1. CALL TO ORDER

2. ADDENDUM TO AGENDA

3. DISCLOSURE OF PECUNIARY INTEREST

4. ADOPTION OF MINUTES
   (a) Minutes of Regular Council Meeting of January 30th, 2019
   (b) Minutes of the Southwold Young at Heart Committee Meeting of January 2nd, 2019
   (c) Minutes of the Family Day Committee Meeting of January 16th, 2019

5. DELEGATION

6. DRAINAGE
   (a) 7:15 p.m. – Meeting to Consider Report – Turville Drain No. 2 2018
   (b) Auckland Drain Branch F 2019 – Receiving and decision to proceed with report.
   (c) Henderson Drain 2019 – Receiving and decision to proceed with report.
   (d) Lindsay Drain 2019 – Receiving and decision to proceed with report.
   (e) Drainage Reapportionment - E82/18 S. Goodhue – 6474 Union Road

7. PLANNING

8. REPORTS
   (a) Activity Report from Drainage Superintendent – January
   (b) Activity Report from Fire Chief – January
   (c) Activity Report from Public Works Superintendent – January
   (d) Activity Report from the Chief Building Official – January
   (e) Activity Report from the CAO/Clerk – January
   (f) Report from the CAO/Clerk RE: Bill 68-Meet your Ontario’s Municipal Legislation Act and Changes to Municipal Policies
   (g) Report from the Treasurer RE: Farm Tax Ratio
9. **CORRESPONDENCE**

   (a) German Solar Corporation RE: Southwold Solar Energy Proposal

10. **BY-LAWS**

    (a) By-law No. 2019-09, being a by-law to provide for drainage works – Turville Drain No. 2
    
    (b) By-law No. 2019-10, being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on February 11th, 2019

11. **OTHER BUSINESS**  
    *(For Information Only)*

    (a) County/City Liaison Meeting Minutes
    
    (b) County of Elgin Letter to Minister of Finance RE: Delegation
    
    (c) County of Elgin OMPF Resolution

12. **CLOSED SESSION**

13. **ADJOURNMENT:**

    NEXT REGULAR MEETING OF COUNCIL
    **MONDAY FEBRUARY 25, 2019 @ 7:00 P.M.**

    Council Chambers, Fingal
THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Wednesday, January 30th, 2019
7:03 p.m. Council Chambers, Fingal

PRESENT:  Mayor  G. Jones
          Councillors:  S. Emons
                        P. North
                        J. Pennings

ABSENT:  Deputy Mayor  R. Monteith

ALSO PRESENT:  Lisa Higgs, CAO/Clerk
                Heather James, Planner (7:00 p.m. – 7:22 p.m.)
                June McLarty, Administrative Assistant (7:00 p.m. – 8:50 p.m.)

DISCLOSURES:  Councillor North declared a conflict on item 6b – Turville Drain #2

ADOPTION OF MINUTES:

2019-062  Councillor North – Councillor Emons
          Approval of Minutes –
          Special Budget Meetings

THAT the Minutes of the Special Council meetings of January 10th, 2019,
January 16th, 2019, January 21st, 2019 and January 24th, 2019 are hereby adopted.

CARRIED

2019-063  Councillor Pennings – Councillor North  
          Approval of Minutes

THAT the Minutes of the Regular Council Meeting of January 14th, 2019 are hereby adopted.

CARRIED

2019-064  Councillor North – Councillor Emons
          Family Day Committee
          Mtg. Minutes

THAT the minutes of the Family Day Committee Meeting of December 12th, 2018
are hereby adopted.

CARRIED

2019-065  Councillor Emons – Councillor Pennings
          Shedden Rec and Comm Centre
          and Keystone Complex
          Mtg. Minutes

THAT the Minutes of the Shedden Recreation and Community Centre and
Keystone Complex Meeting of January 10th, 2019 are hereby adopted.

CARRIED
2019-066  Councillor North – Councillor Pennings  Parks Committee Mtg. Minutes

THAT the Minutes of the Parks Committee Meeting of January 15th, 2019 are hereby adopted.

CARRIED

DRAINAGE:

2019-067  Councillor North – Councillor Emons  Drainage Reapportionment – E76/18 Goodhue Holding Inc.

THAT Council for the Township of Southwold hereby accepts the drainage reapportionment undertaken for the Application for Consent E76/18 – Goodhue Holdings Inc. 36466 Scotch Line;

AND FURTHER THAT this reapportionment will become effective upon stamping of the applicable deed;

AND FURTHER THAT a copy of this resolution be forwarded to the Applicant;

AND FURTHER THAT a copy of this resolution and drainage reapportionment be filed in each applicable drain file.

CARRIED

Turville Drain No. 2 2018

Councillor North vacated his seat

CAO/Clerk Lisa Higgs presented the report. No Township roads are assessed on the Drain.

2019-068  Councillor Pennings – Councillor Emons  Turville Drain No. 2 2018

THAT Council of the Township of Southwold has received and reviewed the report prepared by Spriet Associates for the Turville Drain No. 2 2018 dated January 10, 2019 and decided to proceed with the drainage works;

AND FURTHER THAT the meeting to Consider the Report under Section 42 of the Drainage Act will be held at Council’s regular meeting of February 11th, 2019 at 7:15 p.m.;

AND FURTHER THAT Council instructs the Clerk to notify all affected parties of this meeting as instructed under Section 41(1) of the Drainage Act.

CARRIED

Councillor North returned to his seat.

REPORTS:

2018 Annual Building Report
CAO/Clerk Lisa Higgs presented this report on behalf of the Chief Building Official.
Property Standards
CAO/Clerk Lisa Higgs provided a report on the draft Property Standards By-Law.

2019-069 Councillor North – Councillor Pennings

THAT Council receive this report as information and give consideration to the Property Standards By-Law included on the January 30th, 2019 agenda.

CARRIED

Road Maintenance – Taschereau Road
CAO/Clerk Lisa Higgs provided a report on a request from a land owner for maintenance on a property adjacent to the unopened road allowance known as Taschereau Road. Council discussed the history of the property development and the applicable By-Laws as well as asked the present landowner various questions.

2019-070 Councillor North – Councillor Pennings

THAT Council will defer the decision on road maintenance support to service the property addressed 13265 Routh Road until a future meeting.

CARRIED

PLANNING:

7:15 p.m. Zoning By-law Amendment – Steve Goodhue – 6474 Union Road

2019-071 Councillor Pennings – Councillor Emons

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider an application to amend the zoning on a property owned by Steve Goodhue.

CARRIED

Planner Heather James presented the report to Council. No comments were received from staff, agencies or adjacent property owners. No questions were asked from the public or Council.

2019-072 Councillor North – Councillor Emons

THAT Council of the Township of Southwold approve the proposed Zoning By-law Amendment ZBA 2019-01 in accordance with the site-specific By-law attached.

CARRIED

2019-073 Councillor North – Councillor Pennings

THAT the public meeting to consider an application to amend the zoning on a property owned by Steve Goodhue ends at 7:22 p.m.

CARRIED

REPORTS:
Request for a Deaf Child Sign
CAO/Clerk Lisa Higgs brought forward a request for a sign warning of deaf child, seeking direction on a policy and waiver to be created.

2019-074  **Councillor Pennings – Councillor North**

THAT Council will allow a warning sign for a deaf child sign to be posted;

AND THAT Staff will develop a policy that the property owners will have to sign.  **CARRIED**

Break 7:53- 7:55

Update on Bill 66
CAO/Clerk Lisa Higgs provided an update to Council on Bill 66, the “Open for Business Act”.

Results of Enabling Accessibility Grant – Small Projects
CAO/Clerk Lisa Higgs reported that on January 10th, the Township received notice that the application for the accessible washroom at the Talbotville park was not granted. Staff is still waiting on the results from other grant applications.

**CORRESPONDENCE:**

2019-075  **Councillor Pennings – Councillor North**  OWDCP

THAT Council of the Township of Southwold receives an application with a kill date of October 13, 2018 that was submitted to Ontario Wildlife Damage Compensation Program by the owner of the property located at 41635 Ron McNeil Line;

AND THAT Council agrees to pay the property owner $626.50 for the kill date;

AND THAT Council agrees to pay the Livestock Investigator the amount of $69.80 for the kill date;

AND THAT includes the administrative allowance of $30.00 approved by OMAFRA.  **CARRIED**

**BY-LAWS:**

2019-076  **Councillor North – Councillor Emons**  By-laws


2019-077  **Councillor Pennings – Councillor North**  By-laws


CARRIED

OTHER BUSINESS:
Council reviewed the items under Other Business

DELEGATIONS
8:00 p.m. – 8:17 p.m.

Stephanie Johnson- Oneida Road and Stafford Line
Ms. Johnson addressed Council with her concerns about the road conditions on Oneida Road and Stafford Line. Mayor Jones reported that the Township has a new Public Works Superintendent starting and he will look into the conditions of the roads and noted that the budget has not been finalized but there is a proposed increase for gravel roads.

8:17 p.m.- 8:45 p.m.

Lorrie/Steve Kope- Lawrence Road and Second Line
Mr. and Ms. Kope provided a powerpoint presentation to Council to address their concerns of the road conditions on Second Line. The Kope’s also raised concerns about the hidden driveway and the speed down Lawrence Road.

STAFF DIRECTION
Staff was given direction from Council to investigate site lines, speed control and dust control as possible options for this address and also to investigate cost comparisons for tar and chip roads vs. gravel roads. Staff is to bring a report back to Council in the future.

CLOSED SESSION:
2019-079 Councillor Emons – Councillor Pennings
THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at 8:50 p.m. in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters:
• A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (section 239 (2) (k)) – Talbotville Development
CARRIED

STAFF DIRECTION
Staff was given direction from Council on the item that were discussed in the Closed Session.
AJOURNMENT:

2019-080 Councillor North – Councillor Emons

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at 8:56 p.m.

CARRIED

__________________________________________  ____________________________
Clerk                                      Mayor
Lisa Higgs                                  Grant Jones
Southwold Young at Heart Committee Meeting Minutes
January 2\textsuperscript{nd}, 2019

Wednesday, January 2\textsuperscript{nd}, 2019
Keystone Complex
1:00pm

**Attendance:** Debbie Logghe, Dan Logghe, Councillor Sarah Emons, Mayor Grant Jones, Karen Olmstead, Lisa Higgs (CAO/Clerk), Jack McNiven, Pat Stanford, Ian Chard, Keith Orchard, Trudy Kinellis,

**Regrets:** Kim Poole

1. **Call Meeting to Order and Welcome**
Committee members experimented with the Shuffle Board from 1:00 – 1:40 PM. The meeting was called to order by Ian Chard at 1:40 pm.

2. **Approval of the Agenda**
There was not a formal agenda, but the committee members agreed to discuss developing terms of reference, looking at budget requirements, and recommending the appointment of members to the Committee.

3. **Approval of the Minutes**
There were no previous meeting minutes to approve.

4. **Next Steps**

Lawn Bowling:
The committee decided that they would have the lawn bowling lanes set up on the Tennis Courts in Final, as Lawn Bowling is not considered to be an indoor game. Although it was decided that they do not want to spend money on this project until there is intent to carry out this program. If Lawn Bowling was to be set up on the Fingal Tennis Courts, there would need to be a place to store the bowling balls.

Shuffle Board:
The committee has decided that they would like to keep the shuffleboards indefinitely. The boards are to be stored by Keith. Committee decided that they would like to start out with the first two boards and see if the programs are successful. The committee plans on posting the scores online, and plan to appoint a program organizer. The committee plans to have one court set up at Family Day/Winterfest Event on February 9\textsuperscript{th}, 2019, if there is enough space to do so.
5. Draft Terms of Reference

The Committee reviewed the revised Terms of Reference and provided direction to go back to Council.

6. Budget

The Committee reviewed the Township’s 2019 Budget. After the review of the budget they stated that they plan to ask Service clubs for donations as well as to promote their Seniors Events. Jack McNiven spoke about the committee lunch purchases and whether there is a design to have a lunch for the residents or a demand for a full day agenda.

7. Homework

Over the next twelve months the Committee plans to focus on long term goals and objections. The committee would like input from everyone so they all have an equal chance to get involved as they share their suggestions for long term goals and objectives. For examples the committee plans to focus on the issues that seniors in our community face and in turn tie these issues to the Terms of Reference.

