses to requests for information or comment on the interpretation of issues outside of the authority provided to municipalities including but not limited to federal and provincial government legislation and policies.
12. Council and/or staff will not provide legal advice and/or legal opinions or information which may be considered to be legal advice and/or a legal opinion.
13. Complaints shall be processed in accordance with the Complaint Handling Policy
14. Requests for Support from other municipalities or government organizations shall be included as information and at the request of Council brought forward for consideration.
15. Council and/or staff will be proactive in how it communicates, employing a variety of ways and means to communicate and provide information to accommodate diverse needs.
16. Staff will be knowledgeable on the variety of communications methods available and will utilize suitable methods depending upon the situation or circumstances.



CAO-2023-02-06

Key Communication Tools

1. Council Meeting Agenda

Council meeting agendas will be posted on the municipal website as per the Township of Billings Procedural By-Law.

Members of the public are permitted to make a delegation request to appear before Council. The delegation request must be in writing and be limited to speaking not more than 10 mins.

Members of the Public are welcome to provide any comments or concerns to Council by providing comments in writing.

1. Municipal Website

The primary source for official information for the citizens of the Township is through the Corporate Website www.billingstwp.ca The Website is utilized to access information on the Municipality's policies, programs, services and initiatives.

2. Social Media (separate existing policy)

The Township is committed to using social media for the purposes of broadcasting and promoting Township objectives, initiatives, programs and news through professional communication. This is a stand-alone separate policy.

3. Council Highlights

A new initiative started in 2023, Council Highlights provides an overview on important decisions or agenda items from both Council and Special meetings in order to give residents a 'snap shot' on what occurred during the meeting.

4. Monthly Electronic Newsletters

The Township monthly electronic newsletter includes items of general interest as deemed appropriate by the Township including, Council information, news, new or information related to policy, program, service or initiative, or to promote a special event and more.

5. Media Relations, News Updates and Press Releases

Media requests, particularly for interviews or technical information, are directed to the Mayor or CAO/Clerk (or delegate) designated as spokesperson for the Township.

News updates and press releases are posted on the homepage of the website regarding municipal announcements, services, policies, and/or other information deemed acceptable by the CAO/Clerk.



6. Emergency Communications

The Emergency Plan details the protocol for Emergency Media communications.

7. Advertisements

The local newspaper will be utilized to inform the public on various public initiatives, open houses, career opportunities, and as per legislative requirements.

8. Print and Direct Mail Out

Direct mail to residents is a way to reach all property owners, can be used: to provide information specific to a geographical area, in accordance with legislation, larger audience is required.

Policy – Public Engagement

By-Law No: 2023-xx

Revision

Date: February 7, 2023

Policy Statement:

The Township of Billings is committed to Public Engagement and understands that effective Public Engagement takes time and effort. The level of engagement will be adjusted based on the level of impact.

Purpose:

The purpose of the public engagement policy is to involve members of our community: residents, visitors, business owners, in the process of local decision making.

Coverage:

Successful public engagement requires meaningful interaction and dialogue between all participants, including residents, staff and members of Council.

Legislative Authority

Social Media Policy, Accountability and Transparency Policy, Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), Council Code of Conduct

Contents:

Key Principles

- 1. Inclusivity:** Ensure an accurate representation of the community is reflected by using a range of techniques to engage residents.
- 2. Early involvement and timely communication:** Accurate information will be communicated as early as possible in the public engagement process to help residents plan, prepare and participate.
- 3. Respect:** All participants must be respectful of diverse views, values and interests. The engagement must also respect decision-making protocols and jurisdictions at the municipal and provincial levels.
- 4. Transparent and accountable:** The engagement will demonstrate a commitment to efficient and effective use of taxpayer dollars and ensure both the process and its outcome are transparent.
- 5. Clear and coordinated approach:** Throughout the engagement process, plain language and a variety of communication channels will be used , because people learn and engage in different ways.
- 6. Continuous improvement:** Public engagement activities will be regularly evaluated and improved.

Public Role:

- Bringing forward ideas and thoughts that may help the community find creative solutions to challenges through various means,
- Work collaboratively with members of the public, council and staff
- Be respectful of diverse views values and interest
- Respect the decision-making protocols and jurisdiction at the municipal and provincial levels
- Maintain decorum throughout the process


Council Role:

- Review information gathered prior to making decisions;
- Make sure that staff recommendations, individual concerns and overall public benefit, are all considered;
- Ensure all legislative and legal implications are met;
- Work collaboratively with residents and staff to find solutions;
- Debate and approve various motions,
- Provide staff with clear direction,
- Be involved in public engagement activities

Staff Role:

- Work collaboratively with residents and council to find innovative solutions;
- Ensure the public engagement process is inclusive, that all information is available as early as possible and is clear, simple and informative;
- Ensure Council and the public are aware of all legislative and legal implications;
- Ensure reporting identifies resident feedback and explains how this feedback will be considered in the final recommendations and/or decisions;
- Ensure that consultants and facilitators undertaking public engagement activities on behalf of the Township comply with the public engagement framework;
- Follow the IAP2 spectrum to determine the appropriate level of engagement.

Appendix 'A' – International Association for Public Participation (IPA2 Spectrum)

INCREASING IMPACT ON THE DECISION 

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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DRAFT



COUNCIL REPORT

Department: Economic Development

Date: February 7, 2023

Report Number: ECD-2023-02-01

File: RED Grant Funding and Western Manitoulin Economic Development Update

Recommendation:

THAT the Township of Billings Council hereby approves Report ECD-2023-02-01 AND authorizes staff apply to RED grant funding for 50% funding for a new Corporate Website to promote economic development in the Township of Billings AND FURTHER authorize the remaining 50% be brought forward during 2023 budget deliberations.

THAT the Township of Billings Council hereby grants 2023 pre-budget approval for a \$100 donation in support of Western Manitoulin Economic Development Volunteer Fair.

Background:

[Ontario's Rural Economic Development](#) (RED) program provides cost-share funding to support activities that create strong rural communities in Ontario, and opens doors to rural economic development through:

- funding assistance to address barriers to economic development, better position rural communities to attract and retain jobs and investment, and enhance economic growth
- funding to build community capacity and support for economic development in Ontario's rural communities
- investments in rural communities to help diversify and grow local economies – making economic growth more inclusive so rural Ontario continues to share in the province's economic prosperity

The RED grant intake opened on January 23, 2023 and will close on February 23, 2023 at 5 p.m.

Discussion:

The corporate website of a municipality serves as the primary communication tool for all municipal information, it is often the first touchpoint for residents, visitors, as well as current and potential business owners to learn more about our municipality, area services, businesses, attractions, community events etc.

The current website platform has limited design capabilities and constrained functionality to create edit and update web content. Website redevelopment will allow for improved communication with existing residents and businesses, while creating a more effective and



inviting gateway for those not yet familiar with our great municipality – be they visitors, or people interested in becoming residents or establishing a business.

Key elements of website redevelopment related to economic development could include portals for

- A Business Directory
- Support services and information for business
- Development and Planning information
- Community Events & Calendar
- Accommodations
- Attractions

Under the RED grant - Economic Diversification and Competitiveness Stream approved projects are eligible for 50% funding up to a maximum amount of \$150,000. Projects that support businesses and communities improve their digital capabilities and participate in the information economy are eligible for project funding.

Staff has reached out to one of the leading companies in municipal website design and they provided a quote of \$22,750 plus tax for a new corporate website with an annual hosting and licensing fee of approximately \$6,000.

Staff is recommending that an application to RED be submitted for a new corporate website for 50% of the total cost for a new corporate website and that the remaining 50% be considered during budget deliberations.

Note that the RED application process is competitive and projects are assessed on the criteria outlined in the guidelines. Funding decisions are usually reached within three months from the posted closure date.

Western Manitoulin Economic Development

The Community Economic Development Officer representing Western Manitoulin is hosting community volunteer fairs at the following locations:

Gordon/Barrie Island & Burpee Mills – Wednesday April 12, 2023 2 p.m. to 8 p.m. Gordon Community Centre

Town of Gore Bay – Wednesday April 19, 2023 2 p.m. to 8 p.m. Gore Bay Community Hall

Township of Billings Wednesday April 26, 2023 from 2 p.m. to 8 p.m. Park Centre

A community volunteer fair is a recruitment tool for municipal committees/groups, service clubs, charitable organizations, churches, fire departments, etc. for recruitment and to raise awareness of their organizations.



The Township of Billings Fire Department has reserved a table for recruitment efforts.

As per the Facility Rental Procedures there is no charge for the rental and the Township of Billings will be listed as a sponsor of the event. In order to entice members of the public to attend the event the event organizers are requesting each municipality provide a \$100 cash prize.

The Municipal Project Manager and the CAO/Clerk have met with the Community Economic Development Officer for Western Manitoulin to discuss the future and challenges of economic development in the Township of Billings and Western Manitoulin as a whole. The Community Economic Development Officer will be providing Council with further information in the upcoming months on proposed initiatives and programs.

Financial Impacts

As noted above RED grant funding, \$100 donation as pre-budget approval under donations for 2023.

Respectfully Submitted By:

Emily Dance, CAO/Clerk

Ministry of Agriculture,
Food and Rural Affairs

Office of the Minister

77 Grenville Street, 11th Floor
Toronto, Ontario M7A 1B3
Tel: 416-326-3074
www.ontario.ca/OMAFRA

Ministère de l'Agriculture, de
l'Alimentation et des Affaires rurales

Bureau du ministre

77, rue Grenville, 11^e étage
Toronto (Ontario) M7A 1B3
Tél. : 416 326-3074
www.ontario.ca/MAAARO



January 23, 2023

Katherine McDonald
CAO
Township of Billings
edance@billingstwp.ca

Dear Katherine McDonald:

I am pleased to announce that the next application intake for the Rural Economic Development (RED) program is now open and accepting applications until February 23, 2023.

You can find all program information, including how to apply, on my ministry's website at: ontario.ca/REDprogram.

The RED program is focused on outcome-based projects that will have tangible benefits for Ontario's rural and Indigenous communities. This aligns with our government's priorities to remove barriers to investment, open doors to rural economic development and create good jobs across the province.

The program has two project streams:

- The **Strategic Economic Infrastructure** stream provides up to 30 per cent, to a maximum of \$250,000 in cost-shared funding for minor capital projects that advance economic development and investment opportunities.
- The **Economic Diversification and Competitiveness** stream provides up to 50 per cent, to a maximum of \$150,000 per project in cost-shared funding for projects that remove barriers to business and job growth, attract investment, attract or retain a skilled workforce, strengthen sector and regional partnerships and diversify regional economies.

.../2

OMAFRA staff will be conducting public webinars to provide an overview of the RED program and discuss the process for applying to the program. You may sign up for the webinars at www.eventbrite.ca/e/rural-economic-development-red-information-sessions-tickets-488124021087. If you have further questions or need assistance with your application, contact us at 1-877-424-1300 or ag.info.omafra@ontario.ca.

Our government is committed to supporting economic growth in rural communities and ensuring Ontario is open for business.

I encourage you to take advantage of this funding opportunity and submit an application for your economic development project. Together, we can ensure Ontario's communities thrive.

Please accept my best wishes.

Sincerely,

A handwritten signature in blue ink that reads "Lisa M. Thompson". The signature is fluid and cursive, with the first name "Lisa" and last name "Thompson" clearly legible.

Lisa M. Thompson
Minister of Agriculture, Food and Rural Affairs

Did you know about the Farmers' Wellness Initiative?

- Your mental health is important! If you're a farmer or a member of a farm family and in need of mental health support, please call 1-866-267-6255 and arrange to speak with a professional today.
- For additional resources visit: <https://farmerwellnessinitiative.ca/>.



6020 Highway 542, P.O. Box 187
Mindemoya, ON POP 1S0
Tel:705-377-5726
Fax:705-377-5585
Email: centralm@amtelecom.net

January 20, 2023

Dear Mayor and Council,

For several years, the Municipality has been working with the Ministry of Environment, Conservation and Parks (MECP) to approve long term operational plans for the Providence Bay Waste Disposal site, including a design for 20 to 30 years of landfill capacity. Unfortunately, consensus could not be reached, so the Municipality of Central Manitoulin will transition the Providence Bay site, its last remaining operational landfill, to a transfer station by June 1, 2023 in order to comply with the terms and conditions of its most recent Environmental Compliance Approval A550702.

On receiving this notice from the MECP, the Municipality embarked on a long-term Waste Management Planning process, and determined that in the short-term, a temporary move to full export of waste to an external facility will be necessary while we work to implement alternative long term in-house solutions.

On behalf of our residents we have a duty to fully explore and exhaust any available options that may represent an opportunity for costs savings, and that would lower our collective GHG emissions as a Municipality. With this in mind, we are writing to the Mayor and Council of the Township of Billings, to gauge whether you might consider temporarily accepting Central Manitoulin's exported waste, or part thereof, at the Billings waste disposal site.

If there is willingness to explore this further, we will prepare a more detailed proposal for consideration. In order to accept waste at your facility from our municipality, an application to amend your current ECA will likely be required. The Municipality of Central Manitoulin will take responsibility for administrative support, consultant fees, and any expenses associated with obtaining required MECP approvals.

This represents a potential revenue stream for your Municipality via tipping fees to be negotiated based on volume or weight of material deposited at the site and we are open to negotiating other terms to increase any potential benefits to your community. We would also be open to negotiating which of our waste streams you would accept. For example, we run both commercial and residential curbside pick-up, as well as accepting waste at our depot from residential and commercial entities. Perhaps Township of Billings would be willing to accept residential curbside pick-up only, and not depot waste or vice versa. This may still assist us greatly to control costs and minimize emissions.

Additionally, we can offer the following assurances:

- We will be immediately implementing waste diversion strategies starting in 2023, and will continue to grow these programs in the coming years. We will be doing everything we can to minimize the amount of waste requiring export.
- We will be expanding out very successful FoodCycler at-home composting alternative program in 2023 to ensure more households have these units. A FoodCycler is an indoor counter-top machine, which grinds and dehydrates organic material to speed up the natural decomposition process. The units produce a dry, odourless, nutrient-dense by-product that is free from bacteria, and food-borne pathogens. The by-product can be used in a variety of ways. Each unit diverts an estimated 0.4 tonnes per household per year from landfill.
- Our Waste Management Plan recommends that we implement Mattress recycling events. These events will divert mattresses from the landfill.
- We will be opening a small re-use centre at the Providence Bay site to divert re-usable items from the waste stream back into the community.
- We are actively prioritizing implementation of longer-term solutions starting immediately. The Waste Management Plan recommends that in the long term we work toward opening a new landfill site in the municipality with a 25-year life span, as well as continue to pursue a proposal for an Alternative Recycling (thermal treatment) technology which is currently a matter before Council.

Temporarily exporting waste to an island municipality versus taking waste off-island represents a potential opportunity to achieve both a lower cost per household as well as lowering the GHG impact from hauling waste further afield. We currently have an annual tonnage of approximately 1870 tonnes going to landfill. We intend to reduce this tonnage as much as possible through diversion strategies.

We thank you sincerely for your time and consideration on this matter. If you could provide a response in writing, or via motion, to confirm willingness, or lack thereof, to enter further discussions with us on this item, that would be appreciated. We are happy to provide further details, and at your direction, we can prepare a more detailed proposal for consideration if you are open to further discussion.

Sincerely,



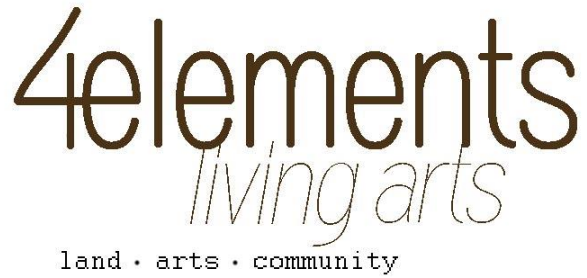
Denise Deforge

CAO/Clerk

Municipality of Central Manitoulin

centrilm@amtelecom.net | Phone: 1-705-377-5726 | www.centralmanitoulin.ca





Township of Billings
Mayor and Council

31 January 2023

Dear Mayor Barker and members of Council,

4elements Living Arts is planning for Elemental Festival 2023, to be held September 23-24, 2023.

Elemental Festivals have been held in Kagawong over the past several years, and have always been a draw to the community, featuring artists, artisans, and musicians. Billings Township has always been a valued supporter of the Festival and we thank you for making it possible to feature community arts in this way.

As we did in previous years, 4elements plans to submit a grant proposal to the "Building Communities Through Arts and Heritage--Local Festivals" fund from the Government of Canada/Canadian Heritage. We received funding from this source in 2019, 2020, 2021 and 2022, all of which supported the local costs of the Festival.

In order to complete our application for 2023, **4elements is requesting that the Township of Billings commit to providing in-kind support for Elemental Festival 2023 by allowing the use of the Kagawong Park Centre and Old Church on the Hill on September 23-24, 2023.** Municipal support for the Festival is required in order for 4elements Living Arts to complete a proposal, with a simple form to complete to show your willingness to support.

We will abide by all required COVID-19 precautions in place at the time of the Festival, and will cancel or postpone the Festival if it is not possible to hold the event safely.

4elements Living Arts has been operating for more than 20 years, and has made significant contributions to Billings Township, including partnering on the Billings Connections Trail, which was recognized with the Lieutenant Governor's Ontario Heritage Award in 2018. Our mission is to nurture and inspire community engagement in land-based arts on Manitoulin Island. We will continue to develop the concept and programming for Elemental Festival 2023, and will keep you informed as we proceed. Your ongoing support will be a meaningful contribution to the economic and social fabric of our community.

We would be happy to answer any questions you may have. With thanks for your consideration and support,

Sincerely,

A handwritten signature in black ink that reads "Susan Snelling".

Susan Snelling, on behalf of the Board of Directors, 4elements Living Arts

Project Lifesaver **DONOR UPDATE**



Manitoulin Northshore Victim Services and Manitoulin O.P.P. would like to thank you for your support of the Project Lifesaver initiative in the Manitoulin/Northshore area.

We are very excited to announce that Project Lifesaver is now in full swing in our region. In December, Manitoulin OPP officers as well as MNVS staff trained with Northshore Search & Rescue to learn how to utilize the devices and equipment to locate missing individuals.

We are pleased to say that there has been great interest in the project and the devices, and new clients are set to be provided with devices very soon. We continue to fundraise towards ongoing costs, including administrative and maintenance costs.



Over half of individuals living with cognitive conditions will wander at some point, and many will wander repeatedly. Thanks to your generosity, we will be able to assist these individuals and bring loved ones home in our community.

January 13th, 2023



January 16, 2023

VIA EMAIL

Ms. Patsy Gilchrist
The Corporation of the Township of Burpee & Mills
8 Bailey Line Road
Evansville, ON P0P 1E0

Dear Patsy Gilchrist,

Pursuant to s.284(3) of the Ontario Municipal Act, the Sudbury & District Health Unit, operating as Public Health Sudbury & Districts, is required to provide to the municipality an itemized statement of the remuneration and expenses paid in the previous year to each member of council in respect of their services as a member of the Board of Health for the Sudbury & District Health Unit.

Ken Noland, appointed by the Municipal Council of the Town of Gore Bay, the Municipal Councils of The Corporation of the Town of Northeastern Manitoulin and the Islands and The Corporation of the Municipality of Killarney and the Municipal Councils of the townships of Assiginack, Barrie Island, Billings, Burpee and Mills, Central Manitoulin, Cockburn Island, Gordon and Tehkummah, served on the Board of Health for the period of January 1, 2022 to December 31, 2022. The following remuneration and expenses were paid to him during this period.

	Annual Remuneration	Expenses	Total Annual Remuneration
Ken Noland	\$0.00	\$0.00	\$0.00

If you have questions regarding the information provided, please feel free to contact me.

Sincerely,

France Quirion, B.A., M.B.A.
Director, Corporate Services

FQ:mb

Sudbury

1300 rue Paris Street
Sudbury ON P3E 3A3
t: 705.522.9200
f: 705.522.5182

Elm Place

10 rue Elm Street
Unit / Unité 130
Sudbury ON P3C 5N3
t: 705.522.9200
f: 705.677.9611

Sudbury East / Sudbury-Est

1 rue King Street
Box / Boîte 58
St.-Charles ON P0M 2W0
t: 705.222.9201
f: 705.867.0474

Espanola

800 rue Centre Street
Unit / Unité 100 C
Espanola ON P5E 1J3
t: 705.222.9202
f: 705.869.5583

Île Manitoulin Island

6163 Highway / Route 542
Box / Boîte 87
Mindemoya ON P0P 1S0
t: 705.370.9200
f: 705.377.5580

Chapleau

34 rue Birch Street
Box / Boîte 485
Chapleau ON P0M 1K0
t: 705.860.9200
f: 705.864.0820

toll-free / sans frais

1.866.522.9200

phsd.ca



Ms. Patsy Gilchrist
February 7, 2022
Page 2 of 2

cc: The Corporation of the Town of Gore Bay, Town of Northeastern Manitoulin and the Islands N.E.M.I, Township of Assiginack, Township of Gordon/Barrie Island, The Corporation of the Municipality of Billings, Township of Central Manitoulin, Township of Cockburn Island, Township of Tehkummah, Municipality of Kilarney, Manitoulin Municipal Association, Dr. P. Sutcliffe, Ken Noland