8. Adjournment and Next Meeting

The Next Meeting was Scheduled for February 5th, 2019 at 1:00 pm at the Keystone Complex.
Family Day Committee Meeting Minutes

Wednesday January 16th, 2019
Fingal Township Office
7:30pm

Attendance: Michelle Lackey, Debbie Logghe, Jim Carder, Councillor Peter North, Councillor Justin Pennings, Karen Olmstead, Jane Cox (Southwold Community Policing), Darlene Wadsworth, Abi North, Lizeanne Kerkvliet, Scott Young, Lisa Higgs

Regrets: John Coleman, Lisa Streib, Keith Orchard, Adrian Neil, Dan Logghe, Brian Rieger, Jade Rodgers

1.0 Call Meeting to Order and Welcome
Chair Lizeanne Kerkvliet called the meeting order at 7:31 pm
The committee did a quick roundtable introduction so that all members could meet any new members.

2.0 Approval of the Agenda
Resolution No. 1
Moved by: Karen Olmstead
Seconded by: Darlene Wadsworth

RESOLVED that the agenda for the January 16th, 2019 Meeting be approved.

DISPOSITION: Motion Carried

The following additions were made to the agenda:
- a run through of the day’s events
- a discussion of the poster/flyer and schedule
- a review of signage

3.0 Approval of the Minutes of December 12th, 2018 Meeting
Resolution No. 2
Moved by: Deb Logghe
Seconded by: Peter North

RESOLVED that the minutes for the December 12th, 2018 Meeting be approved.

DISPOSITION: Motion Carried

4.0 Run Through of 2019 Events
4.1 Ball Hockey – Lizeanne reminded Abi to include wording on the poster to bring your own equipment
4.2 Bonfire – Brian Rieger to bring skewers for the marshmallows. Deb Logghe to add these to her shopping list
4.3 Library – to show Frozen & Snow Buddies movies – open from noon - five
4.4 Mascot – further research – mascot has been ordered by Darlene and ordered for $50.00 with $100.00 deposit. Clint Stoker to be mascot

4.5 Obstacle Course – Jade Rodgers to organize. Township Public Works to provide larger logs for obstacle course

4.6 Plunger Plop – rules to be established and run multiple times throughout the day, rather than having prizes. Darlene has prize ribbons.

4.7 Skillet Toss – Supplies are available, but we need someone to organize the event. Joe McKinnon offered to help with running the Skillet Toss. Michelle Lackey to talk to Shirley Longhurst about supplies.

4.8 Scouts will bring rope machine, supplies, to use leftover crayons and colouring sheets from 2018

5.0 Initial Planning for 2019

5.1 Pancake Supper /Chili/Mac and Cheese Cook-off

5.1.1 Participants – there are 8 groups participating in the Chili Cook-Off working on different Chili and Mac & Cheese options

5.1.2 The group suggested that Rhubarb Sauce and ice cream for dessert, leftover cookies and dinner rolls. Deb Logghe to complete the grocery shopping.

5.1.3 There needs to be some “celebrity” judges and offer a people’s choice award. Abi suggested that there could be a trophy that is awarded every year

5.1.4 The committee discussed serving utensils, and bowls, and provided direction to Deb Logghe on what to purchase for supplies.

5.2 Flyer and Schools & Press Release

5.2.1 Township to complete the press release for the event to go out the week of the event.

5.3 Warden Invitation & Opening Ceremonies

5.3.1 Mayor Jones to attend and serve as MC of the event. Karen Vecchio has confirmed her attendance. Jeff Yurek’s office confirmed that it depends on his schedule if he will attend.

5.4 Snowman from hay bales

5.4.1 Gary Clinton to set hay bales aside and needs to know how they will be transported.

5.5 MyFM on Scene

5.5.1 The Township suggested that there is not really a need for MyFM on scene; the committee will advertise in other ways.

5.6 Request to Setup Shuffleboard by Southwold Young at Heart Committee

5.6.1 The Committee determined that there is not enough space in the Keystone for the Southwold Young at Heart Committee to set up Shuffleboard
5.7 Donation Boxes
   5.7.1 The Committee asked about whether there are enough donation boxes. The Committee discussed the various contributions from different groups.

5.8 Lanyards
   5.8.1 The committee discussed using lanyards for identifying the volunteers.

5.9 Floor plan
   5.9.1 Lizeanne suggested that she and Abi bring a floor plan back for the next meeting.

5.10 Midnight Meal
   5.10.1 The Committee discussed the midnight meal. Abi brought forward the midnight snack menu proposed by the Art & Soul from Port Stanley. Michelle Lackey suggested having Mike’s in Shedden on Standby for pizza if needed. The committee agreed to confirm that a member will pick up food from Art & Soul on the day of the event.

5.11 Other Business
- Schedule
   The Committee discussed the draft schedule:

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>12:30 pm</td>
<td>Snowman Building Contest</td>
</tr>
<tr>
<td>3:30 pm</td>
<td>Snowman Judging</td>
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<tr>
<td>12:30 pm</td>
<td>Hockey starts and Bonfire</td>
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<tr>
<td>12:30 - 4:00 pm</td>
<td>Shedden Soccer Registration</td>
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<tr>
<td>12:30 - 4:00 pm</td>
<td>Hay Rides</td>
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<tr>
<td>1:00 - 4:00 pm</td>
<td>Library Open</td>
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<tr>
<td>1:30 pm</td>
<td>Hot dogs and Hot Chocolate</td>
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<tr>
<td>2:00 pm</td>
<td>Opening Ceremonies with Cake and Cookies</td>
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<tr>
<td>2:00 - 4:00 pm</td>
<td>Dotsy the Clown, Face Painting and Crafts</td>
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<tr>
<td>4:30 - 7:00 pm</td>
<td>Chili Cook-Off Supper</td>
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<tr>
<td>6:00 – 7:00 pm</td>
<td>Smokin’ Bass Band to Start – to play during the dinner</td>
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<tr>
<td>7:00 pm</td>
<td>Fireworks</td>
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<tr>
<td>7:30 pm</td>
<td>Bar Opens</td>
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<tr>
<td>7:30 – 8:30 pm</td>
<td>Smokin’ Bass Band Continues</td>
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<tr>
<td>8:30 – 10:00 pm</td>
<td>Cole Higgs</td>
</tr>
<tr>
<td>10:00pm - 2:00am</td>
<td>Connor Wilson Band</td>
</tr>
<tr>
<td>12:00 pm</td>
<td>Midnight Meal</td>
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</tbody>
</table>
Signage:

The committee discussed Chloroplast signage for different sponsors. Lisa to investigate the signage costs with ‘the sign’ guy and coordinate with Abi on getting different logos to the printer

Action Items:

- Scouts to organize the colouring and crafts with collection of previous pages

For next agenda:
- lanyard distribution
- schedule

Adjournment and Next Meeting
The Next Meeting was Scheduled for February 5th, 2019 at 7:00 pm.

Resolution No. 4 Moved by: Jim Carder
Seconded by: Jane Cox

RESOLVED that the Committee adjourn at 8:50 pm to reconvene on February 5th, 2019 at 7:00 pm.

DISPOSITION: Motion Carried
DATE: February 11, 2019

PREPARED BY: Brent Clutterbuck, Drainage Superintendent

REPORT NO.: DRA 2016-05

SUBJECT MATTER: Filing of the Engineer’s Report for the Auckland Drain Branch “F” 2019

Recommendation:

That Council proceeds with the Auckland Drain Branch “F” 2019 Drainage works, and it instructs the Clerk to send notice as required under Section 41(1) of the Drainage Act of its intention to proceed. The meeting to Consider the Report of Auckland Drain Branch “F” 2019 will be held February 25th, 2019 at 7:05pm in Township of Southwold Council Chambers

Purpose:

The purpose of this report is to seek Council authorization to proceed with the Consideration meeting for the Auckland Drain Branch “F” 2019.

Background/Comment:

On February 8th, 2019 the Engineer, Mike Devos of Spriet Associates filed his report for the Auckland Drain Branch “F” 2019 with the Clerk of the Township of Southwold.

The Auckland Drain Branch “F” 2019 is a drainage report initiated under Section 78 of the Drainage Act. The work was initiated by a request signed by the Elgin County Road Department. The proposed works will serve parts of Lots 41 to 43 E.N.B.T.R. and part of Lot 3, Concessions C & D in the Township of Southwold. The total watershed area contains approximately 8 ha.

The Drainage Report has been circulated to Council with the agenda package for you to review prior to this Council meeting. The report explains in detail the history of the drain, the existing conditions and the recommendations of the Engineer for the reconstruction of this drain.

If Council wishes to proceed with this report it could be considered at the regular meeting of Southwold Council February 25th, 2019 at 7:05pm.

Financial Implication:

There are no Township roads assessed on the Drain. The Township of Southwold water system has a special assessment for working around its waterline that services
Wonderland Road and Ron McNeil Line. Wonderland Road, a County of Elgin Road, is assessed on the drain.

Respectively Submitted by:

Brent Clutterbuck/Drainage Superintendent
“Submitted electronically”

Approved by: Lisa Higgs, CAO/Clerk
DATE: February 11, 2019

PREPARED BY: Brent Clutterbuck, Drainage Superintendent

REPORT NO.: DRA 2016-06

SUBJECT MATTER: Filing of the Engineer’s Report for the Henderson Drain 2019

Recommendation:

That Council proceeds with the Henderson Drain 2019 Drainage works and it instructs the Clerk to send notice as required under Section 41(1) of the Drainage Act of its intention to proceed. The meeting to Consider the Report of Henderson Drain 2019 will be held February 25th, 2019 at 7:05pm in Township of Southwold Council Chambers

Purpose:

The purpose of this report is to seek Council authorization to proceed with the Consideration meeting for the Henderson Drain 2019.

Background/Comment:

On February 8th, 2019 the Engineer, Mike Devos of Spriet Associates filed his report for the Henderson Drain 2019 with the Clerk of the Township of Southwold.

The Henderson Drain 2019 is a drainage report initiated under Section 4 & 78 of the Drainage Act. The work was initiated by a request signed for the improvement of an existing drain and a petition for an upstream extension, both signed by the Elgin County Engineering Department. The proposed works will serve parts of Lots 43 and 44 E.N.B.T.R. and part of Lots 3 and 4, Concessions C in the Township of Southwold. The total watershed contains approximately 97ha.

The Drainage Report has been circulated to Council with the agenda package for you to review prior to this Council meeting. The report explains in detail the history of the drain, the existing conditions and the recommendations of the Engineer for the reconstruction of this drain.

If Council wishes to proceed with this report it could be considered at the regular meeting of Southwold Council February 25th, 2019 at 7:05pm.

Financial Implication:

There are no Township roads assessed on the Drain. Wonderland Road, a County of Elgin road, is assessed on the drain.
Respectively Submitted by:

Brent Clutterbuck/Drainage Superintendent
“Submitted electronically”

Approved by: Lisa Higgs, CAO/Clerk
DATE: February 11, 2019

PREPARED BY: Brent Clutterbuck, Drainage Superintendent

REPORT NO.: DRA 2016-07

SUBJECT MATTER: Filing of the Engineer’s Report for the Lindsay Drain 2019

Recommendation:

That Council proceeds with the Lindsay Drain 2019 Drainage works and it instructs the Clerk to send notice as required under Section 41(1) of the Drainage Act of its intention to proceed. The meeting to Consider the Report of Lindsay Drain 2019 will be held February 25th, 2019 at 7:05pm in Township of Southwold Council Chambers

Purpose:

The purpose of this report is to seek Council authorization to proceed with the Consideration meeting for the Lindsay Drain 2019.

Background/Comment:

On February 8th, 2019 the Engineer, Mike Devos of Spriet Associates filed his report for the Lindsay Drain 2019 with the Clerk of the Township of Southwold.

The Lindsay Drain 2019 is a drainage report initiated under Section 4 & 78 of the Drainage Act. The work on the Main Drain and Branch G was initiated by a request signed for by the Elgin County Engineering Department and an affected landowner. The proposed branches “M” and “N” were initiated by a petition signed for by the Elgin County Road Department and an affected landowner. The proposed works will serve parts of Lots 45 and 46, Concession E.N.B.T.R. and parts of Lots 2 to 5, Concessions A to C in the Township of Southwold and parts of Lots 19 to 21, Concession 9 (geographic Westminster) in the City of London. The total watershed contains approximately 296 ha.

The Drainage Report has been circulated to Council with the agenda package for you to review prior to this Council meeting. The report explains in detail the history of the drain, the existing conditions and the recommendations of the Engineer for the construction of this drain.

If Council wishes to proceed with this report it could be considered at the regular meeting of Southwold Council February 25th, 2019 at 7:05pm.

Financial Implication:
Shorelea Line and ½ of Southminster Bourne, both Township of Southwold roads, have assessments in this report. As well Wonderland Road, Clinton Line and Ferguson Line, County of Elgin roads, have assessments to this drain.

Respectively Submitted by:

Brent Clutterbuck/Drainage Superintendent
“Submitted electronically”

Approved by: Lisa Higgs, CAO/Clerk
January 28, 2019
Re: Drainage Re-apportionment Request

Reapportionment of the assessment for municipal drains is a condition of approval for application for Consent number E82/18. The property that is being severed is roll 34-24-009-008-18906 in the Township of Southwold known locally as 6474 Union Road, Part Lot 8 Range 1 North Union Road. You are severing an irregular shaped lot, 0.667ha (1.49 acres) in size containing one house, one garage and one garden shed proposed to create one new residential lot surplus to the needs of the applicants. The retained land is 20.28ha (50.59 acres). Section 65(2) of the Drainage Act, R.S.O. 1990, Chapter D.17 allows the owners of land to mutually agree on how to share assessments on the subdivision of land.

Agreement on share of assessment
65 (2) If the owners of the subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into a written agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer need be instructed under subsection (1). 2010, c. 16, Sched. 1, s. 2 (26).

I have reviewed the supplied Plan and the Drainage reports for the affected areas and I am making the following recommendation to re-apportion the following drains:

1) Robb Municipal Drain, June 4, 1954, By S.W. Archibald, By-Law 1278
2) Robb Municipal Drain, October 17, 1978, By Spritze Associates, By-Law 78-34

The methodology used for these recommendations was to re-apportion the Outlet charges by the land area in the original report for each Municipal Drain to the estimated land area that is in each new parcel that would be assessed to that drain. Benefit recommendations reflect the estimated length of Municipal Drainage tile or ditch that is physically on the retained and severed lands as compared to what was on the original parcel of land. All values are then rounded with the residential property being the property that is rounded up taking into consideration that the residential property has a higher relative run off rate because of hard surfaces like laneways and roof areas.

You are under no obligation to agree to the recommendations above, but if you do not agree to a form of sharing approved by the Drainage Superintendent, Subsection 1 of Section 65 of the Drainage Act allows the Clerk to instruct an Engineer to apportion the assessment. Subsection 4 of Section 65 states that the costs incurred, including the fees of the Engineer, shall be paid by the land owners involved.

If you agree with the recommendations, please have all landowners sign and date the forms and return them to my attention at the Township of Southwold. Once Council sets the apportionments by resolution, you will be sent a copy of this agreement.

Feel free to call me if you have any questions concerning this issue.

Brent Clutterbuck
**Recommendations**

**Robb Municipal Drain**

**Assessment Schedule**

<table>
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<tr>
<th>Roll #</th>
<th>Con</th>
<th>Lot</th>
<th>Ac</th>
<th>Name</th>
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<th>Outlet</th>
<th>Total</th>
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<td>NUR</td>
<td>E1/2 8</td>
<td>45</td>
<td>Lena Wigmore</td>
<td>100.00</td>
<td>42.00</td>
<td>142.00</td>
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</table>

Is recommended to now read

**Severed E82/18**

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<tr>
<th>Roll #</th>
<th>Con</th>
<th>Lot</th>
<th>Ac</th>
<th>Name</th>
<th>Benefit</th>
<th>Outlet</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1</td>
<td>NUR</td>
<td>Pt E1/2 8</td>
<td>0.75</td>
<td>Steven Goodhue</td>
<td>1.00</td>
<td>1.00</td>
<td></td>
</tr>
<tr>
<td>Retained E82/18</td>
<td>R1</td>
<td>NUR</td>
<td>E1/2 8</td>
<td>44.25</td>
<td>Steven Goodhue</td>
<td>100.00</td>
<td>41.00</td>
</tr>
</tbody>
</table>

**Gregory Drainage Works**

**Assessment Schedule**

<table>
<thead>
<tr>
<th>Roll #</th>
<th>Con</th>
<th>Lot</th>
<th>Ac</th>
<th>Name</th>
<th>Benefit</th>
<th>Outlet</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1</td>
<td>NUR</td>
<td>E1/2 8</td>
<td>3</td>
<td>Joseph Hoece</td>
<td>9.00</td>
<td>9.00</td>
<td></td>
</tr>
</tbody>
</table>

Is recommended to now read

**Severed E82/18**

<table>
<thead>
<tr>
<th>Roll #</th>
<th>Con</th>
<th>Lot</th>
<th>Ac</th>
<th>Name</th>
<th>Benefit</th>
<th>Outlet</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1</td>
<td>NUR</td>
<td>Pt E1/2 8</td>
<td>1.1</td>
<td>Steven Goodhue</td>
<td>3.00</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>Retained E82/18</td>
<td>R1</td>
<td>NUR</td>
<td>E1/2 8</td>
<td>1.9</td>
<td>Steven Goodhue</td>
<td>6.00</td>
<td>6.00</td>
</tr>
</tbody>
</table>

And that all assessments to the:

1) Robb Municipal Drain, October 17, 1978, By Spriet Associates, By-Law 78-34
Will stay with the retained farmlands

I Steven Goodhue being the owner of the lands in Consent application E82/18, roll# 34-24-000-008-18900 in the Township of Southwold known locally as 6474 Union Road, Part Lot 8 Range 1 North Union Road, hereby agree to the above recommendations for the re-apportionment of Drainage Assessments to this property and we hereby petition the Council of the Township of Southwold to by resolution affix the above apportionments to the respective Drainage By-Laws for the retained and severed parcels, until such time as the assessment is changed under the Drainage Act

Steven Goodhue
Name (please print)

Signature
Date

Consent number E82/18

Page 2 of 2
DATE: February 11, 2019

PREPARED BY: Brent Clutterbuck, Drainage Superintendent

REPORT NO.: DRA 2019-04

ACTIVITY REPORT FROM: January 1, 2019 – January 31, 2019

1. Department updates on its activities and meeting(s) since last report:

Drains Before Council

- Turville Drain #2 (Sept15) (January 17): Meeting to Consider the report February 11, 2019
- Lindsay Drain (March 17): Report submitted to the Clerk, Council to receive and make a decision on whether to proceed February 11, 2019
- Henderson Drain (March 17)(Aug 18): Report submitted to the Clerk, Council to receive and make a decision on whether to proceed February 11, 2019
- Auckland Drain (March 17): Report submitted to the Clerk, Council to receive and make a decision on whether to proceed February 11, 2019

Construction:

- Daughorthy Drain (Nov 16): Tender awarded to AG Hayter, Construction late 2019
- Gordon Whalls Drain (July16): Tender awarded to Timmermans Farm Drainage, Pre-construction meeting held for lower section farm access culvert. Anticipated completion late 2019
- Bogart Drain Branch C (March 17): Tender awarded to Cowan Farm Drainage, Construction later this spring.
- Hutchinson Drain: (Sept 14): I have had discussions about proceeding with this drain with the proponent

In the hands of the Engineer

- Third Line – Magdala Drain (formerly Con 3, Lot 5 Drain): (June 12) Council returned to Engineer.
- McIntosh #2 Drain (Sept 15): We have reviewed a proposal with MTO and the owners who requested the improvement. We are awaiting MTO comments
- Barber Drain (May17): Engineer is completing his proposal I have had discussions with some affected landowners. Working on ESA discussions with MNRF.
- Bogart Drain Ext. (Dec 15): The proponent has asked that this drain be put on hold for the time being
- Williams Improvement Drain (May 2018)(Nov 2018): surveying has been done, engineer working on design.
Drains Initiated in Neighboring Municipalities


**Maintenance:** Brushing on the Fowler drain has commenced but we are currently on hold because of the rain and snow melt. We are waiting for the water flow return to a low flow state. Maintenance on the Hagerty Drain to start once the flow rate slows as well.

2. **Report on any outstanding /unresolved concerns, issues:**

3. **Training undertaken by staff:**

4. **2018 Capital Project Process:**

<table>
<thead>
<tr>
<th>Drains</th>
<th>Budget</th>
<th>Status/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gordon Whalls 2018</td>
<td>73,500</td>
<td>Contract awarded to Timmermans Drainage</td>
</tr>
<tr>
<td>McIntosh #2</td>
<td>18,000</td>
<td>Finalizing report for submission</td>
</tr>
<tr>
<td>Dougherty</td>
<td>14,300</td>
<td>Contract awarded to A.G. Hayter</td>
</tr>
<tr>
<td>Barber</td>
<td>56,000</td>
<td>Design Stage</td>
</tr>
<tr>
<td>Lindsay Drains</td>
<td>30,000</td>
<td>Design Stage</td>
</tr>
<tr>
<td>Hutchinson Drain 2018</td>
<td>17,600</td>
<td>By-Law passed, in discussions with petitioner</td>
</tr>
<tr>
<td>Williams Drain</td>
<td>62,000</td>
<td>Design Stage</td>
</tr>
</tbody>
</table>

**Education and Association meetings**

5. I attended the Drainage Superintendents annual meeting and convention in London on January 23rd & 24th. We had various sessions that included discussions on Great Lakes Algae, Lidar (Light detection and ranging) Installing Concrete pipe with a tile plow, discussions on the Court of Revision, a discussion on how the City of Hamilton inventories their pipe culverts and reflections from Sid Vanderveen on his experiences as the Ontario Drainage co-ordinator

Respectively Submitted by:

Brent Clutterbuck/Drainage Superintendent
“Submitted electronically”

Approved by:

Lisa Higgs
CAO/Clerk
DATE: February 11, 2019

PREPARED BY: Jeff McArthur, Fire Chief

REPORT NO.: FIR - 03

ACTIVITY REPORT FROM: January 1- January 31, 2019

1. Department update on activities since last report:
   a. Calls for Service - a total of 16 emergencies were responded to in the
      month of January including 3 calls to Hwy 401 and 3 vehicle fires.
   b. Recruitment – 6 recruits have joined SFD
      i. 5 recruits are attending NFPA 1001 Firefighter training in Oxford
         County on evenings and weekends along with regular SFD training
         on Thursday evenings.
      ii. 1 additional recruit with current NFPA 1001 training is attending
          SFD training.

2. Report on any outstanding /unresolved concerns, issues:
   a. Currently three outstanding fire inspections.

3. Training undertaken by staff:
   a. Regular training topics included Call Review, Medical Response,
      Apparatus Scene Placement, and Air Consumption Drills.
   b. An Officer attended the Grimsby Regional Training Center for a 1-week
      Ontario Fire Code course.

Respectively Submitted Electronically by:

Jeff McArthur, Fire Chief

Approved by:

Lisa Higgs, CAO/Clerk

PREPARED BY: Paul Van Vaerenbergh, Public Works Superintendent

REPORT NO.: PW 2019-13

ACTIVITY REPORT FROM: January, 2019.

1. Department updates on its activities and meeting(s) since last report:

- We responded to 22 winter events.
- Guide rail replacement, and bridge railing repairs were made due to a MVC on Cty. Road 18.
- Various sign repairs, debris pickup and cold patch repairs were undertaken.
- Gravel was applied to numerous spot locations.
- Tree removals were carried out thanks to the ground finally freezing.

2. Report on any outstanding /unresolved concerns, issues: N/A

3. Training undertaken by staff:

- All roads staff attended Chainsaw Operator Refresher Training.