Accounts Payable
January 19 to Febraury 2, 2023

Date	CK #	Name	Total Due
Jan 19 2023	7709	ADT Security Services	68.51
Jan 19 2023	7710	Boyuk Towing	2,486.00
Jan 19 2023	7711	Brendan Addison Mobile Mechanical	1,033.54
Jan 19 2023	7712	Bridal Veil Variety	494.73
Jan 19 2023	7713	EXP Services Inc.	32,389.24
Jan 19 2023	7714	Grand & Toy Ltd.	159.96
Jan 19 2023	7715	Groeneveld Lubrication Solutions	111.85
Jan 19 2023	7716	J K Automotive	186.45
Jan 19 2023	7717	Manitoulin Health Centre	2,116.00
Jan 19 2023	7718	Manitoulin Planning Board	8,923.05
Jan 19 2023	7719	Manitoulin Streams Improvement	2,500.00
Jan 19 2023	7720	McDougall Energy Inc.	6,111.75
Jan 19 2023	7721	Minister of Finance (Policing)	18,316.00
Jan 19 2023	7722	Public Health Sudbury & Districts	2,556.39
Jan 19 2023	7723	Turner, John	160.40
Jan 30 2023	7724	Beacon Images	126.24
Jan 30 202	7725	Bell Mobility	601.42
Jan 30 2023	7726	Bridal Veil Variety	537.21
Jan 30 2023	7727	Identifiable Individual	81.31
Jan 30 2023	7728	Deluxe Canada	2,228.19
Jan 30 2023	7729	Laurentian Business Product	167.18
Jan 30 2023	7730	Local Authority Services	327.70
Jan 30 2023	7731	North Channel Marine Tourism Council	600.00
Jan 30 2023	7732	Pinchin Ltd	4,452.20
Jan 30 2023	7733	Steele's Home Hardware	20.88
Jan 30 2023	7734	Traffic Logix	1,356.00
Jan 30 2023	7735	Identifiable Individual	60.99
Feb 2 2023	7736	Brendan Addison Mobile Mechanical	1,507.35
Feb 2 2023	7737	Bridal Veil Variety	108.01
Feb 2 2023	7738	Identifiable Individual	60.00
Feb 2 2023	7739	Cheque Printing Error	0.00
Feb 2 2023	7740	Minister of Finance (Policing)	18,316.00
Feb 2 2023	7741	Pinchin Ltd	1,997.84
Feb 2 2023	7742	Public Health Sudbury & Districts	2,556.39
Feb 2 2023	7743	S P I Health and Safety	2,041.61
Feb 2 2023	7744	Shaw Farm Supply (Manit)	7.68
Feb 2 2023	7745	WPCI Cedar Pointe	148.14
Feb 2 2023	7746	McDougall Energy Inc.	3,647.80
Total			<u>118,564.01</u>

Direct Debit

Jan 18 2023	DD	Superior Propane	2027.16
Jan 23 2023	DD	Bell Canada	372.15
Jan 23 2023	DD	LBPC Leasing Limited	175.00

Total 2,574.31

Total Accounts Payable \$ 121,138.32



BY-LAW NO 2023-07

BEING A BY-LAW TO ESTABLISH A CODE OF CONDUCT FOR
COUNCIL AND LOCAL BOARDS FOR THE TOWNSHIP OF BILLINGS

WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9; shall be exercised by By-Law;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, Section 223.2 (1) provides that every municipality shall pass a code of conduct for members of Council of the municipality and its local boards;

AND WHEREAS Ontario Regulation 55/18 prescribes that codes of conduct for members of Council of the municipality and its local boards must include the following subject matters: gifts, benefits, and hospitality, respectful conduct, including conduct towards officers and employees of the municipality or the local board, confidential information, and use of property of the municipality or of the local board;

AND WHEREAS Council of the Corporation of the Township of Billings deems it necessary to repeal By-Law No. 2018-41 being the Council Code of Conduct;

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

1. That the Code of Conduct for Council and Local Boards is hereby adopted, and attached hereto as Schedule "A" and forming part of this By-Law.
2. That By-Law No. 2018-41 is hereby repealed
3. This By-Law shall come into full force and effect upon final passage.
4. This By-Law may be cited as the "Council and Local Boards Code of Conduct"

READ a FIRST and SECOND TIME this 7th day of February, 2023

READ a THIRD TIME and FINALLY PASSED this 7th day of February, 2023

Bryan Barker, Mayor

Emily Dance, CAO/Clerk

CODE OF CONDUCT FOR MEMBERS OF COUNCIL & LOCAL BOARDS

1. Purpose

1.0 Application and Purpose

1.1 The purpose of this Code of Conduct is to establish a general standard to ensure that all Members share a common basis for acceptable conduct, and to which all Members are expected to adhere to and comply with. This Code of Conduct augments other laws which Members are governed by and which requires Members to follow the Procedure By-law and other sources of applicable law, including but not limited to:

Municipal Act, 2001
Municipal Conflict of Interest Act
Municipal Elections Act, 1996
Municipal Freedom of Information and Protection of Privacy Act
Human Rights Code
Occupational Health and Safety Act
Provincial Offences Act
Criminal Code

1.2 This Code of Conduct applies to all Members of the Council of the Township of Billings and, unless specifically indicated otherwise and with all necessary modifications, to all members of the Municipality's local boards.

1.3 While this Code of Conduct applies to members of the Municipality's local boards it is recognized that such members do not hold elected office nor do they represent the Municipality in general and at all times.

2.0 Statement of Principles

2.1 This Code of Conduct is intended to set a high standard of conduct for Members in order to provide good governance and a high level of public confidence in the administration of the Municipality by its Members as duly elected and/or appointed public representatives of local boards to ensure that they each operate from a foundation of integrity, transparency, justice, truth, honesty and courtesy.

2.2 The principles set out in Sections 2.1 and 2.2 are intended to facilitate an understanding, application and interpretation of the Code of Conduct – the principles are not operative provisions of the Code of Conduct and are not intended to be enforced independently as such.

All Members shall:

- serve and be seen to serve the public in a conscientious and diligent manner;
- observe and act with the highest standard of ethical conduct and integrity;
- avoid the improper use of the influence of their office and act without self-interest;
- perform their functions with honesty, integrity, accountability and transparency;
- perform their duties of office and arrange their private affairs in a manner that promotes public confidence and that will bear close public scrutiny;
- be cognizant that they are at all times representatives of the Municipality and of Council, recognize the importance of their duties and responsibilities, take into account the public character of their function, and maintain and promote the public trust in the Municipality; and
- uphold the spirit and the letter of the laws of Ontario and Canada and the laws and policies adopted by Council.

3.0 Definitions

3.1 The following terms shall have the following meanings in this Code of Conduct:

- (a) "CAO" means the Chief Administrative Officer / Clerk of the Township of Billings or designate;
- (b) "child" means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;
- (c) "Clerk" means the CAO/Clerk of the Township of Billings or designate;
- (d) "confidential information" means information or records that are in the possession, in the custody or under the control of the Municipality that the Municipality is either precluded from disclosing under the Municipal Act, 2001 or other applicable legislation, its Procedure By-law or any of its other by-laws, policies, rules or procedures, or that it is required to refuse to disclose under the Municipal Freedom of Information and Protection of Privacy Act or other legislation;
- (e) "conflict of interest" means a situation in which a Member has competing interests or loyalties between the Member's personal or private interests and his or her public interests as an elected representative such that it might influence his or her decision in a particular matter;
- (f) "Council" means the council for the Township of Billings and includes, as the context may require and with all necessary modifications, any of the Municipality's local boards;
- (g) "family" means a Member's spouse (including common-law partner or any person with whom the Member is living as a spouse outside of marriage), parent (including step-parent and legal guardian), child (including step-child), grandchild, sibling, aunt, uncle, niece, nephew, first cousin, and in-law (including mother- and father-in-law, sister- and brother-in-law, daughter- and son-in-law);
- (h) "frivolous" means of little or no weight, worth, importance or any need of serious notice;
- (i) "gift" means any kind of benefit, contribution or hospitality that has any financial or monetary value and includes the forms of benefits, contributions and hospitality that are set out in Section 7.0;
- (j) "Integrity Commissioner" means the person appointed by Council pursuant to section 223.3 of the Municipal Act, 2001 to independently carry out the functions set out therein and such other functions as may be assigned by Council from time to time;
- (k) "local board" means a local board as that term is defined in subsection 1(1) and section 223.1 of the Municipal Act, 2001;
- (l) "media" includes any radio, television, newspaper, magazine, website, blog, social media, Twitter feed, YouTube or any other vehicles for the public dissemination of information, whether digital, electronic or print;
- (m) "meeting" means a regular, special or other meeting of Council or a committee of Council where:
 - (i) a quorum of Members is present, and
 - (ii) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council;
- (n) "Member" means a Member of the Council for the Municipality or a member of a local board, including a member of a joint board if that member is appointed by the Council to the joint board;

(o) "Municipality" means The Corporation of the Township of Billings and includes, as the context may require and with all necessary modifications, any of the Municipality's local boards;

(p) "non-pecuniary interest" means a private or personal interest that a Member may have that is non-financial in nature and that would be considered by a reasonable person, apprised of all the circumstances, as being likely to influence the Member's decision in any matter in which the non-pecuniary interest arises, and may include, but is not limited to, an interest that arises from a relationship with a person or entity;

(q) "parent" means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;

(r) "pecuniary" means relating to or consisting of money or having financial, economic or monetary value;

(s) "social media" means any third-party hosted technologies that allow the creation and exchange of user-generated content to share opinions, information and documents, and includes blogs, discussion boards and forums, microblogs, photo-sharing sites, social networks and video sharing services;

(t) "spouse" means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage;

(u) "staff" means the CAO/Clerk and all officers, managers, supervisors and all administrative staff, whether full-time, part-time, contract, seasonal or volunteer, as well as agents, consultants and volunteers acting in furtherance of the Municipality's business and interest (not including a Member);

(v) "vexatious" means troublesome or annoying in the case of being instituted without sufficient grounds and serving only to cause irritation and aggravation to the person being complained of.

4.0 General Obligations

4.1 A Member shall make every effort to:

(a) respect the individual rights, values, beliefs and personality traits of any other person, recognizing that all persons are entitled to be treated equally with dignity and respect for their personal status regarding gender, sexual orientation, gender identity, gender expression, race, creed, religion, ability and spirituality;

(b) not make statements that are or ought to be known to be false or with the intent to mislead or misinform Council or the public;

(c) not make disparaging comments about any other person (including a Member) or unfounded accusations about the motives of any person (including a Member); and

(d) conduct themselves with integrity, courtesy and respectability at all meetings of the Council or any committee and in accordance with the Municipality's Procedure Bylaw or other applicable procedural rules and policies.

5.0 The Role of Staff – Respectful Conduct Towards Staff

5.1 An individual Member neither directs nor oversees the functions of the staff of the Municipality. Council as a whole approves the budget, policies and governance of the Municipality through its by-laws and resolutions.

5.2 Staff serve Council and work for the Municipality as a body corporate under the direction of the CAO/Clerk. Members shall acknowledge, respect and have regard for the administration, managerial and organizational structure of the Municipality when requesting information, advice or services from staff.

5.3 A Member shall comply with the Municipality's Council and Staff Relations Policy.

5.4 A Member shall not publicly criticize Staff and any issue with respect to any Staff member shall be referred to the CAO/Clerk.

5.5 A Member shall respect the role of Staff in the administration of the business and governmental affairs of the Municipality, and acknowledge and appreciate that staff:

(a) provide advice and make policy recommendations in accordance with their professional ethics, expertise and obligations and that a Member must not falsely or maliciously injure the reputation of Staff members whether professional or ethical or otherwise;

(b) work within the administration of justice and that a Member must not make requests, statements or take actions which may be construed as an attempt to influence the independent administration of justice and, therefore, a Member shall not attempt to intimidate, threaten, or influence any Staff member from carrying out that person's duties, including any duty to disclose improper activity; and

(c) carry out their municipal duties based on political neutrality and without undue influence from any individual Member and, therefore, a Member must not invite or pressure any member of Staff to engage in partisan political activities or be subjected to discrimination or reprisal for refusing to engage in such activities.

6.0 Municipal Property

6.1 Council is the custodian of the assets of the Municipality. The community places its trust in Council and those it appoints to make decisions for the public good in relation to these assets.