4. 2018 Capital Project Process:

<table>
<thead>
<tr>
<th>Equipment Purchase</th>
<th>Budget</th>
<th>Status/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018 Crew Cab with utility box</td>
<td>75,000</td>
<td>Truck has been received. Waiting on service body delivery.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Construction Projects</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fairground, Spicer and Teetzel Streets - Shedden (Teetzel) - road</td>
<td>30,000</td>
<td></td>
</tr>
<tr>
<td>Fairground, Spicer and Teetzel Street - Shedden (Teetzel) - storm sewer-municipal drain and temporary road</td>
<td>350,000</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Asphalt Projects</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gravel Projects</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| Bridges                                                  |        |                                                         |</p>
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Longhurst Bridge Reconstruction</td>
<td>705,576</td>
<td>After much debate with the contractor they were convinced to let the Municipality open the road for the winter.</td>
</tr>
<tr>
<td>Woodplant Road Bridge</td>
<td>10,000</td>
<td>Contractor has been selected, work to begin early 2019</td>
</tr>
<tr>
<td>Street Lights</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>2 new streetlights- Ford Rd &amp; Wonderland and Talbotville Gore &amp; Sunset</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Parks and Rec</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shedden Soccer Fields</td>
<td>325,550</td>
<td></td>
</tr>
<tr>
<td>Turf Management Rehabilitation</td>
<td>8,000</td>
<td></td>
</tr>
</tbody>
</table>

Respectively Submitted by:

Paul Van Vaerenbergh, Public Works Superintendent
“Submitted electronically”

Approved by:

Lisa Higgs
CAO/Clerk
DATE: Feb 02/19

PREPARED BY: Corey Pemberton

REPORT NO.: 2019-03

ACTIVITY REPORT FROM: Jan 01- Jan 31

1. Department updates on its activities and meeting(s) since last report:
   Completed 64 inspections year to date, please see attached permit comparison report Schedule ‘A’ CBO 2019-03 for monthly comparison.

2. Report on any outstanding /unresolved concerns, issues:

3. Training undertaken by staff: Completing online Large Building course

4. 2018 Capital Project Process:

<table>
<thead>
<tr>
<th>Keystone Complex</th>
<th>Budget</th>
<th>Status/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Security System Upgrade</td>
<td>2,000</td>
<td>Complete</td>
</tr>
<tr>
<td>Cabinet door replacement, bar top replacement</td>
<td>Pending installation</td>
<td></td>
</tr>
<tr>
<td>Stage replacement</td>
<td>24,015</td>
<td>Complete</td>
</tr>
<tr>
<td>Pergola repair</td>
<td>15,000</td>
<td>Complete</td>
</tr>
<tr>
<td>Library</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foldable, adjustable height change table</td>
<td>14,000</td>
<td>Complete</td>
</tr>
</tbody>
</table>

Respectively Submitted by:

Corey Pemberton Chief Building Official
“Submitted electronically”

Approved by:

Lisa Higgs
CAO/Clerk
### Permit Comparison Summary

**Issued For Period JAN 1,2019 To JAN 31,2019**

<table>
<thead>
<tr>
<th>Permit Count</th>
<th>Previous Year</th>
<th>Current Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Permit Count</td>
<td>Fees</td>
</tr>
<tr>
<td>ACCESSORY BUILDING PERMIT</td>
<td>1</td>
<td>380.00</td>
</tr>
<tr>
<td>ADDITION/ALTERATION/RENOVATION</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>DECK PERMIT</td>
<td>1</td>
<td>211.60</td>
</tr>
<tr>
<td>DEMOLITION PERMIT</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>FARM BUILDING LIVESTOCK PERMIT</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>FARM BUILDING NON LIVESTOCK</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>IND./COM./INST CONSTRUCTION PERMI</td>
<td>1</td>
<td>95.00</td>
</tr>
<tr>
<td>NEW SINGLE FAMILY DWELLING PERM</td>
<td>1</td>
<td>1,155.76</td>
</tr>
<tr>
<td>SEWAGE SYTEM PERMIT</td>
<td>1</td>
<td>500.00</td>
</tr>
</tbody>
</table>

**Previous Year**
- Total Permits Issued: 5
- Total Dwelling Units Created: 1
- Total Permit Value: 412,000.00
- Total Permit Fees: 2,342.36
- Total Compliance Letters Issued: 0
- Total Compliance Letter Fees: 0.00

**Current Year**
- Total Permits Issued: 6
- Total Dwelling Units Created: 1
- Total Permit Value: 3,505,000.00
- Total Permit Fees: 3,381.15
- Total Compliance Letters Issued: 0
- Total Compliance Letter Fees: 0.00

### Inspection Summary

<table>
<thead>
<tr>
<th>Ward</th>
<th>Permit Inspections</th>
<th>Other Roll Inspections</th>
</tr>
</thead>
<tbody>
<tr>
<td>000</td>
<td>64</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>64</td>
<td>0</td>
</tr>
</tbody>
</table>

### Permit Charge

<table>
<thead>
<tr>
<th>Permit Charge</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDITION/ALTERATION/RENOVATION</td>
<td>287.50</td>
</tr>
<tr>
<td>DEMOLITION PERMIT</td>
<td>75.00</td>
</tr>
<tr>
<td>FARM BUILDING LIVESTOCK PERMIT</td>
<td>1,600.00</td>
</tr>
<tr>
<td>FARM BUILDING NON LIVESTOCK</td>
<td>337.40</td>
</tr>
<tr>
<td>IND./COM./INST CONSTRUCTION PERMI</td>
<td>0.00</td>
</tr>
<tr>
<td>NEW SINGLE FAMILY DWELLING PERM</td>
<td>1,081.25</td>
</tr>
</tbody>
</table>

**Total** 3,381.15
1. Department updates on its activities and meeting(s) since last report:

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 2nd</td>
<td>Southwold Young at Heart Committee Meeting</td>
</tr>
<tr>
<td>January 3rd</td>
<td>Meeting with Dutton Dunwich CAO – Shared Services Discussion</td>
</tr>
<tr>
<td>January 9th</td>
<td>Laserfiche/Records Management Training for Fire Chief &amp; Planner</td>
</tr>
<tr>
<td>January 9th</td>
<td>Tender Close – Talbotville Trunk Sewer</td>
</tr>
<tr>
<td>January 9th</td>
<td>Talbotville Neighbourhood Committee meeting</td>
</tr>
<tr>
<td>January 11th</td>
<td>Public Works Superintendent Interviews</td>
</tr>
<tr>
<td>January 14th</td>
<td>Attended senior’s shuffleboard in Aylmer – research for Southwold Young at Heart</td>
</tr>
<tr>
<td>January 15th</td>
<td>Meeting with Engineer – Talbotville Park design</td>
</tr>
<tr>
<td>January 17th</td>
<td>Meeting with Fingal Heritage Park Volunteers About Park Plan</td>
</tr>
<tr>
<td>January 21st</td>
<td>Meeting with Amy Dale Easement Agreements &amp; “Front-Ending”</td>
</tr>
<tr>
<td>January 22nd</td>
<td>Lunch with Admin Staff – welcome to new admin personnel</td>
</tr>
<tr>
<td>January 23rd</td>
<td>Meeting with West Elgin CAO – Sharing Planning Services Update</td>
</tr>
<tr>
<td>January 27-29th</td>
<td>ROMA Conference Toronto</td>
</tr>
</tbody>
</table>

2. Report on any outstanding /unresolved concerns, issues:
None.

3. Training undertaken by staff:
   January 16th – Chainsaw training by Public Works Staff
   January 17th – Standard of Care Training – Attended with Councillors Emons and Pennings

4. 2018 Capital Project Process:

<table>
<thead>
<tr>
<th>General</th>
<th>Budget</th>
<th>Status/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computer Equipment</td>
<td>4,500</td>
<td>In progress - Ongoing</td>
</tr>
<tr>
<td>Recording Equipment –</td>
<td>1,500</td>
<td>Installation contractor finalizing details.</td>
</tr>
<tr>
<td>Council Chambers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Records Management</td>
<td>30,000</td>
<td>Users trained on Software. All 11 licenses are being used.</td>
</tr>
<tr>
<td>Software</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOMRMS (filing system)</td>
<td>4,000</td>
<td>TOMRMS has been purchased. A new By-Law has</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>-------</td>
<td>-----------------------------------------------------------------</td>
</tr>
<tr>
<td>Teranet GIS License</td>
<td>5,000</td>
<td>Access to R Plans has been granted to staff.</td>
</tr>
<tr>
<td>Parks and Rec</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Talbotville Park-2017 project was not complete. To complete in 2018 at 2017 estimate of $510,000-secured funding of $221,170 Green Lane, $119,000 Parkland in Lieu, Grant/Donation $169,830.</td>
<td>$510,000</td>
<td>An engineer has been contacted to design the park.</td>
</tr>
<tr>
<td>Fingal Washrooms and Ball Park Project - 2017 project was not completed. Project to be completed in 2018. 2017 estimate and confirmed funding of $121,000-secured funding of $50,000 EAF and $71,000 Green Lane.</td>
<td>$436,337</td>
<td>The Township celebrated the Grand Opening on Saturday June 30, 2018.</td>
</tr>
<tr>
<td>Keystone Complex</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wireless Microphone</td>
<td></td>
<td>To be completed soon.</td>
</tr>
</tbody>
</table>

Respectively Submitted and Approved (electronically) by:

Lisa Higgs
CAO/Clerk
DATE: February 11th, 2019

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO.: CAO 2019-30

SUBJECT MATTER: Bill 68 - Modernizing Ontario’s Municipal Legislation Act and Changes to Municipal Policies

Recommendation:

That Council receive this report as information.

Purpose:

The purpose of this report is to update Council on Bill 68 – the Modernizing Ontario’s Municipal Legislation Act and the amendments required to Township policies.

Background:

This report outlines and provides a brief description of the key features of Bill 68. The purpose of this report is to identify the amendments to the Municipal Act, 2001, the Municipal Conflict of Interest Act and other related amendments to other Acts as set out in Bill 68, the Modernizing Ontario’s Municipal Legislation Act, 2017 and to provide comments on the proposed legislation for Council’s consideration.

Mark McDonald, the Township’s Integrity Commissioner will be attending Council on February 25th, 2019 to outline some of the legislated changes and to review his mandate. If Council has any questions in related to these items, Mark will be happy to respond to inquiries during his presentation.

Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017 was introduced in in the Ontario Provincial Legislature for first reading on November 16, 2016. Through this process the Bill received ongoing consultation and submissions to the Standing Committee on Social Policy of the Provincial Legislature. Those submissions and consultations were submitted by Associations, Political and Staff (i.e. Association of Municipalities of Ontario (AMO) and the Association of Municipal Clerks and Treasurers of Ontario (AMCTO), and also all individual municipalities. On March 23, 2017 the Bill was read for second reading and was referred back to the standing committee for review and comment. On May 30, 2017, Bill 68 received third reading and Royal Assent.
Comment:

Bill 68 has introduced a number of changes to the Municipal Act, 2001, with the notable changes related to Council meeting activities and Council corporate policies outlined below. There were also changes made with respect to Municipal Elections, judicial powers in regards to the Conflict of Interest Act, Integrity Commissioner powers, administrative monetary penalties, environmental standards for the construction of buildings, and broad powers to deal with Climate change. The Township of Southwold has been anticipating the changes that have received Royal Assent and a number of the new requirements the Township has already put into place and are in effect, these established requirements will be commented on within the sections below.

Council Codes of Conduct- S.223.2

The changes to the Municipal Act, 2001 with the introduction of Bill 68 requires that all municipalities have a Code of Conduct in place for its Council and Advisory Committee and Local Boards. In addition, the Minister of Municipal Affairs would be given the authority to prescribe by regulation (223.2 (4)) what subject matter(s) must be included in the Code of Conduct. Currently municipalities have the authority to determine the contents of the Code of Conduct as defined by the Municipality.

The Township’s current Code of Conduct was enacted in 2012 under By-Law No. 2012-39. A Copy of this By-Law is attached to this report as Schedule A for Council consideration. When this By-Law was adopted, Codes of Conduct were discretionary and there were not prescribed standards for what these codes were required to contain. The Township’s Integrity Commissioner has reviewed the Township’s current Code of Conduct and has noted that it does not meet the legislated requirements, as mandated by O.Reg 55.18.

O. Reg 55.18 requires Codes of conduct to contain the following prescribed subject matter:

1. Gifts, benefits and hospitality.
2. Respectful conduct, including conduct toward officers and employees of the municipality or the local board, as the case may be.
3. Confidential information.
4. Use of property of the municipality or of the local board, as the case may be.

The current Township Code does not include provisions on the use of municipal property. In 2017, Elgin and Middlesex County jointly contracted Integrity Commissioner Services which are shared by both Counties and their lower tier municipal partners. In 2017, Middlesex and Elgin County pooled legal resources and compiled the attached Code of Conduct, which was adopted by each of the Upper Tier
municipalities and all of the Lower Tier municipalities in Elgin County, except for Southwold and Malahide Township. The Elgin adopted Code of Conduct is attached to this report as information. Staff recommends that Council proceed with adopting the standard Code of Conduct template as the Township’s code. This code has been vetted by multiple legal counsel, has been tested and used by the Integrity Commissioner in investigations, is recommended by the Integrity Commissioner, and may lead to savings in investigation costs since the Integrity Commissioner is familiar with the Code.

**Integrity Commissioner- s.223.3 (1)**

With the introduction of Bill 68 municipalities will be required to have an Integrity Commissioner. If a municipality does not have an Integrity Commissioner, it would be required to make arrangements for the functions to be performed on a retainer basis or by an Integrity Commissioner of another municipality.

The Township of Southwold Council has appointed Independent Resolutions Inc. as its Integrity Commissioner, Closed Meeting Investigator, and Ombudsman. Previously, the Township had JGM Consulting as it’s Integrity Commissioner. The Township is compliant with s. 223.3 (1) of the Act.

**Council/Municipal Staff Relations Policy- s.270(2.1)**

Bill 68 now requires that Municipal Council's pass a policy on Council-employee relations that address the responsibilities of the municipal staff and their interaction with Council. Sections 224 and 227 of the Municipal Act, 2001 defines the roles and responsibilities of Council and the municipal administration respectively.

The regulation requires the municipality to adopt a policy by March 1, 2019. Included as Schedule C to this By-Law is a draft policy, taken from a template used by a nearby municipality which was recommended by the Township’s Integrity Commissioner.

**Meeting Provisions**

Bill 68 contained various changes to the meeting provisions of the Municipal Act. These included improved definitions for “meeting”, options to allow municipalities to permit electronic participation, and expanded categories of matters that a Municipal Council may consider in a Closed Session. In 2018, Southwold Council adopted an updated procedural By-Law which addresses the requirements in Bill 68.
Policy for Pregnancy and Paternal Leaves for Members of Council- s.270

Bill 68 contains a provision which will require all municipalities, by March 1 2019, to adopt a policy regarding pregnancy leaves and paternal leaves of members of Council. Bill 68 also provides that a member's seat does not become vacant if the member is absent is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

The draft policy for Members is contained in Schedule D to this report. Highlights of the policy include:

- Council Members are eligible for up to 20 weeks of pregnancy leave or parental leave, without the need to be excused by Council.
- Recognition that all rights and privileges associated with being a Member of Council continue during the leave, including salary and benefits
- Eligible Members notify the CAO/Clerk of their intent to take leave via the creation of a leave advisory form.
- Eligible Members may continue to receive Council agenda packages, including closed session agendas and will continue to have access to Township resources and equipment.
- Members can apply for an extended leave beyond 20 weeks which will be determined at the discretion of Council.

Policy on Tree Canopy and Natural Vegetation- s.270

Bill 68 requires municipalities to adopt a policy which sets out the manner in which it will protect and enhance the tree canopy and natural vegetation in the municipality.

The Township of Southwold currently has policies, by-laws and programs in place in order to support its local tree canopy including: the County of Elgin’s Woodland Conservation By-law, Official Plan policies to support protecting natural heritage features (including wetlands and woodlands) and requirements for environmental impact studies and tree saving plans, and trees and development approval processes.

Making these policies mandatory requirements emphasizes the importance of protecting and enhancing the tree canopy and natural vegetation and its benefits for the municipality including but not limited to carbon storage and habitat creation.

Approved by: Lisa Higgs, CAO/Clerk
THE CORPORATION OF TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2012-39

BEING A BY-LAW FOR A CODE OF CONDUCT
FOR THE TOWNSHIP OF SOUTHWOLD
AND TO REPEAL BY-LAW 2007-86

WHEREAS Section 11 of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes municipalities to pass by-laws regarding Accountability and Transparency of the municipality and its operations and of its local boards and their operations; and

WHEREAS Section 223.2(1) of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes municipalities to establish codes of conduct for members of the council of the municipality and of local boards of the municipality; and

WHEREAS Section 223.3 (5) of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes penalties for a contravention of the code of conduct; and

WHEREAS Council of the Corporation of the Township of Southwold deems it expedient to update the existing Code of Conduct for Council, local boards and committee members;

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

1. THAT this Council does hereby adopt the Code of Conduct, attached hereto as Schedule "A";

2. THAT Schedule "A" forms part of this By-law;

3. THAT this By-law shall come into force and take effect upon receiving the final passing thereof.

READ a first and second time, considered read a third time and finally passed this 11th day of June, 2012.

Clerk
Donna Ethier

Mayor
James McIntyre
Code of Conduct for Members of Council, Local Boards and Committee Members

Township of Southwold

"SCHEDULE A" Date Approved: June 11/12

Preamble: To Bylaw 2012-39

Members have important obligations and responsibilities to those they represent, service and interact with in connection with carrying out the roles and duties attending a Member's office. A Member's conduct and behavior in terms of ethics and interpersonal conduct and communications are regulated by legislative acts including the Municipal Act, the Public Inquiry Act, the Occupational Health and Safety Act, the Ontario Human Rights Code, Freedom of Information and Protection of Privacy Act, and the Municipal Conflict of Interest Act.

The purpose and intent of this Code of Conduct is as follows:

(i) To establish guidelines for ethical conduct required of Members;

(ii) To establish guidelines to encourage and ensure interpersonal conduct communications and interactions consistent with legal requirements (i.e. Occupational Health and Safety Act, Ontario Human Rights Code);

(iii) To provide mechanisms to ensure accountability and compliance with the required ethical and interpersonal conduct standards of this Code of Conduct.

A. GENERAL STANDARDS OF CONDUCT

1. Members shall conduct themselves at all times in a manner that:

   (i) Is consistent with and advances the interests of the community they serve;

   (ii) Is consistent with the well-being and interests of the Municipality;

   (iii) Is consistent with the Municipality's interest in transparency and accountability;

   (iv) Reflects a diligent and impartial exercise of the office held to the best of the Member's knowledge and ability;

   (v) Reflect the Member's adherence to obligations in connection with avoidance of conflicts of interest;
(vi) Is consistent with the legal deliverables governing interpersonal interactions (i.e. civil and respectful, free from harassment or discrimination, free from violence or the threat of violence).

B. ETHICAL BEHAVIOUR: CONDUCT REQUIREMENTS

1. Foster Respect for Decision-making Process

All Members shall accurately and adequately communicate the attitudes and decisions of the Council, even if they disagree with Council’s decision, such that respect for the decision-making processes of Council is fostered.

2. Strict Adherence to Obligations Regarding Avoiding Conflict of Interest

Members have strict obligations to avoid conflicts of interest by taking the following steps whenever a member has a direct or indirect pecuniary interest in any matter that is before Council in a meeting where the member is present:

(i) disclose the general nature of the member’s interest prior to any consideration of the matter in the meeting;

(ii) refrain from participating in the discussion of the matter or in any vote on the matter;

(iii) refrain from attempting to influence the voting on the matter or question, before, during or after the meeting.

All members have important ethical and statutory obligations to adhere to the steps outlined above to ensure avoidance of any conflict of interest in connection with carrying out the obligations of the Member’s office.

While the Integrity Commissioner may provide general interpretation of the Municipal Conflict of Interest Act (MCIA), it is expected that members seek independent legal advice on a specific question of individual compliance with the Act.

3. Release of Confidential Information Prohibited

Members have a duty to hold in strict confidence all information concerning matters dealt with at In-Camera meetings. Members shall not, either directly or indirectly, release, make public or in any way divulge any such information or any aspect of the In-Camera deliberations to anyone, unless expressly authorized by Council or required by law to do so.

Members shall not release information in contravention of the provisions of the Municipal Freedom of Information and Protection of Privacy Act.
Members shall not release information subject to solicitor-client privilege, unless expressly authorized by Council or required by law to do so.

Members shall not misuse confidential information (information that they have knowledge of by virtue of their position as Councillor, Board or Committee Member is not in the public domain, including e-mails and correspondence from other Members of Council, Board or Committee Member or third parties) such that it may cause detriment to the Corporation, Council or others, or benefit or detriment to themselves or others.

4. Release of Information to Public and Media

Members acknowledge that official information related to decisions and resolutions made by Council will normally be communicated to the community and the media by the Council as a whole or the Warden as Head of Council or by his or her designate.

5. Acceptance of Gifts Prohibited

The stipend paid to each Member of Council is intended to fully remunerate Members for service to the Corporation. Members shall not solicit, accept, offer or agree to accept a commission, reward, gift, advantage or benefit of any kind, personally or through a family member or friend, which is connected directly or indirectly with the performance or duties of office.

Members are not precluded from accepting:

- personal gifts, normal hospitality among persons doing business, benefits, rewards, commissions or advantages from any person or organization not connected directly or indirectly with the performance or duties of office;
- political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- food and beverages at banquets, receptions, ceremonies or similar events;
- services provided without compensation by persons volunteering their time;
- food, lodging, transportation and entertainment provided by other levels of governments or by other local governments, boards or commissions;
- a reimbursement of reasonable expenses incurred in the performance of duties or office;
- a reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations;
- token gifts such as souvenirs, mementos and commemorative gifts that are given in recognition of service on a committee, for speaking at an event or representing the Corporation at an event; and,
- gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

Members shall return any gifts or benefits which exceed these limits, along with an explanation why the gifts or benefits cannot be accepted.
6. **Engaging in Incompatible Activity Prohibited**

Members shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of official duties in the public interest.

Without limiting the generality of the foregoing, Members shall not:

(a) use any influence of office for any purpose other than official duties;
(b) act as an agent before Council or any committee, board or commission of council;
(c) solicit, demand or accept the services of any corporate employee, or individual providing services on a contract for service, for re-election purposes during hours in which the employee, or individual providing services under a contract for service, is in the paid employment of the Corporation;
(d) use any information gained in the execution of office that is not available to the general public for any purpose other than for official duties;
(e) place themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;
(f) give preferential treatment to any person or organization in which a Member or Members of Council have a financial interest;
(g) influence any administrative or Council decision or decision-making process involving or affecting any person or organization in which a Member or Members of Council have a financial interest; and,
(h) use Corporate materials, equipment, facilities or employees for personal gain or for any private purpose.

7. **Avoidance of Waste**

Members shall avoid waste, abuse and extravagance in the provision of use of public resources, and shall expose fraud and corruption of which the Member of Council and Council’s Local Board and Committee Member is aware.

C. **INTERPERSONAL CONDUCT AND COMMUNICATIONS: REQUIREMENTS**

General:

Members have important legal responsibilities and accountabilities in connection with the tone and substance of interpersonal interactions, conduct or communications pursued in the context of carrying out the activity attending a Member’s office.

The purpose of this section of the Code of Conduct and the appended policies is to ensure that Members governed by this Code of Conduct understand and comply with standards of conduct required at law in terms of their interpersonal interactions, communications and conduct. *(Policies appended: Appendix A – Respect in the Workplace)*
The Municipal Corporation and Members, as agents of the Municipal Corporation share important obligations for ensuring compliance with required standards of interpersonal conduct and interactions. A failure to adhere to the required Standards of Conduct can expose both the Municipality, the Township of Southwold, and Individual Members to potential liabilities.

I Human Rights Guarantees: The Obligation to Treat Every Person with Dignity, Understanding and Respect and Avoid Harassment and Discrimination

The Ontario Human Rights Code extends equality rights guarantees in the context of employment and the delivery of services. A Municipal Government is both an employer and service provider. As a result, the interactions and conduct of Members governed by this Code of Conduct generally occur in the context of providing services or interacting with employees.

In connection with such interactions, Members have a legal obligation to ensure adherence to equality rights guarantees. Members have an obligation to ensure that all individuals dealt with are treated with dignity and respect, and not exposed to harassment or discrimination as prohibited by the Human Rights Code.

As a Member, your obligations in this regard extend to anyone you deal with in the context of employment or delivery of services; including but not necessarily limited to the following: other Members of Council, Committee Members, Local Board Members, Corporate Employees, individuals providing services, contractors, students, the public.

(i) Not to Discriminate

In compliance with the Human Rights Code, Members shall not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability, "age", "disability", "family status", "record of offences", "same-sex partnership status" shall be as defined in the Human Rights Code.