6.2 By virtue of their office or appointment, a Member must not use or permit the use of the Municipality's property, including but not limited to land, facilities, equipment, supplies, services, staff or other resources for activities other than the business of the Municipality, unless they are entitled to such use equally with any other resident and have paid fair market value for such use. No Member shall seek financial gain for themselves, family or friends from the use or sale of the Municipality's intellectual property, computer programs, technological innovations, or other patent, trademarks, official marks or copyright held by the Municipality.

6.3 A Member shall not use any Municipality property for activities not associated with their duties of office unless prior approval has been granted by Council.

7.0 Gifts, Benefits and Hospitality

7.1 Any gift to a Member risks the appearance of improper influence. Gifts may improperly induce influence or create an incentive for a Member to make decisions on the basis of relationships rather than in the best interests of the Municipality. A Member shall not accept any gift connected directly or indirectly with the performance of his or her duties except as provided in Section 7.3.

7.2 A gift provided to a Member's family that is connected directly or indirectly to the performance of the Member's duties shall be deemed to be a gift to that Member. Any doubt concerning the propriety of the gift should be resolved by the Member not accepting or keeping it.

7.3 For greater clarity, despite Sections 7.1 and 7.2, a Member is entitled to accept any compensation, remuneration or benefit authorized by law but shall not accept any gift other than in the following circumstances:

(a) a gift that normally accompanies the responsibilities of office and is received as an incident of protocol or social obligation as set out in 7.3(g);

(b) a political contribution otherwise reported by law, in the case of a Member running for office;

(c) services provided without compensation by persons volunteering their time for a charitable or non-profit event or for the Member's re-election campaign;

(d) nominal tokens, mementos or souvenirs received as an incident of protocol or social obligation that normally accompanies the responsibilities of elected office or at a function honouring the Member;

(e) food, lodging, transportation and entertainment provided by provincial, regional and local governments or any agencies or subdivisions of them or by the federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity as a representative of the Municipality;

(f) entrance fees or food and beverages consumed at banquets, receptions or similar events, if:

(i) attendance serves a legitimate municipal business purpose related to the business of the Municipality,

(ii) the person extending the invitation or a representative of the organization is in attendance,

(iii) the invitations are infrequent, and

(iv) the value is not greater than \$500.00 from a single source over a calendar year;

(g) a gift (other than gifts as set out in Section 7.3(f)) not having a value greater than \$250.00 from a single source over a calendar year; and

(h) a gift received as a door prize, raffle or similar draw at an event, conference or seminar attended by the Member.

7.4 A Member who has received and accepted a gift pursuant to Section 7.3(a), (f), (g) and (h) shall file a disclosure of the gift indicating the person, body or entity from which it was received together with the estimated value of the gift in accordance with the Disclosure Statement set out in Appendix "A". A Member shall submit the Disclosure Statement to the CAO/Clerk on an annual basis no later than March 31 for the preceding calendar year and it shall be a matter of public record.

7.5 A Member shall not seek or obtain by reason of his or her office any personal privilege or advantage with respect to municipal services not otherwise available to the general public and not connected directly or indirectly to the performance of the Member's duties.

8.0 Confidential Information

8.1 Members receive confidential information from a number of sources as part of their work as elected officials. This includes information received in confidence by the Municipality that falls under the privacy provisions of the Municipal Freedom of Information and Protection of Privacy Act and other applicable privacy laws, and information received during closed meetings of Council or committees of local boards. Examples of types of information that a Member must keep confidential, unless expressly authorized by Council, or as required by law, or the information is in the public realm, include, but are not limited to:

(a) matters related to ongoing litigation or negotiation, or that are the subject of solicitor client privilege;

(b) information provided in confidence, for example, the identity of a complainant where a complaint is made in confidence, personal information of an individual derived from municipal records or other information that a Member receives in confidence by virtue of their office as an elected representative;

(c) price schedules in contract tender or request for proposal submissions if so specified;

(d) personal matters about an identifiable individual;

(e) “personal information” as defined in the Municipal Freedom of Information and Protection of Privacy Act;

(f) any census or assessment data that is deemed confidential; and

(g) the purchase or sale of personal or real property by the Municipality.

8.2 A Member shall not disclose the content of any confidential information, or the substance of deliberations, from a closed meeting. A Member has a duty to hold any information received at closed meetings in strict confidence for as long and as broadly as the confidence applies. A Member shall not, either directly or indirectly, release, make public or in any way divulge any such information or any confidential aspect of the closed deliberations to anyone, unless authorized by Council or as required by law.

8.3 A Member shall not disclose, use or release confidential information in contravention of applicable privacy laws. Members are only entitled to information in the possession of the Municipality that is relevant to matters before the Council, or a committee.

Otherwise, Members enjoy the same access rights to information as any other member of the community or resident of the Municipality and must follow the same processes as any private person to obtain such information.

8.4 A Member shall not misuse confidential information in any way or manner such that it may cause detriment to the Municipality, Council or any other person, or for financial or other gain for themselves or others.

8.5 A Member shall respect the right to confidentiality and privacy of all clients, volunteers and staff, and should be aware of their responsibilities under applicable legislation, municipal policies, procedures and rules, ethical standards and, where appropriate, professional standards.

8.6 A Member shall not disclose any confidential information received by virtue of his or her office, even if the Member ceases to be a Member.

9.0 Discrimination and Harassment

9.1 A Member shall treat all members of the public, one another and staff with respect and without abuse, bullying or intimidation and ensure that their work environment is free from discrimination and harassment.

9.2 A Member shall not use indecent, abusive, demeaning or insulting words, phrases or expressions toward any member of the public, another Member or staff.

9.3 A Member shall not make comments or conduct themselves in any manner that is discriminatory to any individual based on the individual’s race, colour, ancestry, citizenship, ethnic origin, place of origin, creed or religion, gender, gender identity, gender expression, sexual orientation, marital status, family status, disability, age or record of offences for which a pardon has not been granted.

9.4 A Member shall comply with the Municipality’s Corporate Violence, Discrimination and Harassment Policy.

10.0 Improper Use of Influence

10.1 A Member shall not use the influence of their office or appointment for any purpose other than the exercise of his or her official duties in the public interest.

10.2 A Member shall not use the status of their position to influence the decision of another person to the private advantage or non-pecuniary interest of themselves or their family, or for the purpose of creating a disadvantage to another person or for providing an advantage to themselves.

11.0 Conflicts of Interest

11.1 A Member shall recognize that they must comply with the requirements of the Municipal Conflict of Interest Act with respect to obligations relating to pecuniary

interests. A contravention of the Municipal Conflict of Interest Act by a Member shall not constitute a breach of the Code of Conduct but may be enforced in accordance with the provisions of the statute and section 223.4.1 of the Municipal Act, 2001.

11.2 A Member shall also avoid any conflict of interest that is a non-pecuniary interest in order to maintain public confidence in the Municipality and its local boards. If a Member has a non-pecuniary interest, the Member should declare the non-pecuniary interest and then leave the meeting at which the matter is being considered. Under no circumstance shall the Member participate in any discussion or vote on the matter or attempt to influence the voting on the matter in any way, before during or after the meeting.

12.0 Council Policies and Procedures

12.1 A Member shall observe and strictly adhere to any policies, procedures and rules enacted and/or established from time to time by Council. These policies include, but are not limited

to:

Conference Attendance and Expense Reimbursement Policy

- Accountability and Transparency Policy
- Council-Staff Relation Policy
- Employment Responsibilities Policy
- Social Media Policy
- Purchasing and Procurement Policy

13.0 Election Activity

13.1 A Member is required to conduct themselves in accordance with the Municipal Elections Act, 1996 and any of the Municipality's policies pertaining to elections. The use of the Municipality's resources, both property and staff time, for any election-related activity is strictly prohibited. Election-related activity applies to the Member's campaign and any other election campaigns for municipal, provincial or federal office.

14.0 Communications and Media Relations

14.1 In order to foster respect for the decision-making process of Council, Members shall fairly and accurately communicate the decisions of Council and respect Council's decision making process even if they disagree with Council's ultimate determinations and rulings. Members may publicly express the reason for voting differently than the majority but shall always do so in a respectful manner that supports the decisions of Council.

14.2 Members shall not indicate, implicitly or explicitly, in any communications with the media that they speak on behalf of Council, unless they have been expressly authorized to do so by Council.

14.3 Members shall refrain from making comments of a disparaging nature about Members, staff or persons that relate to the business of the Municipality.

15.0 Social Media

15.1 Members using social media shall:

- (a) ensure that all posts are accurate before uploading content to the internet;
- (b) obtain permission before posting any third-party content;
- (c) follow the same principles and guidelines as for other forms of communication by employing sound judgment and common sense, by acting with respect, dignity, courtesy and empathy; and

(d) ensure that it is noted that communications that are Member and constituent-related do not necessarily reflect the existing or future opinions, views or decisions of the Council.

16.0 Respect for the Code of Conduct

16.1 A Member shall respect the process for complaints made under the Code of Conduct, applications under the Municipal Conflict of Interest Act or through any process for complaints adopted by the Municipality.

16.2 A Member shall not act in reprisal or threaten reprisal against any person, including another Member, who makes a complaint or provides information to the Integrity Commissioner during an investigation.

16.2 A Member shall interact courteously and respectfully with the Integrity Commissioner and with any person acting under the direction of the Integrity Commissioner. A Member shall not act in reprisal or threaten reprisal against the Integrity Commissioner or any person acting under the instructions of the Integrity Commissioner. The Integrity Commissioner is authorized to report any incidents of threats or reprisals to Council or the local board by a Member and may recommend penalties or remedial or corrections measures or actions against such Member. The Integrity Commissioner is also authorized to report to Council or the local board any attempt by a Member to use their office to influence any decision or recommendation of the Integrity Commissioner.

16.3 A Member shall cooperate with requests for information during any investigations or inquiries under the Code of Conduct and shall not:

- (a) interfere with or obstruct an investigation by the Integrity Commissioner;
- (b) destroy or damage documents or erase any digital or electronic communications or records;
- (c) refuse to respond to the Integrity Commissioner where a complaint has been filed under the Code of Conduct or any process for complaints adopted by the Municipality; or
- (d) attempt to influence any other Member or staff with respect to the subject matter of the investigation or inquiry except as may be permitted pursuant to subsections 5(2.1) and 5.2(2) of the Municipal Act Conflict of Interest Act.

16.4 Staff shall remain neutral and impartial, and not seek to interfere with or attempt to subvert or obstruct the Integrity Commissioner in any way in carrying out its responsibilities and functions. Staff shall comply with any requests from the Integrity Commissioner for any assistance or information.

17.0 Penalties for Non-Compliance with the Code of Conduct

17.1 Where Council receives a report from the Integrity Commissioner that there has been a violation of the Code of Conduct by a Member, Council may impose the following penalties on the Member:

- (a) a reprimand; and/or
- (b) a suspension of the remuneration paid to the Member in respect of his or her services as a Member for a period up to ninety (90) days.

17.2 In the case of a local board, if the Council has not imposed either of the penalties set out in Section 17.1 on its Member, the Integrity Commissioner may report to the local board that, in his or her opinion, the Member has contravened the Code of Conduct in which case the local board may impose the penalties set out in Section 17.1.