(ii) Not to Engage in Harassment

In accordance with the Human Rights Code, Members shall not expose anyone to conduct representing harassment. Harassment includes engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

Without limiting the generality of the definition of "harassment", Members shall not:

(a) make racial, homophobic, sexist or ethnic slurs;
(b) display pornographic, homophobic, sexist, racist or other offensive or derogatory material;
(c) make leering (suggestive staring) or other offensive gestures;
(d) make written or verbal abuse or threats;
(e) vandalize the personal property of others;
(f) commit physical or sexual assault;
(g) make unwelcome remarks, jokes, innuendoes or taunting statements about a person's physical appearance, racial background, colour, ethnic origin, place of origin, citizenship, ancestry, creed (religion or belief), sex, sexual orientation, age, record of offences, martial status, same-sex partnership status, family status, disability (physical or mental);
(h) make unwelcome remarks, insulting gestures or jokes which cause embarrassment or awkwardness;
(i) refuse to converse or interact with anyone because of their racial or ethnic background, colour, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability;
(j) make unnecessary or unwanted physical contact, including touching, patting, or pinching; and,
(k) demand sexual favours or requests.

Harassment which occurs in the course of or related to the performance of duties by Members is subject to this policy and appended policies.

II Personal and Psychological Harassment: OHSA

General: Prohibition of Psychological and Personal Harassment

Health and Safety Legislation has identified and prohibited the potential health risk of "personal harassment" or "psychological harassment" in workplaces. Members must ensure that their interactions and personal communications and conduct are constructive, civil and respectful; devoid of any content or tone that would constitute "personal harassment" or "psychological harassment".

(i) Avoid Personal or Psychological Harassment

Personal and Psychological Harassment includes unwelcome words and/or actions that are known or should have been known to be embarrassing, humiliating or demeaning. Such conduct can include but is not limited to the following:

- remarks, jokes, comments, innuendo that demean, ridicule, intimidate or offend;
- bullying;
- repeated offensive or intimidating phone calls, e-mails, verbal outbursts;
- yelling and screaming, rude demeaning remarks;
- volatile displays of temper or anger;
- exposing people to foul, abusive or obscene language.
Members are required to ensure that they interact and communicate in a manner that is respectful and consistent with the well being of those they deal with. Members must ensure that their interactions communications are free of any conduct that would be considered personal or psychological harassment. (Note: See Policies - Appendix A – Respect in the Workplace).

III Prohibition of Violence

General: Obligation to Avoid any Conduct Representing Violence or a Threat of Violence to a Worker

Health and Safety Legislation has introduced serious and significant obligations to ensure the removal of the risk of violence and threat of violence in Ontario workplaces. Members must ensure that they avoid any interactions, communications or conduct with employees that would constitute "Workplace Violence". Municipal employees have significant rights and recourse if exposed to any threat of violence or act of violence in connection with work or work related activity; including conduct by or interactions with Members of Council, Council's Local Board or Committee Members.

(i) Avoid Violence or Conduct Constituting a Threat of Violence

Workplace violence is defined as the exercise of physical force by a person against a worker in a workplace that causes or could cause physical injury to the worker. To appreciate the broad nature of the definition of violence, it is important to understand that violence includes the following:

- an attempt to exercise force that could cause physical injury (Note: does not have to cause injury);

- a statement or behaviour that could reasonably be interpreted as a threat to exercise physical force (Note: verbal threats will constitute violence).

Examples:

- a verbal threat, attack or physical conduct
- threatening notes, e-mails, voice mails communications
- shaking a fist or other threatening physical gestures
- wielding an object as a weapon at an individual

Members are required to ensure that they avoid any interactions, conduct, communications, or gestures that would constitute a threat of violence or violence.
D. COMPLIANCE / ACCOUNTABILITY / ENFORCEMENT

General:

The Township of Southwold has important obligations and interests in ensuring compliance with the ethical and interpersonal conduct standards required of Members by this Code of Conduct.

The Township of Southwold has an interest and obligation to respond to all allegations, complaints or incidents of alleged conduct inconsistent with the standards outlined in this Code of Conduct (and appended policies) in a manner consistent with the interests and legal obligations of the Township of Southwold.

The Township of Southwold recognizes that the Members have a mutual interest in providing and encouraging access to compliance/enforcement mechanisms in connection with the conduct required by this Code that deliver objective, independent, skilled and efficient determinations in connection with alleged misconduct by any Member.

The Township of Southwold shall appoint an Integrity Commissioner pursuant to Section 223.3(1) of the Municipal Act to inquire into and determine any alleged non-compliance with the standards of conduct defined in the Code of Conduct by a Member.

(Note #1: The referral of alleged breaches of the Code of Conduct to the Integrity Commissioner under this Code does not preclude the rights of potential claimants/complainants at law or pursuant to Township of Southwold policies.)

(Note #2: See Appendix 2 for duties of Integrity Commissioner)

In all circumstances where the Township of Southwold becomes aware of an allegation that a Member has engaged in any prohibited activity or breached any standard of conduct outlined in this Code of Conduct, whether by informal communications or formal complaints, the matter will be addressed as follows:

(i) The "informal" complaint procedure attached as Appendix 1 may be followed but is not mandatory;

(ii) Any issue of non-compliance with the Code of Conduct shall be referred to the Integrity Commissioner through the Complaint Protocol attached as Appendix 3;

(iii) The Integrity Commissioner shall conduct an Inquiry to determine whether the Member has engaged in conduct in contravention of the Code of Conduct;

(iv) In planning and pursuing the relevant inquiry the Integrity Commissioner may proceed consistent with the procedural aspects of any policies addressing the
subject of the alleged infringement and exercise his/her powers under Section 33 and Section 34 of the Public Inquiries Act;

(v) The inquiry pursued by the Integrity Commissioner shall be an independent inquiry; independent of the Township of Southwold or any of its agents, employees or members;

(vi) Where the Integrity Commissioner determines that he/she has reasonable grounds to believe that there has been a contravention of any other act or the Criminal Code, the Integrity Commissioner shall refer the matter to the appropriate authority; suspend his/her inquiry and report the suspension to Council. In these circumstances Council will pursue the necessary steps to ensure that the matter is addressed consistent with the Township of Southwold’s obligations at law and any relevant Township of Southwold policies;

(vii) Where the Integrity Commissioner completes an inquiry and determination of the matter, he/she shall prepare a written report of his/her findings as to whether a Member has contravened the Code of Conduct. Where a contravention of the Code is substantiated, the Report shall disclose the Penalty determined by the Integrity Commissioner. In preparing the report, the Integrity Commissioner may disclose such matters as are necessary for the reporting to Council. The Report shall be delivered to Council;

(viii) Where the Integrity Commissioner determines that a Member has contravened the Code of Conduct, the Integrity Commissioner shall determine the penalty; such penalty shall be within the remedial parameters defined in the Municipal Act;

(viii) Penalties: Where a Member is found to have breached any standard of conduct required by the Code of Conduct, the penalty will be determined by the Integrity Commissioner. In determining the penalty the Integrity Commissioner shall take into consideration the nature and degree of the current breach of the Code and any prior non-compliance with the Code of Conduct by the Member.

Penalties imposed in connection with breaches of the Code of Conduct pursuant to the Code may include:

1. A written reprimand; and or;
2. Suspension of remuneration paid to a Member with respect to services up to 90-days; and or;
3. Censure including removal from appointed Committees, Boards and/or liaison roles.

Refusal To Conduct Investigation

Code of Conduct
1) If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.

2) Complaints referred that are repetitious in nature, not germane to the Code of Conduct in the opinion of the Integrity Commissioner, deemed frivolous and without substance in the opinion of the Integrity Officer, OR, where the complaint is deemed vexatious in the opinion of the Integrity Commissioner, complaints shall not be advanced to an investigation stage.

3) Other than in exceptional circumstances, the Integrity Commissioner will not report to Council or a local board (restricted definition) on any complaint described in subsections (1) and (2) except as part of an annual or other periodic report.

E. OTHER COMPLAINEE/ENFORCEMENT RIGHTS BEYOND THE REFERRAL TO THE INTEGRITY COMMISSIONER

While the Township of Southwold encourages complainants, Members and all parties to access and support the use of the Integrity Commissioner as the means of addressing any issues of non-compliance with the Code of Conduct by Members, the Township of Southwold has an obligation and commitment to support complainants or potential complainants access to the following processes in connection with allegations of prohibited activity, conduct or communications.

1. Complaints of Harassment (Code or Personal), Discrimination, Violence by Employees, Members of Council

   • Access to the procedures committed to in the Township of Southwold’s relevant Policies (i.e. informal resolution, mediation, complaint procedures);

   • Complainants also have a right to file complaints with the Ontario Human Rights Tribunal (in connection with human rights allegations) and complaints with the Ministry of Labour (in connection with allegations of violence, threats of violence or personal harassment).

2. Complaints Regarding Allegations of Conduct Regulated by the Criminal Code

   • Complaints can be directed to the Elgin County Detachment of the Ontario Provincial Policy to pursue an investigation under Section 122 of the Criminal Code of Canada where allegations of fraud or breach of trust are made in connection with a Member carrying out the duties of the office;

   • Complaints can be directed to the Elgin County Detachment of the Ontario Provincial Policy to pursue an investigation under Section 122 of the Criminal
Code of Canada regarding allegations of a Member’s involvement in demands for, acceptance of, offering or agreement to accept a loan, reward, benefit or other advantage from any person, in connection with the performance of the duties of the Member in the office;

3. Complainant’s Direct Dealings with Members in Connection with Concerns of Non-Compliance with the Code of Conduct

- Any person who believes that a Member has infringed any standard under this Code of Conduct can advise the Member of the concern directly (verbally or in writing) that their activity infringes the Code of Conduct;
- Such person (complainant) may directly encourage the Member to stop the offending activity;
- Such person (complainant) should keep a record of the incident, including date, time, location, persons present and any other relevant information.

F. JUDICIAL INVESTIGATION

In circumstances where liability is denied and the alleged misconduct is serious in nature, Council may pass a resolution, pursuant to s. 274(1) of the Municipal Act, requesting a judicial investigation into the Member of Council, or Council’s Local Board or Committee Member’s conduct.

SUMMARY

The Township of Southwold and all Members of Council share an important interest and responsibility in ensuring that the standards of conduct required under this Code of Conduct are understood, maintained and where necessary enforced by holding Members accountable.

The standards reflect the ethical and legal context in which the Township of Southwold and Members must deliver services to the community served by the Council and Members.

Deviations from the standards of conduct outlined in this Code of Conduct leave the Township of Southwold, Council and individual Members exposed to the following:

- Reputational risk;
- Loss of credibility in the community;
- Risks of significant liabilities.

All Members of Council are expected to be knowledgeable of the contents of this Code of Conduct and of the appended Township of Southwold’s Policies, and to adhere to the standards of conduct defined in the Code of Conduct and Policies.
Appendix I

INFORMAL COMPLAINT PROCEDURE

Individuals (for example, Municipal employees, members of the public, members of Council or local boards (restricted definition), or organizations (including local boards (restricted definition) who have identified or witnessed behaviour or an activity by a member of Council or a local board (restricted definition) that they believe is in contravention of the Code of Conduct for Members of Council and Local Boards (Restricted Definition) the "Code of Conduct" would address the prohibited behaviour or activity themselves as follows:

1) advise the member that the behaviour or activity contravenes the Code of Conduct;

2) encourage the member to stop the prohibited behaviour or activity;

3) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;

4) tell someone else (for example, a senior staff member or an officer of the organization) about your concerns, your comments to the member and the response of the member;

5) if applicable, confirm to the member’s satisfaction with the response of the member; or, if applicable, advise the member of your dissatisfaction with the response; and,

6) consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

Individuals and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping andremedying a behaviour or activity that is prohibited by the Code of Conduct. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining pursue the informal complaint procedure prior to pursing the formal complaint procedure.
Appendix 2

DUTIES OF A MUNICIPAL INTEGRITY COMMISSIONER

The duties of Municipal Integrity Commissioner within present Municipal authority should be as follows:

1) **Advisory:** providing written and oral advice to individual members of Council about their own situation respecting the Code of Conduct and other by-laws/policies governing the ethical behaviour of members, including general interpretation of the Municipal Conflict of Interest Act; and, providing the full Council with specific and general opinions and advice respecting compliance by elected officials with the provisions of governing Acts, and other Conduct (Code of Conduct) policies;

2) **Complaint Investigation:** having the power to assess and investigate complaints to the Integrity Commissioner from a member of Council/public/staff, or the whole Council;

3) **Complaint Adjudication:** determining whether a member of Council has in fact violated the Code of Conduct a Municipality protocol, by-law or policy governing their ethical behaviour; and,

4) **Educational:** providing to the Municipal Clerk an annual report on findings of typical advice and complaint cases; providing outreach programs to members of Council and staff on legislation, protocols, and office procedures emphasizing the importance of Conduct for public confidence in municipal government; and disseminating information available to the public on the Municipality’s website.