18.0 Remedial Measures or Corrective Actions

18.1 Council may, on the basis of a recommendation from the Integrity Commissioner, also take any or all of the following corrective actions or remedial measures, and require that the Member:

- (a) provide a written or verbal apology;
- (b) return property or make reimbursement of its value or of money spent;
- (c) be removed from or not be appointed to the membership on a committee of Council;
- (d) be removed from or not be appointed as chair of a committee of Council; and
- (e) comply with any other remedial measure or corrective action deemed appropriate by the Integrity Commissioner.

18.2 In the case of a local board, if the Council has not imposed either of the penalties set out in Section 17.1 on a Member or any remedial or corrective actions under Section 18.1, the local board may impose such remedial or corrective actions as are set out in Section 18.1(a)-(e).

19.0 Legal Fees

19.1 A Member of Council is entitled to seek the advice of the Integrity Commissioner with respect to their own obligations under the Code of Conduct, any ethical procedure, policy or rule, and sections 5, 5.1 and 5.2 of the Municipal Conflict of Interest Act. As such, a Member is solely responsible for their own legal costs if they retain a lawyer or paralegal to provide legal counsel, advice or representation on any matter related to the Code of Conduct, any ethical procedure, policy or rule, and sections 5, 5.1 and 5.2 of the Municipal Conflict of Interest Act, including, but not limited to, an investigation and the imposition of penalties or remedial or corrective actions recommended by the Integrity Commissioner or as imposed by Council, a complaint to the Ontario Ombudsman or a judicial review application to the courts from a decision of Council based on a report and recommendations from the Integrity Commissioner, or any other related proceeding.

20.0 Complaint Protocol

20.1 The Complaint Protocol is Appendix "B" to the Code of Conduct and applies to complaints under the Code of Conduct and applications under the Municipal Conflict of Interest Act.

APPENDIX "A"

DISCLOSURE STATEMENT FOR GIFTS OR BENEFITS

Member's Name: _____

Gift Received: _____

Received From: _____

Date of Receipt: _____ Value or Estimate of Gift: _____

Please describe the circumstances under which the Gift was received:

Please describe your intentions with respect to the Gift:

Do you anticipate transferring the Gift described above to the Municipality or the local board?

Yes, immediately _____ No _____

Member's Signature Date

APPENDIX "B"

CODE OF CONDUCT COMPLAINT PROTOCOL FOR MEMBERS OF COUNCIL

PART A - INFORMAL COMPLAINT PROCEDURE

1. Any individual who identifies or witnesses behaviour or activity by a Member that they believe contravenes the Code of Conduct may seek to address the prohibited behaviour or activity themselves in the following manner by following the Informal Complaint Procedure:

(a) document the incident(s) where the Member may have contravened the Code of Conduct including dates, times, locations, other persons present, and any other relevant information;

(b) advise another person about the concerns regarding the Member's actions for the purpose of corroborating the incident(s) or actions;

(c) directly advise the Member that the behaviour or activity appears to contravene the Code of Conduct;

(d) identify to the Member the specific provision(s) of the Code of Conduct that may have been contravened;

(e) encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to undertake to refrain from future occurrences of the prohibited behaviour or activity;

(f) if applicable:

(i) confirm to the Member that his or her response is satisfactory, or

(ii) advise the Member that his or her response is unsatisfactory;

(g) consider the need to pursue the matter in accordance with the Formal Complaint Procedure set out in Part B, or in accordance with any other applicable judicial or quasi-judicial process or complaint procedure.

2. Individuals are encouraged to pursue the Informal Complaint Procedure as the first means of remedying the behaviour or activity of a Member that they believe contravenes the Code of Conduct.

3. The Integrity Commissioner may be requested to assist in an attempt to settle or resolve the issue with the Member and the individual but the Integrity Commissioner will participate only if both or all parties have consented to its participation.

4. The Informal Complaint Procedure is not a precondition or a prerequisite to pursuing the Formal Complaint Procedure related to the Code of Conduct set out in Part B.

PART B - FORMAL COMPLAINT PROCEDURE

Formal Complaints

5.(1) Any individual who has reasonable grounds to believe that a Member has contravened a provision of the Code of Conduct may file a formal complaint ("Complaint") to request an inquiry by the Integrity Commissioner as to whether a Member has contravened the Code of Conduct in accordance with the following requirements:

(a) a Complaint shall be in writing on the prescribed form (Formal Complaint Form #1 attached hereto) and shall be dated and signed by an identifiable individual ("the complainant");

(b) a Complaint must set out reasonable grounds for the allegation that the Member has contravened the Code of Conduct and set out the evidence in support of the allegation; and

(2) Council may also file a Complaint against any of its Members of an alleged contravention of the Code of Conduct by passing a resolution requesting the Integrity Commissioner to undertake an inquiry.

(3) An elector, as defined in section 1 of the Municipal Conflict of Interest Act, or a person demonstrably acting in the public interest (collectively, “a complainant”) may file a formal application requesting that the Integrity Commissioner carry out an inquiry concerning an alleged contravention of section 5, 5.1 or 5.2 of that statute by a Member in accordance with the following requirements:

(a) an application (also referred to as a “Complaint” herein) shall be in writing on the prescribed form (Complaint Form # 2 attached hereto), dated and signed by an identifiable individual;

(b) the application shall include a statutory declaration attesting to the fact that:

(i) the complainant became aware of the contravention not more than six (6) weeks before the date of the application; or

(ii) in the case where the complainant became aware of the alleged contravention during the period of time described in paragraph 1 of subsection 223.4.1(5) of the Municipal Act, 2001, that the complainant became aware of the alleged contravention during that period of time;

(4) Council may also pass a resolution requesting the Integrity Commissioner to undertake an inquiry respecting an alleged contravention of section 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act by a Member and provide a statutory declaration as required by Section 5(2) to be sworn by a Member of Council.

(5) Complainants who file a formal Complaint under Section 5 must provide a full and complete record of the evidence they purport to rely upon to substantiate or support the allegations set out in the Complaint to the Integrity Commissioner. The Integrity Commissioner is under no obligation whatsoever to, but may, seek additional information.

Filing of Complaint and Classification by Integrity Commissioner

6.(1) The Complaint may be filed either with the CAO/Clerk or with the Integrity Commissioner by hard copy or by email at the following mailing or email addresses:

(a) to the CAO/Clerk (who will provide a copy to the Integrity Commissioner):

Emily Dance
CAO/Clerk
15 Old Mill Road
Kagawong, ON
P0P 1J0
edance@billingstwp.ca

or

(b) directly with the Integrity Commissioner:

Expertise for Municipalities (E4m)
1894 Lasalle Blvd.
Sudbury, ON
P3A 2A4
ic@e4m.solutions

(2) The Integrity Commissioner shall initially review the Complaint to determine if the matter is, on its face, a Complaint with respect to a contravention of the Code of Conduct and not covered by other legislation or other Council procedures, policies or rules as set out in Section 7 or whether it is a Complaint with respect to an alleged contravention of section 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act.

Complaints Outside the Integrity Commissioner's Jurisdiction or Not for Investigation

7.(1) If the Complaint is not, on its face, a Complaint with respect to a contravention of the Code of Conduct or the Complaint relates to matters addressed by other legislation under another procedure, policy or rule of the Municipality, or whether it is a Complaint with respect to an alleged contravention of section 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act, the Integrity Commissioner shall advise the complainant in writing as follows:

Criminal Matter

(a) if the Complaint is, on its face, an allegation of a criminal nature consistent with the Criminal Code, the complainant shall be advised that the complainant may pursue it with the appropriate police service if the complainant wishes to pursue any such allegation;

Municipal Freedom of Information and Protection of Privacy Act

(b) if the Complaint is more appropriately addressed under the Municipal Freedom of Information and Protection of Privacy Act, the complainant shall be advised that the matter must be referred to the CAO/Clerk to deal with under any access and privacy policies of the Municipality under that statute;

Other Procedure, Policy or Rule Applies

(c) if the Complaint appears to fall within the scope of another procedure, policy or rule of the Municipality, the complainant shall be advised to pursue the matter under such procedure, policy or rule with the appropriate municipal official or staff member; and

Lack of Jurisdiction

(d) if the Complaint is, for any other reason not within the jurisdiction of the Integrity Commissioner (for example, it relates to a decision of Council as a whole and not one or more individual Members), the complainant shall be so advised and provided with any additional reasons and referrals, if any, as the Integrity Commissioner considers appropriate.

(2) If it becomes apparent to the Integrity Commissioner at any time that the Complaint with respect to a contravention of the Code of Conduct or with respect to an alleged contravention of section 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act, relates to any of the following matters, the Integrity Commissioner shall advise the complainant in writing as follows:

Matter Already Pending

(a) if the Complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a court proceeding, a human rights or workplace harassment complaint or similar process, or to a civil matter that is pending before the courts, the Integrity Commissioner may, in his/her sole discretion, suspend any investigation, in whole or in part, pending the result of the other process;

Similar Matter Already Pending

(b) if the Complaint is in relation to a similar matter which is subject to an outstanding Complaint before the Integrity Commissioner, the Integrity Commissioner may, in his/her sole discretion, consider the matter in conjunction with the similar matter or deal with it separately, including not undertaking an inquiry if the matter can be adequately addressed in any report and/or recommendations made with respect to the Complaint in the similar matter; and

Other Ethical Code or Policy Applies

(c) if the Complaint is in relation to a matter which is governed by a code of conduct, ethical code or similar procedure or policy of another body or entity which also governs

the Members (for example, another board, body or committee to which the Member has been appointed), the Integrity Commissioner shall consider the most appropriate forum for the Complaint and may, in his/her sole discretion, defer consideration of the matter pending any determination made by the other body or entity and shall so advise the complainant and, if necessary, the Member.

(3) Nothing in Section 7 precludes the Integrity Commissioner from reporting to Council on any matter that is suspended, summarily dismissed, terminated or not otherwise investigated.

Limitation Period

8.(1) The Integrity Commissioner shall not accept a Complaint under the Code of Conduct for which the event giving rise to the Complaint occurred more than six (6) months prior to the date of the filing of the Complaint, notwithstanding when it was discovered.

(2) The Integrity Commissioner shall not accept an application with respect to an alleged contravention of section 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act more than six (6) weeks after the complainant became aware of the alleged contravention except in accordance with the requirements of subsections 8(3)-(7) of that statute and section 223.4.1 of the Municipal Act, 2001.

Refusal to Conduct Investigation

9. The Integrity Commissioner always has a discretion as to whether to carry out an investigation. If the Integrity Commissioner is satisfied at any time, after considering the information contained in the Complaint, that the Complaint:

- (a) is frivolous or vexatious,
- (b) is not made in good faith,
- (c) constitutes an abuse of process,
- (d) discloses no grounds or insufficient grounds for an investigation,
- (e) does not warrant a full investigation, or
- (f) is not otherwise in the public interest, the Integrity Commissioner shall not be required to conduct an investigation and may summarily dismiss the Complaint, and, where this becomes apparent during the course of an investigation, the Integrity Commissioner shall terminate the investigation and provide notice to the complainant and, if necessary, to the Member. The Integrity Commissioner is under no obligation to report the refusal to conduct an investigation to Council.

Opportunities for Resolution

10. Following receipt and review of a Complaint or at any time during an investigation where the Integrity Commissioner, in its sole discretion, believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution.

Investigation

11.(1) The Integrity Commissioner may proceed as follows, except where the Integrity Commissioner has a full factual record and believes, in its sole discretion, that no additional information is required, or where otherwise required by the Public Inquiries Act, 2009, or where the Integrity Commissioner has not otherwise terminated the inquiry:

- (a) provide the Member with a copy of the Complaint which shall not disclose:
 - (i) the identity of the complainant, or

(ii) the identity of any witnesses set out in the Complaint or persons that are to be questioned/interviewed by the Integrity Commissioner, unless it is essential for the Member to adequately respond to the Complaint, which determination shall be made by the Integrity Commissioner, in its sole discretion;

(b) request that the Member provide a written response to the allegations in the Complaint to the Integrity Commissioner within ten (10) calendar days;

(c) provide a copy of the Member's response to the complainant with a request that any written reply be provided by the complainant to the Integrity Commissioner within ten (10) calendar days.

(2) If necessary, after reviewing the submitted materials, the Integrity Commissioner may contact and speak to or correspond with any other persons, access and examine any other documents or electronic materials, including any materials on the Municipality's computers and servers, and may enter any municipal work location relevant to the Complaint for the purpose of investigation and potential resolution.

(3) Preliminary or proposed finding(s) may be provided to a Member if the Integrity Commissioner considers that the Member may have contravened the Code of Conduct.

(4) The Integrity Commissioner may, but is under no obligation, to provide the Member and the complainant with a draft of the proposed final report on the Complaint.

(5) The Integrity Commissioner may make interim reports to Council where the Integrity Commissioner considers it necessary or required to address any instances of interference, obstruction, intimidation, delay, reprisal or retaliation by the Member or by any other person encountered during the formal investigation, and may also disclose such information as is necessary in the Integrity Commissioner's opinion for the purposes of the interim report(s) or any final report(s).

(6) The Integrity Commissioner is entitled to make such additional inquiries and provide such additional reports to Council where necessary and as required to address any instances of non-compliance with any decision of Council including the failure to comply with any penalties or remedial measures/corrective actions imposed by Council or on any matter that the Integrity Commissioner considers necessary.

No Complaint Prior to Municipal Election

12.(1) Notwithstanding any other provision of this Complaint Protocol, no Complaint may be filed with the Integrity Commissioner, nor shall any report shall be made by the Integrity Commissioner to Council during the period of time starting on nomination day for a regular municipal election year, as set out in section 31 of the Municipal Elections Act, 1996 and ending on the voting day in a regular election as set out in section 5 of the Municipal Elections Act, 1996.

(2) If the Integrity Commissioner has received a Complaint and has commenced an inquiry but has not completed the inquiry before nomination day in a regular municipal election year, the Integrity Commissioner shall terminate the inquiry on nomination day but may commence an inquiry in respect of the same Complaint if within six (6) weeks after the voting day in a regular municipal election the individual who made the request makes a written request to the Integrity Commissioner in accordance with subsection 223.4(8) of the Municipal Act, 2001.

Advice Provided to Member by Integrity Commissioner

13.(1) Subject to Section 13(2), a Member is entitled to rely upon any written advice given by the Integrity Commissioner to the Member respecting the Code of Conduct in any subsequent consideration of the conduct of the Member in the same matter provided that the Member fully disclosed in writing all relevant facts known to him or her to the Integrity Commissioner and acted in accordance with the written advice provided by the Integrity Commissioner.

(2) If the Integrity Commissioner applies to a judge under section 8 of the Municipal Conflict of Interest Act for a determination as to whether the Member contravened section 5, 5.1 or 5.2 of the Municipal Conflict of Interest Act, the Member is entitled to advise the judge of any written advice given by the Integrity Commissioner provided that the Member fully disclosed in writing all relevant facts known to him or her to the Integrity Commissioner and acted in accordance with the written advice provided by the Integrity Commissioner.

(3) A Member under investigation by the Integrity Commissioner shall not request advice from the Integrity Commissioner as to the Member's rights under the Code of Conduct, the Municipal Conflict of Interest Act or generally at law with respect to any specific matter that the Integrity Commissioner is investigating or reviewing with respect to the Member, nor is the Member entitled to rely upon any statement(s) made by the Integrity Commissioner during the course of any investigation or review that may impact the Member's rights under the Code of Conduct, the Municipal Conflict of Interest Act or generally at law.

(4) If a Member under investigation by the Integrity Commissioner requests advice, such requests shall be delegated in writing to any person, other than another Member, that the Integrity Commissioner, considers capable of providing informed advice to the Member.

Authority to Abridge or Extend

14.(1) Notwithstanding any timeline or time limit set out in the Code of Conduct or this Complaint Protocol, the Integrity Commissioner shall retain the right to abridge or extend any timeline or time limit therein if the Integrity Commissioner considers it, in its sole discretion, to be in the public interest to do so.

Investigation Report

15.(1) The Integrity Commissioner shall seek, but is not obligated, to complete an investigation within ninety (90) days following:

- (i) the official receipt of any Complaint under the Code of Conduct; and
- (ii) any additional clarification or information necessary to complete the Complaint, whichever is later.

(2) Where the Complaint is sustained in whole or in part, the Integrity Commissioner shall report to Council outlining the findings, the terms of any settlement and/or any recommended penalties / remedial measures or corrective actions.

(3) A Member shall have the right to address the recommendations in a report that has made a finding of a contravention of the Code of Conduct by the Member when the report is considered by Council. The Member themselves may participate in the discussion of the recommendations but may not vote on the matter. A Member is not entitled to challenge, contest or question the findings of an Integrity Commissioner's report to Council.

(5) Where the Complaint is not sustained, the Integrity Commissioner is not obligated to report to Council on the result of the investigation or any findings but may do so at its discretion and may also include such information as it deems necessary in a report or as part of an annual or other periodic report by the Integrity Commissioner.

(6) The Integrity Commissioner shall complete the investigation under the Municipal Conflict of Interest Act no later than one hundred and eighty (180) days after the official receipt of any application validly made under Sections 5(3) or (4) of this Part.

Findings

16.(1) If the Integrity Commissioner determines that:

- (a) there has been no contravention of the Code of Conduct, or section 5, 5.1 or 5.2

of the Municipal Conflict of Interest Act, or

(b) a contravention occurred but:

- (i) the Member took all reasonable measures to prevent it, including having sought and followed the advice of the Integrity Commissioner,
- (ii) it was trivial,
- (iii) it was committed through inadvertence, or
- (iv) it resulted from an error in judgment made in good faith, the Integrity Commissioner may so state in the report and may make appropriate recommendations pursuant to the Municipal Act, 2001, including but not limited to, a recommendation of no penalty and no imposition of remedial measures or corrective actions.

(2) If the Integrity Commissioner:

(a) considers it appropriate, once the investigation under Section 5(3) or (4) has concluded, to apply to a judge under section 8 of the Municipal Conflict of Interest Act for a determination as to whether the Member has contravened section 5, 5.1 or 5.2 of that statute; or

(b) does not proceed with an application to the judge, the complainant and the Member shall be advised in writing.

(3) The Integrity Commissioner shall provide a written report to Council providing the reasons for its decision under Section 16(2).

Report to Council

17. (1) Upon receipt of a report from the Integrity Commissioner with respect to the Code of Conduct, the CAO/Clerk shall place the report on the next regular agenda of Council for consideration by Council at that meeting.

(2) A report from the Integrity Commissioner may also be considered by Council in advance of its next regular meeting should Council agree to hold a special or other meeting before its next regular meeting to consider the report.

Duty of Council

18. Council shall consider and make a determination on the Integrity Commissioner's recommendations in a report under Section 17 at the same meeting at which the report is listed on the agenda in a session that is open to the public. Council shall not defer consideration of the report or its determination to another meeting.

Confidentiality and Public Disclosure

19. (1) In order to maintain the integrity of any process of inquiry or investigation, every person interacting with the Integrity Commissioner, including the complainant, the Member, any witness or any other person, shall preserve confidentiality with respect to all matters and shall not disclose any information to any other person relating to investigation unless so authorized by the Integrity Commissioner. A breach of this provision by the complainant may result in a termination of the Complaint.

(2) The Integrity Commissioner shall retain all records related to the Complaint and investigation although copies may be provided to the Municipality's administrative staff, subject to the duty of confidentiality under subsection 223.5 of the Municipal Act, 2001.

(3) The identity of the Member who is the subject of the Complaint shall not be treated as confidential information in the Integrity Commissioner's report to Council. The identity of the complainant and of any other person, including any witnesses, will remain confidential but may be disclosed if deemed appropriate and necessary by the Integrity Commissioner, if consented to by the complainant or any other person, or such information has already been publicly disclosed.

(4) All reports from the Integrity Commissioner to Council shall be made available to the public by the CAO/Clerk and are published via the meeting agenda in which they are considered.

Delegation by Integrity Commissioner

20. The Integrity Commissioner may delegate in writing to any person, other than a Member, any of the Integrity Commissioner's powers and duties under Part V.1 of the Municipal Act, 2001.

Code of Conduct – Formal Complaint Form #1

Part 1: Complainant Information

Last Name First Name

Address

Municipality Province Postal Code

Phone Number Email Address

Part 2: Complaint Information

Name of Member(s)

Name of Board (if applicable)

What provision(s) of the Code of Conduct do you believe were contravened?

[Set out all provision(s) alleged to have been contravened.]

Part 3: Complaint Description

Provide detailed reasons for why you have reasonable grounds to believe the Member has contravened the Code of Conduct?

[Set out detailed reasons on additional pages if necessary]

[Specify which actions or incidents relate to which provisions of the Code of Conduct]

I have attached supporting records and/or additional pages: Yes No

I also intend to file an application for an inquiry regarding a possible contravention of the Municipal

Conflict of Interest Act in relation to this matter: Yes No

Signature of Complainant Date (MM/DD/YYYY)

Suggestions

Complainants should review the full text of the Code of Conduct or relevant legislation.

Complainants should review the Municipality's Complaint Protocol and may contact the Integrity

Commissioner with questions about the process or procedure before filing.

The personal information on this form is collected under authority of the Municipal Act, 2001.

Municipal Conflict of Interest Act – Complaint Form # 2

STATUTORY DECLARATION

I, _____ (first and last name),
of the _____ in the Province of Ontario.

I SOLEMNLY DECLARE THAT:

1. I reside at: _____

Telephone: _____

Email: _____

2. I have reasonable and probable grounds to believe that

_____ (name of Member) has contravened the following section(s) of the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50:

- Section 5 Participated in the discussions and/or voted about a matter in which the Member has a direct or indirect pecuniary interest.
- Section 5.1 Failed to file a written statement of a declared pecuniary interest.
- Section 5.2 Used their office to attempt to influence a decision or recommendation of an officer or employee of the municipality and/or the board about a matter in which the Member has a direct or indirect pecuniary interest.

3. I became aware of the facts constituting the alleged contravention not more than six (6) weeks ago.

4. The facts constituting the alleged contravention are set out in Schedule “A” together with all applicable supporting materials, documents and records.

This declaration is made for the purpose of requesting that this matter be investigated by the

Municipality’s Integrity Commissioner and for no other purpose.

DECLARED before me at)
the _____ of _____
on _____ (date)

(Signature)

A Commissioner for taking affidavits etc.

Please note that signing a false declaration may expose you to prosecution under ss. 131 and 132 or 134 of the Criminal

Code, R.S.C. 1985, c. C-46 and also to civil liability for defamation.