The advisory and educational roles of the Municipal Integrity Commissioner shall be undertaken with some established limits. For example, in order to eliminate duplicate requests for advice on the same matter, the Integrity Commissioner will not be able to provide advice to a Council member on matters under consideration or being investigated elsewhere. It is likely that the Integrity Commissioner will receive requests for advice on matters involving compliance with the Municipal Conflict of Interest Act (the "MCIA"). While the Integrity Commissioner may provide general interpretation of the MCIA, it is expected that members seek independent legal advice on a specific question of individual compliance with the MCIA.

Therefore the Municipal Integrity Commissioner function shall be established to provide independent complaint prevention, investigation, adjudication, resolution, advice, opinion and education respecting the adherence of the Code of Conduct for Members of Council and other by-laws/policies governing the ethical behaviour.
Appendix 3

COMPLAINT PROTOCOL

(1) Any member of Council, staff or the public that believes they have experienced or witnessed conduct in contravention with the Code of Conduct may file a complaint and request an investigation.

(2) All complaints shall be in writing and signed by an identifiable individual.

(3) A complaint shall set out reasonable and probable grounds for the allegation that the member has contravened the Code of Conduct and include a support affidavit that sets out the evidence in support of the complaint.

(4) The complaint protocol information package shall be available at the Clerk's office.
RESPECT IN THE WORKPLACE (Harassment and Violence)

Purpose:

The Township of Southwold is committed to providing and maintaining a working environment that is based on respect for the dignity and rights of everyone in the organization. It is the Township of Southwold’s goal to provide a healthy and safe work environment that is free of any form of harassment or violence.

The Township of Southwold employs a zero-tolerance policy regarding any form of violence or harassment in the Workplace.

Scope:

This policy applies to all employees, volunteer firefighters, volunteers, committee members and elected officials. It applies in any location in which you are engaged in work-related activities. This includes, but is not limited to the following:

- The workplace
- During work-related travel
- At restaurants, hotels or meeting facilities that are being used for business purposes
- In municipally-owned or leased facilities
- During telephone, e-mail or other communications
- At any work related social event; and
- At any function in which you are representing the municipality

This policy also applies to situations in which you are harassed or subjected to violence in the workplace from individuals who are not employees of the organization, such as customers, suppliers or contractors, although the available remedies may be constrained by the situation.

Definitions:

1. Discrimination

Workplace discrimination includes any distinction, exclusion or preference based on the protected grounds in the Ontario Human Rights Code, which nullifies or impairs equality of opportunity in employment, or equality in the terms and conditions of employment.

The Protected grounds of discrimination are:

- Race, colour, ancestry, citizenship, ethnic origin or place of origin
- Creed, religion
- Age
- Sex (including pregnancy and gender identity)
- Sexual orientation
- Family, marital (including same-sex partnership) status
Disability or perceived disability
A record of offences for which a pardon has been granted under the Criminal Records Act (Canada) and has not been revoked, or an offence in respect of any provincial enactment

2. Sexual Harassment

Sexual harassment includes conduct or comments of a sexual nature that the recipient does not welcome or that offend him or her. It also includes negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at an individual because of his or her gender.

Both men and women can be victims of harassment, and someone of the same or opposite sex can harass someone else.

Some examples of sexual harassment are:

- Sexual advances or demands that the recipient does not welcome or want
- Threats, punishment or denial of a benefit for refusing a sexual advance
- Offering a benefit in exchange for a sexual favour
- Leering (persistent sexual staring)
- Displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic websites or other electronic material
- Disturbing or sexually explicit e-mail messages or attachments such as pictures or video files
- Sexually suggestive or obscene comments or gestures
- Unwelcome remarks, jokes, innuendoes, propositions or taunting about personal body, clothing or sex
- Persistent, unwanted attention after a consensual relationship ends
- Physical contact of a sexual nature, such as touching or caressing; and
- Sexual assault

3. Discriminatory Harassment

Discriminatory harassment includes comments or conduct based on the protected grounds in the Ontario Human Rights Code, which the recipient does not welcome or that offends him or her.

Some examples of discriminatory harassment include:

- Offensive comments, jokes or behaviour that disparage or ridicule a persons membership in one of the protected grounds, such as race, religion or sexual orientation
- Imitating a persons accent, speech or mannerisms
- Persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children; or
Inappropriate comments or jokes about an individual's age, sexual orientation, personal appearance or weight.

Harassing comments or conduct can poison someone's working environment, making it a hostile or uncomfortable place to work even if the person is not being directly targeted. This is commonly referred to as a poisoned working environment and it is also a form of harassment.

Some examples of actions that can create a poisoned work environment include:

- Displaying offensive or sexual materials such as posters, pictures, calendars, websites or screen savers
- Disturbing offensive e-mail messages, or attachments such as pictures or video files
- Practical jokes that embarrass or insult someone; or
- Jokes or insults that are offensive, racist or discriminatory in nature.

4. Workplace Harassment and Bullying

Workplace harassment is a health and safety issue that is covered under the Occupational Health and Safety Act.

The Occupational Health and Safety Act defines workplace harassment as:

Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Workplace Harassment may have some or all of the following components:

- It is generally repetitive, although a single serious incident may constitute workplace harassment if it undermines the recipient's psychological and physical integrity and has a lasting harmful effect
- It is hostile, abusive or inappropriate
- It affects the person's dignity or psychological integrity; and
- It results in a poisoned work environment

In addition, behaviour that intimidates isolates or discriminates against the recipient may also be included.

Some examples of workplace harassment are:

- Verbally abusive behaviour such as yelling, insults, ridicule and name calling including remarks, jokes or innuendos that demean, ridicule, intimidate or offend
- Workplace pranks, vandalism, bullying and hazing
- Gossiping or spreading malicious rumours
- Excluding or ignoring someone, including persistent exclusion of a particular person from workplace-related social gatherings
- Undermining someone else’s efforts by setting impossible goals, with short deadlines and deliberately withholding information that would enable a person to do their job
- Providing only demeaning or trivial tasks in place of normal job duties
- Humiliating someone
- Sabotaging someone else’s work
- Displaying or circulating offensive pictures or materials
- Offensive or intimidating phone calls or e-mails
- Impeding an individual’s efforts at promotions or transfers for reasons that are not legitimate; and
- Making false allegations about someone in memos or other work related documents

What isn’t harassment?

Workplace harassment should not be confused with legitimate, responsible management actions that are part of the normal work function, including:

- Measures to correct performance deficiencies, such as placing someone on a performance improvement plan,
- Imposing discipline for workplace infractions; or
- Requesting medical documents in support of an absence from work

It also does not include normal workplace conflicts that may occur between individuals or differences of opinion between co-workers.

The Test of Harassment

It does not matter whether you intended to offend someone. The test of harassment is whether you knew or should have known that the comments or conduct were unwelcome to the other person. For example, someone may make it clear through their conduct or body language that the behaviour if unwelcome, in which case you must immediately cease and discontinue that behaviour.

Although it is commonly the case, the harasser does not necessarily have to have power or authority over the victim. Harassment can occur in many different ways such as from co-worker to co-worker, Supervisor to employee, employee to Supervisor, and from elected officials to employees.

5. Workplace and Domestic Violence

Workplace and domestic violence that may occur in the workplace are health and safety issues, which are covered under the Occupational Health and Safety Act as:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker
* A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

It is defined broadly enough to include acts that may be considered criminal. Workplace violence includes:

* Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects
* Verbal or written threats to physically attack a worker
* Leaving threatening notes or sending threatening e-mails
* Wielding a weapon at work
* Stalking someone; and
* Physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, and physically restraining someone or any other form of physical or sexual assault.

Violence that occurs outside the normal workplace but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

**Domestic Violence**

If you are experiencing domestic violence that would likely expose you, or other workers, to physical injury that may occur in the workplace, the Township will take every precaution reasonable to protect you and your co-workers in the circumstances provided that the Township has been made aware of the situation. This may include some or all of the following:

* Creating a safety plan
* Contacting the police
* Establishing enhanced security measures such as a panic button, code words, and/or door and access security measures.
* Screening calls and blocking certain e-mail addresses
* Setting up priority parking or providing escorts to your vehicle
* Facilitation your access to counselling through community programs

The Township appreciates the sensitivity of these issues and will do our best to assist you as discreetly as possible while maintaining your privacy.

**Preventing Harassment and Violence**

It is our mutual responsibility to ensure that we create and maintain a harassment and violence-free workplace and address violence and/or the threat of violence from all possible sources (including customers, clients, employers, supervisors, workers, strangers and domestic/intimate partners).
The Township of Southwold’s Commitment

The Township of Southwold will do its part by not tolerating or condoning discrimination, harassment or violence in the workplace. This includes making everyone in the organization aware of what behaviour is and is not appropriate, assessing the risk of workplace violence, investigating complaints and imposing suitable corrective measures.

Duties of Supervisors

Supervisors are expected to assist in creating a harassment-free workplace and to immediately contact the Chief Administrative Officer if they receive a complaint of workplace harassment or violence or witness or are aware of harassing or violent behaviour. Supervisors must also take every reasonable pre-caution to protect employees from workplace violence, including reviewing a person’s history of violent behaviour to determine whether and to whom this employee poses a risk. In making this evaluation Supervisors should consider:

- Whether the person’s history of violence was associated with the workplace or work;
- Whether the history of violence was directed at a particular employee or employees in general; and
- How long ago the incidence of violence occurred

In certain circumstances, Supervisors may have a duty to provide information about a risk of workplace violence from a person with a history of violent behaviour if an employee can be expected to encounter that person during the course of his or her work, and the risk of workplace violence is likely to expose the employee to physical injury. Supervisors will only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect the employee from physical injury.

Duties of All Employees

You must do your part by ensuring that your behaviour does not violate this policy and by fostering a work environment that is based on respect and is free of harassment.

You are also required to report to your Supervisor, the existence of any workplace violence or threat of workplace violence.

Duties of Supervisors

To assist you in understanding your rights and obligations under this policy, it is the role of the Supervisor to:

- Act as a resource and answer inquires with respect to this policy
- Discuss complaints on a confidential basis, unless the is required to release information by law, or where there is a risk of harm to you or another individual
- Assist individuals who may be experiencing domestic violence that may expose them to a risk of physical injury in the workplace
- Assist in the informal resolution of complaints through outside counselling programs; and
Supervisors are impartial and may provide assistance in resolving issues of harassment and discrimination as required. This can include facilitating a solution between two or more affected parties or assisting a complainant, respondent or witness during an investigation.

Supervisors are advocates for a respectful workplace; they are not advocates for a particular individual. Supervisors maintain confidentiality to the extent practical and appropriate under the circumstances.

In carrying out their duties under this policy, Supervisors will be directly responsible to the Chief Administrative Officer.

Procedure for Resolving and Investigating Harassment Complaints

Informal Procedure

If you believe that you are being harassed, the first thing to do is to tell the person to stop. Do so as soon as you receive any unwelcome comments or conduct. Although this may be difficult to do, telling the person you do not like their actions is often enough to stop the behaviour.

Some of the things you can say that might stop the behaviour include:

- It makes me uncomfortable when you say those kinds of things
- Please stop doing or saying those kinds of things
- I don't find it funny when you say those kinds of things
- I don't want you to do that

If the harassment continues after you have confronted the individual, you may want to provide him or her with a written statement of the situation. Include specific details of the behaviours you consider to be harassing, your request to the harasser to stop and your expectations that he or she will stop. Provide details of the next steps you plan to take if the harassment does not stop e.g. filing a formal complaint. Make sure you keep a copy of this statement for yourself.

It helps to keep a record of any incident(s) that you experience. This includes when the harassment started, what happened, whether there were any witnesses and what was your response.

If you believe that someone who is not an employee of the Township, e.g., a customer, supplier, contractor etc., has harassed or discriminated against you, please report the harassment to your Supervisor. Although The Township of Southwold has limited control over third parties, we will do our best to address the issue and prevent future problems from arising.
Formal Procedure

If the complaint cannot be resolved informally or if it is too serious to handle on an informal basis, or you are not comfortable with raising the concern or issue with your direct Supervisor, you are encouraged to seek assistance from the Chief Administrative Officer or any member of the Health and Safety Committee. The Chief Administrative Officer acts as our workplace coordinator with respect to harassment and violence in the workplace.