BY-LAW NO 2023-08

BEING A BY-LAW TO ESTABLISH THE OFFICE OF THE INTEGRITY COMMISSIONER FOR THE TOWNSHIP OF BILLINGS

WHEREAS Section 223.1 of the *Municipal Act, 2001*, provides that the council of a municipality shall establish an office of the Integrity Commissioner;

AND WHEREAS the *Municipal Act, 2001* c., 25 authorizes the municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the conduct of municipal council members and local board members;

AND WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorizes municipalities to pass by-laws necessary or desirable for municipal purposes, and in particular subsection 10(2). authorizes by-laws respecting the accountability and transparency of the municipality and its operations;

AND WHEREAS The Township of Billings Council wishes to establish the Office of the Integrity Commissioner and to define certain duties and responsibilities;

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

1. Definitions

- 1.1 “Censure” means an official expression of disapproval or condemnation;
- 1.2 “Clerk” shall mean the CAO/Clerk of the Township of Billings;
- 1.3 “Code of Conduct” means Council Code of Conduct as it applies to Members of Council and Local Boards as approved by Council and as it existed on the date of the event or events giving rise to a complaint;
- 1.4 “Township” means the Corporation of the Township of Billings;
- 1.5 “Complaint” means a request by a legal person that the Integrity Commissioner conduct an inquiry into an event or series of events alleged to contravene the Code of Conduct or any other procedures, rules or policies governing the ethical behavior of Members of Council. Except as provided, must include a sworn/affirmed affidavit;
- 1.6 “Complainant” means a person who makes a complaint;
- 1.7 “Council” shall mean the elected officials who constitute the Township of Billings Council;
- 1.8 “Employee” shall mean a person employed by the Township, including those employed on personal service contracts and volunteers, but does not include members of Council;
- 1.9 “Good Faith” shall mean accordance with standards of honesty, trust and sincerity;

- 1.10 “Integrity Commissioner” means the person appointed by Council to provide independent and consistent complaint investigation and resolution services respecting the application of the Code of Conduct;
- 1.11 “Member” means any Member of Council or Local Board;
- 1.12 “Municipal Act” means the Municipal Act, 2001, S.O. 2001;
- 1.13 “Municipal Elections Act” means the Municipal Elections Act, 1996, S.O. 1996;
- 1.14 “MFIPPA” means the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, c. M56, as amended;
- 1.15 “Public Inquiries Act” means the Public Inquiries Act, 2009, S.O. 2009.

2. Appointment of Integrity Commissioner

- 2.1 Council shall appoint an Integrity Commissioner to investigate alleged breaches of the Code of Conduct or any other procedures, rules or policies governing the ethical behavior of Members of Council.
- 2.2 Without limiting Council’s authority to appoint an individual as Integrity Commissioner, the Integrity Commissioner may be:
 - a) Retained by Council on a term contract consisting of “fee for service” or a “retainer plus fee for service” basis;
- 2.3 The Integrity Commissioner shall complete any inquiry begun during their term notwithstanding the expiry of the term and this By-law shall continue to apply with all the necessary modifications.
- 2.4 If the Integrity Commissioner is unable to complete an inquiry in accordance with subsection 2.3, the Integrity Commissioner next appointed shall complete the inquiry.
- 2.5 The Integrity Commissioner may be removed before the expiry of his or her term of office, only for cause. In order to determine if cause exists, Council shall first receive legal advice from external legal counsel regarding same.

3. Role of Integrity Commissioner

The role of the Integrity Commissioner is to help ensure that Members perform their functions in accordance with the Code of Conduct and other procedures, rules or policies governing their ethical behavior. In addition, the Integrity Commissioner may, upon request of Council or a Member, provide advice and rulings on ethical challenges, issues and dilemmas, as detailed by section 5.1 c) or 5.1 d).

4. Duties of Integrity Commissioner

- 4.1 The Integrity Commissioner shall have the following responsibilities:
 - a) At least once per term of Council, deliver an oral presentation to Members of Council and local boards regarding the role of the Integrity Commissioner and ethical obligations and responsibilities of Members under the Code of Conduct and any other procedures, rules or policies governing their ethical behavior.
 - b) Upon request, provide advice, in writing, to individual Members regarding their ethical obligations and responsibilities under their Code of Conduct and any other procedures, rules or policies governing their ethical behavior.
 - c) Upon request, provide advice and recommendations to Council regarding amendments to the Code of Conduct and any other procedures, rules or policies governing their ethical behavior.

d) Prepare and deliver an annual report to Council containing a summary of activities, if any, during the previous calendar year.

e) Serve as a proactive educator for Council, Members of local boards, the Township and the public about the Township's Code of Conduct for Members of Council and Members of local boards and about the Municipal Conflict of Interest Act.

5. Making a Complaint

5.1 Any legal person may act as a Complainant.

5.2 Complaints can be made by filing a sworn/affirmed affidavit, in accordance with the current Council Code of Conduct, directly with the Integrity Commissioner, or the Clerk.

5.3 Where a complaint is filed with the Clerk, the Clerk is to forward the complaint to the attention of the Integrity Commissioner, without added comment, on a forthwith basis.

5.4 Where a complaint is filed by an Employee, Member of Council, or by Council, an affidavit to the Code of Conduct is not required, however the provision of equivalent information and particulars is required.

5.5 A complaint shall not be made available to the public except as may be required under the MFIPPA or as completed by Order of Court.

6. Limitation Period

6.1 Except as provided for in this section, the Integrity Commissioner shall not proceed with an inquiry in regard to a complaint which is filed more than 180 days after the date when the event or the last event of a series of events in which are the subject matter of the complaint occurred.

6.2 Notwithstanding Section 6.1 the Integrity Commissioner may proceed with an inquiry in regard to a complaint which is filed after the expiry of the time limit under Section 6.1 if the Integrity Commissioner is satisfied that:

a) The delay was incurred in good faith;

b) It is in the public interest to proceed with an inquiry; and,

c) No substantial prejudice will result to any person because of the delay.

6.3 A complainant is deemed to have known the matters referred to in Section 6.1 on the date the event, or series of events, occurred, unless the contrary is proven, the onus of proof lies upon the complainant.

7. Conduct of Inquiry

7.1 When a complaint is received by the Integrity Commissioner, they shall conduct an inquiry promptly, thoroughly and in a manner that ensures the Member(s) who is the subject of the complaint is given an opportunity to know the nature of the complaint against them and to make representation respecting the complaint to the Integrity Commissioner.

7.2 Information concerning the nature of a complaint disclosed to a Member shall be used by the Member only for the purpose of making representations respecting the complaint to the Integrity Commissioner and not for any other purpose.

7.3 In conducting an inquiry into a complaint regarding a Member, the Integrity Commissioner may exercise any power given to them under this By-law or under Part V.1 of the Municipal Act, 2001 including the power to conduct or not conduct an inquiry under the Public Inquiries Act, 2009.

- 7.4 If the Integrity Commissioner is satisfied that a complaint regarding a Member does not contain sufficient information to set out a prima facie contravention of the Code of Conduct or other procedures, rules or policies governing a Member's ethical behavior, they shall stay the inquiry into the complaint.
- 7.5 Before staying an inquiry under Subsection 7.4 the Integrity Commissioner shall give the complainant an opportunity to provide additional information respecting the complaint and in doing so shall explain to the complainant what additional information would be required to set out a prima facie contravention of the Code of Conduct or other procedures, rules or policies governing a Member's ethical behavior.
- 7.6 Where the complainant provides additional information under Section 7.5 the Integrity Commissioner shall consider all of the information provided and shall reassess whether there is sufficient information to set-out a prima facie contravention of the Code of Conduct or other procedures, rules or policies governing a Member's ethical behavior.
- 7.7 Where the Integrity Commissioner has stayed an inquiry into a complaint and, after the stay, additional information is provided which, on its own or together with the information provided before the stay, sets out a prima facie contravention of the Code of Conduct or other procedures, rules or policies governing a Member's ethical behavior, the Integrity Commissioner shall lift the stay and conduct the inquiry.
- 7.8 If the Integrity Commissioner is satisfied, after considering the information contained in a complaint and any other relevant information, that a complaint regarding a Member is frivolous, vexatious or not made in good faith, they shall not conduct an inquiry, or where that becomes apparent in the course of an inquiry, shall terminate the inquiry.
- 7.9 Where, pursuant to Section 7.4 the Integrity Commissioner decides not to proceed with an inquiry they shall prepare and file a report under Section 8.1 which applies with necessary modifications, setting out that decision.

8. Member Responsibilities During Investigations

- 8.1 Where the Integrity Commissioner has received a complaint regarding a Member, they shall, on the earliest date after they have made a decision and no later than 60 days after receiving the complaint, prepare and file with the Clerk a report to Council regarding their inquiry into the complaint.
- 8.2 The Integrity Commissioner may make interim report(s) to Council where necessary and as required to address any issues of interference, obstruction, delay or retaliation encountered during the investigation.
- 8.3 Where, in the opinion of the Integrity Commissioner, it is not possible to prepare and file a report to Council within the time set out in Section 8.1 shall advise Council of this together with:
 - a) The reasons for their inability to prepare and file the report; and,
 - b) The date on or before which the report will be prepared and filed.
- 8.4 The Integrity Commissioner shall provide a copy of their report filed under Section 8.1 to the complainant, to the Member who is the subject of the complaint and to all other Members at the same time as filing the report with the Clerk.
- 8.5 The report filed under Section 8.1 shall include:
 - a) The nature of the complaint;
 - b) If the complaint was filed after the expiry of the time limit under Section 6.1, the Integrity Commissioner's findings regarding Sections 6.3 and 6.4, which findings shall be in accordance with the civil standard of the balance of probabilities;

- c) The evidence gathered from the complaint and from the inquiry;
 - d) The Commissioner's findings of fact regarding the complaint which findings shall be made in accordance with the civil standard of the balance of probabilities;
 - e) The Commissioner's decision, based on the findings of fact, that the Member contravened or did not contravene the Code of Conduct or other procedures, rules or policies governing a Member's ethical behavior;
 - f) Where the Commissioner decides that the Member has contravened the Code of Conduct or other procedures, rules or policies governing the Member's ethical behavior, the penalty under Section 9.1, if any, to be imposed, including a copy of a letter of reprimand, if imposed, or a copy of the notice of suspension of remuneration, if imposed.
- 8.6 Where the Integrity Commissioner's delegate under Section 12.1 decides that a Member has contravened the Code of Conduct or other procedures, rules or policies governing the Member's ethical behavior, but that the Member was acting in accordance with the Commissioner's advice given under Section 4.1 c) and had, before receiving this advice, disclosed to the Commissioner all the relevant facts that were known to the Member, the delegate shall so state in the report under Section 8.1 and no penalty shall be imposed.
- 8.7 Where the Integrity Commissioner recommends a penalty suspending the remuneration paid to a Member, and Council approves the recommendation, the Clerk shall notify the Treasurer of the suspension and the time period of the suspension.
- 8.8 The Treasurer shall ensure the remuneration of the Member is suspended in accordance with the notice of the Clerk under Section 8.5 f).
- 8.9 Where the Integrity Commissioner has filed a report in respect of an inquiry with the Clerk under Section 8.1 the Clerk shall place the report on the next available Council Agenda as an information item.

9. Penalties

- 9.1 The penalties for a Member who contravenes the Code of Conduct or other procedures, rules or policies governing the Member's ethical behavior shall be those authorized under Subsection 223.4(5) of the Municipal Act, 2001, including:
- a) A reprimand;
 - b) Suspension of the remuneration paid to the Member in the respect of his or her services as a Member of Council or of the local board, as the case may be, for a period of up to 90 days.

10. Complaint and Legal Confidentiality

- 10.1 The Integrity Commissioner and any person acting under his or her authority shall preserve the confidentiality of all documents, material or other information, whether belonging to the Township or not, that come into his or her possession or knowledge during the course of duties or the investigation as required by Section 223.5 of the Municipal Act, 2001.
- 10.2 Pursuant to Section 223.5(3) of the Municipal Act, 2001, the confidentiality of this complaints process prevails over the MFIPPA.
- 10.3 The Integrity Commissioner is entitled to have access to such information belonging to or used by the Township of Billings, including legal advice that has been given to Council or Township Employees, as the Integrity Commissioner deems necessary to conduct an inquiry.
- 10.4 A disclosure to the Integrity Commissioner of legal advice:
- a) Shall be deemed not to constitute a waiver of solicitor-client privilege;

b) Shall be used only for the purposes of conducting an inquiry and not for any other purpose; and,

c) The contents or substance of such legal advice shall not be disclosed in any public report prepared by the Integrity Commissioner or any person acting under the instructions of the Commissioner, including their delegate under Section 12.1.

10.5 The Integrity Commissioner and every person acting under the instructions of the Commissioner, including his or her delegate under Section 12.1:

a) Shall preserve the secrecy of all confidential documents, material or information, whether belonging to the Township or not, that come into their possession or to their knowledge in the course of their duties; and,

b) Without limiting the obligation to preserve secrecy under Section 10.4

c) shall ensure that by his or her actions and, in particular, any reports prepared comply at all times with the MFIPPA and the Township of Billings Procedural By-law, regarding personal and or privileged information.

11. Complaint and Reporting Exclusion Period

11.1 Despite any other provision of this By-law, no complaint may be referred to the Integrity Commissioner 150 calendar days immediately prior to the date of a regular election held pursuant to the Municipal Elections Act, 1996, S.O. 1996, c. 32

12. Integrity Commissioner Conflict

12.1 The Integrity Commissioner shall, in writing, delegate his or her duties to conduct an inquiry, including the exercise of powers under the Public Inquiries Act, the duty to report on an inquiry, where the Integrity Commissioner has an actual or apparent conflict of interest.

12.2 In making a delegation under Section 12.1 the Integrity Commissioner shall first satisfy themselves that the person to whom the duties are to be delegated is fully capable of carrying out these duties.

13. General Provisions

13.1 If the Integrity Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of any other Act or of the Criminal Code of Canada, R.S.C., 1985, c. C-46, the Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting police investigation and charge have been finally disposed of, and shall report the suspension of the inquiry to Council.

13.2 If the Integrity Commissioner, when conducting an inquiry, determines that the complaint is more appropriately addressed under the MFIPPA, the complainant shall be referred to the Clerk to have the matter reviewed under that Act.

14. Coming into Force

14.1 This by-law shall come into full force and effect upon final passage.

15. Short Title

15.1 This by-law may be cited as the "Integrity Commissioner By-law."

FIRST and **SECOND TIME** this 7th day of February, 2023

READ a THIRD TIME and **FINALLY PASSED** this 7th day of February 2023

Bryan Barker, Mayor

Emily Dance, CAO/Clerk



BY-LAW NO 2023-09

BEING A BY-LAW TO APPOINT E4m AS THE INTEGRITY
COMMISSIONER FOR THE TOWNSHIP OF BILLINGS

WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9; shall be exercised by By-law;

AND WHEREAS the Municipal Act S.O. 2001, c 25 Section 223.3 (1) authorizes municipalities to appoint an Integrity Commissioner;

AND WHEREAS The Council for The Corporation of the Township of Billings deems it expedient to enter into an agreement with E4m which outlines the considerations for the appointment as the Integrity Commissioner for the Township of Billings;

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

- 1.0 THAT the Corporation of the Township of Billings hereby appoints E4m as Integrity Commissioner for the Corporation of the Township of Billings for a term of two (2) years with the option for an additional two (2) year extension.
- 2.0 THAT the Corporation of the Township of Billings hereby authorizes entering into an agreement with E4m which is attached as Schedule 'A' and forms part of this By-Law.
- 3.0 THAT the Mayor and CAO/Clerk are hereby authorized to sign on behalf of the Council for The Corporation of the Township of Billings, any contracts and other documents required to authorize the agreement and to affix the corporate seal of the Township of Billings.
- 4.0 THIS By-Law shall come into full force and effect upon final passage.
- 5.0 THIS By-Law may be cited as "Integrity Commissioner Appointment E4m By-Law"

READ a FIRST and SECOND TIME this 7th day of February, 2023

READ a THIRD TIME and FINALLY PASSED this 7th day of February, 2023

Bryan Barker, Mayor

Emily Dance, CAO/Clerk



INTEGRITY COMMISSIONER AGREEMENT

This Agreement (the Agreement”) is made as of February 7, 2023

Between:

THE CORPORATION OF THE TOWNSHIP OF BILLINGS
(herein referred to as the “Township)

-and-

EXPERTISE FOR MUNICIPALITIES
(herein referred to as E4m)

WHEREAS the Municipal Act S.O. 2001, c 25 Section 223.3 (1) authorizes municipalities to appoint an Integrity Commissioner;

AND WHEREAS The Council for The Corporation of the Township of Billings deems it expedient to appoint E4m to provide Integrity Commissioner Services for the Township of Billings;

NOW THEREFORE the following outlines the considerations pursuant to the appointment as Integrity Commissioner for the Township of Billings

1. UNDERTAKING

The Township of Billings is contracting the services of 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 Township of Billings, E4m shall carry out the roles and responsibilities of the Office as outlined in the “Act” and Township of Billings By-Law No. 2023-08.

2. FEES AND PAYMENTS

Fees will be based on time spent in connection with carrying out the duties and responsibilities of the Office of the Integrity Commissioner as outlined in the “Act” and Township of Billings By-Law No. 2023-08.

Investigation will be conducted as 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 the Township 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, for the term of the agreement.

Written advice will be provided at a rate of \$100 per hour, for the term of this agreement. It is the opinion of E4m that providing written advice for the most part can be provided remotely so there would be no additional travel or accommodation cost.

Educations sessions conducted in a workshop settling for Council or Local Boards orientation or similar purposes will be invoiced at a cost of \$1,000 per day plus travel, accommodations and other costs, for the term of the agreement. These workshops would be limited to one E4m presenter. Additional presenter 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 (2023) is 68¢ per kilometre for the first 5,000 kilometres driven, 62¢ per kilometre driven after that.

In the event our participation is required in any legal proceeding; our hourly investigation 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 CAO/Clerk 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 investigate, 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 CAO/Clerk or designate at the time of the 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 their 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 they carry 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 instruction of that officer for costs reasonable incurred by either of them in connection with the defense 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.

The Township 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 the Integrity Commission 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 agreement shall be for a term of two (2) years with the option to renew for an additional 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 their obligations under this



agreement, in keeping with professional standards, E4m reserves the right to terminate their 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 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 Township of Billings terminated the services of E4m or if the services are withdrawn fees up to the termination will be invoiced and owing.

7. Reporting

All reporting will be conducted in keeping with the applicable sections of the "Act" and Township of Billings By-Law No. 2023-08.

Progress reporting for any responsibility of the Office of the 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 judgments as to the merit of the allegation, nor identity of witnesses or witness statements/information (in case of an investigation). Should any questions or pertinent information respecting any investigation arise, the Township will bring it to the attention of E4m as soon as possible.

IN WITNESS WHEREOF , the parties have executed this Agreement as of the date of the executing By-Law

THE CORPORATION OF THE
TOWNSHIP OF BILLINGS

By: _____
Bryan Barker, Mayor

By: _____
Emily Dance, CAO/Clerk

We have the authority to bind
the Corporation

EXPERTISE FOR
MUNICIPALITIES

By: _____
Peggy Young-Lovelace,
Director

I have the authority to bind the
Corporation



BY-LAW NO 2023-10

BEING A BY-LAW TO AMEND THE PROCEDURAL BY-LAW

WHEREAS Section 238 of the *Municipal Act, 2001*, requires that every municipality shall pass a procedural by-law for governing the calling, place and proceedings of meeting;

AND WHEREAS the Corporation of the Township of Billings passed By-Law No. 2021-40 being a By-Law to Regulate the Proceedings of the Council of the Corporation of the Township of Billings;

AND WHEREAS Section 230 of the *Municipal Act, 2001*, provides that after a regular municipal election or a by-election, the first meeting of a new Council shall be held no later than thirty-one (31) days after its term commences.

AND WHEREAS by motion on December 19, 2022 Council of the Corporation of the Township of Billings deemed it expedient to amend the Procedural By-Law to provide that Regular Council Meetings shall be held on the first and third Tuesday of the month at 7:00 p.m. at the Park Centre.

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

- 1.0 THAT Section 4 paragraph 1 be removed and replaced with the following:
The Inaugural Meeting in each new term of Council shall be held no later than thirty-one (31) days after its term commences.
- 2.0 THAT Section 4 paragraph 3 be removed and replaced with the following:
Regular Council Meetings shall be held on the first and third Tuesday of each month at 7:00 p.m. at the Park Centre. When a public holiday falls on a regular meeting day, the following day shall be considered the regular meeting day.
- 3.0 THIS By-Law shall come into force and effect upon passing
- 4.0 THIS By-Law may be cited as "Procedural By-Law Amendment (1)"

READ a FIRST and SECOND TIME this 7th day of February, 2023

READ a THIRD TIME and FINALLY PASSED this 7th day of February, 2023

Bryan Barker, Mayor

Emily Dance, CAO/Clerk



BY-LAW NO 2023-11

BEING A BY-LAW TO ENTER INTO AN AGREEMENT FOR THE
KAGAWONG PEDESTRIAN BRIDGE

WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9; shall be exercised by By-law;

AND WHEREAS the Township of Billings issued RFT# 2023-01 seeking construction services for the Kagawong Pedestrian Bridge Design project;

AND WHEREAS Ferguson Aggregate's response to RFT# 2023-01 with a total upset limit of \$325,870.31, including HST, was deemed the successful bid;

AND WHEREAS this project is fully funded by the Ontario Trillium Foundation

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

- 1.0 THAT the Corporation of the Township of Billings hereby authorizes entering into an agreement with Ferguson Aggregate in the amount of #325,870.31 including HST which is attached as Schedule 'A' and forms part of this By-Law.
- 2.0 THAT the Mayor and CAO/Clerk are hereby authorized to sign on behalf of the Council for The Corporation of the Township of Billings, any contracts and other documents required to authorize the agreement and to affix the corporate seal of the Township of Billings.
- 4.0 THIS By-Law shall come into full force and effect upon final passage.
- 5.0 THIS By-Law may be cited as "Kagawong Pedestrian Bridge Construction By-Law"

READ a FIRST and SECOND TIME this 7th day of February, 2023

READ a THIRD TIME and FINALLY PASSED this 7th day of February, 2023

Bryan Barker, Mayor

Emily Dance, CAO/Clerk