If you bring a formal complaint you will need to provide as much information as possible, including the name of the person you believe is harassing you, the place, date and time of the incident(s), and the names of any possible witnesses. A copy of the Complaint form is attached (Schedule “J” in Personnel Policy).

It is important that we receive your complaint as soon as possible so that the problem doesn’t escalate or happen again. Once your complaint is received, the Township will initiate a formal investigation, if it is necessary and appropriate to do so.

Discrimination and harassment are serious matters. Therefore, if you decide not to make a formal complaint, we may still need to investigate the matter and take steps to prevent further harassment. For example, we may need to continue with an investigation if the allegations are serious or if there have been previous complaints or incidents involving the respondent.

Please note that it is our policy not to investigate anonymous complaints unless there are extenuating circumstances.

Investigation Procedure

The Chief Administrative Officer will appoint the appropriate personnel to commence an investigation as quickly as possible. The Chief Administrative Officer may choose to conduct either an internal or external investigation, depending on the nature of the complaint.

The investigation will include:
- Interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations
- Interviewing witnesses, if any
- Reviewing any related documentation and maintaining them in a confidential file

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings. A summary of the findings will also be provided to the complaint and respondent.

It is our goal to complete any investigation and communicate the results to the complaint and respondent within thirty days after we receive a complaint, where possible.
Corrective Action

The Chief Administrative Officer, will determine what action should be taken as a result of the investigation and will inform the complainant and respondent of the results of the investigation and whether (but not necessarily what) corrective measures were taken, if any were necessary.

If a finding of harassment is made, the Township of Southwold will take appropriate corrective measures, regardless of the respondent's seniority or position in the Township of Southwold.

Corrective measures may include one or more of the following:

- Discipline, such as a verbal warning, written warning or suspension without pay
- Termination with or without cause
- Referral for counselling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect
- A demotion or denial of a promotion
- Financial penalties such as the denial of a salary increase, and
- Any other disciplinary action deemed appropriate under the circumstances

If there is not enough evidence to substantiate the complaint, corrective measures will not be taken.

If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township of Southwold may, however, discipline or terminate anyone who brings a false and/or malicious complaint.

Procedure for Resolving and Investigating Workplace Violence

Workplace Violence

You have the right to refuse work if workplace violence is likely to endanger you. In that instance, please immediately contact your Supervisor at which point appropriate measures will be taken to protect you and investigate the situation. You will be moved to a safe place as near as reasonably possible to your normal work station and will need to be available for the purposes of investigating the incident. In some circumstances, you may be provided with reasonable alternative work during normal working hours.

In appropriate circumstances, the Township may contact the police, or other emergency responders as appropriate, to assist, intervene or investigate workplace violence. Details about the measures and procedures for summoning immediate assistance will be provided and may include:

- Equipment to summon assistance such as locator or tracking systems, phones, cell phones, etc.;
- Emergency telephone numbers and/or email addresses;
• Emergency procedures; contacting appropriate emergency services by calling 911

Provided the situation is dealt with quickly and the danger to workers is removed, the necessity of work refusal may be alleviated.

**Investigation Procedure**

You are required to report the existence of any workplace violence or threat of workplace violence, to your Supervisor. If you are not comfortable with raising the concern or issue with your direct Supervisor, you are encouraged to seek assistance from the Chief Administrative Officer or any member of the Health and Safety Committee. An investigation will commence as quickly as possible. The Township may choose to use either an internal or external investigator, depending on the nature of the incident.

The Investigation will include:

- Conducting interviews of relevant individuals to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations
- Reviewing any related documentation; and
- Making detailed notes of the investigation and maintaining them in a confidential file

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings. A copy of the report will be provided to the Health and Safety Committee.

**Corrective Action**

If a finding of workplace violence is made, the Chief Administrative Officer will take appropriate corrective measures, regardless of the respondent’s seniority or position in the Township.

Corrective measures may include one or more of the following:

- Discipline, such as a verbal warning, written warning or suspension without pay
- Termination with or without cause
- Referral for counselling (sensitivity training), anger management training, y skills training or attendance at educational programs on workplace respect
- A demotion or denial of a promotion
- Financial penalties such as the denial of a salary increase, and
- Any other disciplinary action seemed appropriate under the circumstances

If you make a complaint in good faith and without malice, regardless of the outcome of the investigation, you will not be subject to any form of discipline. The Township of Southwold will, however, discipline or terminate anyone who brings a false and malicious complaint.
Procedures for Addressing Domestic Violence

If you are experiencing domestic violence that would expose you to physical injury in the workplace or you are experiencing workplace violence or believe that workplace violence is likely to occur, you may seek immediate assistance by contacting Supervisor. If you are not comfortable with raising the concern or issue with your direct Supervisor, you are encouraged to seek assistance from the Chief Administrative Officer or any member of the Health and Safety Committee.

Confidentiality of Complaints and Investigations

The Township recognizes the sensitive nature of harassment and violence complaints and we will keep all complaints confidential, to the extent that we are able to do so. We will only release as much information as is necessary to investigate and respond to the complaint or situation or if required to do so by law.

Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation of the complaint maintain confidentiality throughout the investigation and afterwards.

Protection from Retaliation

The Township of Southwold will not tolerate retaliations, taunts or threats against anyone who complains about harassment or takes part in an investigation. Any person who taunts, retaliates against or threatens anyone in relation to a harassment or violence complaint may be disciplined or terminated.

Human Rights Commission

If none of the above proceedings are effective, the employee or official should consult the appropriate agency such as the Human Rights Commission, Ministry of Labour, a lawyer or the police.
GUIDELINES

Dealing with Conflict and Aggression

The following are preventative tips for dealing with conflict and aggression. Departmental policies and procedures may provide additional specific information.

- Be alert to situations and early warning signs (crying, pacing, avoidance or excessive eye contact, challenging behaviours, yelling etc.)
- Try to provide an early resolution before a situation escalates and an incident occurs (e.g. deal with issues/complaints right away)
- Listen to the other person's entire issue/complaint
- Gather information and determine the reason for the issue/complaint
- Do not downplay or minimize the person's concern
- Remain calm, speak in a clear, calm and consistent voice
- Maintain normal eye contact - avoid staring
- Do not infringe on the person's personal space (e.g. do not point in his/her face)
- Keep the discussion focused on the issue, not the individual parties
- Identify shared goals and ways to achieve them
- Do not set unrealistic goals or make promises that you may not be able to keep
- Set limits and inform the person that the meeting will only continue if they remain calm - inappropriate behaviour is not acceptable
- Take the dispute to a third party if the matter cannot be resolved
- Always remain alert to unsafe situations and react - leave the location if necessary, have another person accompany you or remain close-by, telephone for assistance, etc.

Verbally Abusive Telephone Calls

The following are guidelines for dealing with verbally abusive telephone calls. Departmental policies and procedures may provide additional specific information.

- Inform the caller that abusive language is not acceptable
- Advise the caller that the conversation will be terminated if the abusive language continues
- Establish written documentation about the incident
- Advise your Supervisor of the occurrence after the phone call has ended
- If the same caller has made repeated similar calls, advise them that if it continues that the Police may be notified.
Telephone Threats

The following are guidelines for dealing with telephone threats. Departmental policies and procedures may provide additional specific information.

- Obtain as much information from the caller as possible
- Immediately document the conversation as accurately as possible
- Immediately notify your Supervisor

Written Threat

The following are guidelines for dealing with a written threat. Departmental policies and procedures may provide additional specific information.

- Do not throw away any part of the written letters or envelopes
- Handle the document(s) as little as possible
- Place the documents(s) in a folder or clear protective sleeve to help protect them
- Advise your Supervisor of the occurrence
- Do not discuss the contents of the written threat with anyone other than Management

Supervisors

On receiving reports of activities as listed above:

- Record the details of the incident
- Assess the immediate danger and take the appropriate measures to safeguard employees and facilities
- Notify the Chief Administrative Officer immediately who will initiate the appropriate investigations
- The Chief Administrative Officer will notify the appropriate Police services where necessary

Potential Volatile Situation:

A potentially volatile situation is defined as any verbal threat or gesture to do harm to people, property, process or the environment. The verbal threat or gesture creates an intimidating, offensive or hostile environment, and can include the display of uncontrolled behaviours as a result of emotional upset, anger or mental confusion. In such cases, responsibilities are as follows:
Employees:

- Establish a safe location and notify your Supervisor immediately. (Activate EMS (Emergency Medical Services - by calling 9-1-1) if deemed necessary.
- Do not aggravate or allow anyone else to aggravate the situation
- If the person leaves the area, do not detain them. Follow the person safely while on the Township worksite. Inform your Supervisor of the location of the person.
- Follow the direction of your Supervisor or his/her designate.

Supervisors/Managers:

- Appropriately and safely intervene when you become aware of a potentially volatile situation
- Assess the immediate danger and take the appropriate measures to safeguard persons and the facility
- Document the threat
- Notify the Chief Administrative Officer. The appropriate police services may be notified where necessary.
- If the offender is an employee, consider suspending the offender pending the outcome of the investigation
- In conjunction with the Chief Administrative Officer conduct an investigation. All parties are to be interviewed and asked to provide written, signed statements.
- Hold a post incident review to ensure procedures were followed and to make recommendations for improvements; recommend and/or provide appropriate medical care and or assistance
- Record all details of the incident and submit a thorough report to the Chief Administrative Officer in a timely fashion.

Potential Volatile Situation with Immediate Danger:

A violent situation with immediate danger is defined as a highly agitate individual displaying loud and/or abusive verbal or aggressive physical behaviours, where harm or violent action to people, property or the environment has already taken place; the presence of any type of weapon or use of an object as a weapon or; where there is a threat by an individual to do immediate harm to people, property or the environment.

Employees:

- Establish a safe location and notify your Supervisor/Manager immediately. (Activate EMS (Emergency Medical Services - by calling 9-1-1) if deemed necessary.
- Notify your Supervisor/Manager or other Township official immediately
- Follow the direction of your Supervisor/Manager or other Township official
Supervisors/Managers:

- Assess the immediate danger and appropriately and safely intervene when you become aware of the violent situation with immediate danger
- Notify the appropriate Police services of the situation where necessary
- Coordinate efforts to stabilize the situation - take the appropriate measures to safeguard persons and the facility
- Document the occurrence details
- Notify the Chief Administrative Officer
- Once the situation is under control, and if the offender is an employee, consider suspending the offending employee pending the outcome of an investigation
- In conjunction with the Chief Administrative Officer conduct an interview. All parties are to be interviewed and asked to provide written, signed statements.
- Record all details of the incident and submit a thorough report to the Chief Administrative Officer in a timely fashion.

Approved by Council on June 14, 2010        Resolution# 2010-165
EMPLOYEE ATTITUDE & CONDUCT

Intent:

It is the desire of the Township of Southwold to provide a positive and encouraging work environment. This policy is provided so that all employees of the Township of Southwold may be aware of what is expected concerning employee attitude and conduct for the betterment of all.

Scope:

This policy applies to all Administrative and Public Works staff.

Policy:

All employees of the Township of Southwold are expected to conduct themselves in a welcoming, courteous and professional manner.

It is expected that all employees demonstrate a positive and helpful attitude, to be honest, trustworthy, and reliable, in all of their workplace activities.

Employees are expected to not abuse work time by leaving the job site early without permission, arriving late, failing to report to work, or abusing the allotted break and meal times.

Employees shall not conduct, either on their behalf or on behalf of anyone else, private business or private activities during working hours.

It is expected that only personal phone calls of an emergency nature are to be made or accepted during working hours.

It is expected that all employees show respect for all business decisions and/or practices administered by the Township of Southwold. This entails taking direction or correction and cooperating in working to achieve the Township of Southwold's business. However, the Township of Southwold welcomes the input and opinions of each of its employees provided that opinions are stated in a fair and respectful manner.

It is expected that all employees respect and comply with all Township of Southwold policies, procedures and guidelines as outlined in this manual.

The following proven and/or admitted infractions shall be reason for disciplinary actions, which may ultimately result in termination. Such infractions include, but are not limited to:

- Theft, misappropriation, or intentional destruction of Township of Southwold’s or employees’ property;
- Falsification of records;
- Assaulting or endangering others on Township of Southwold premises;
- Obscene and/or immoral conduct on Township of Southwold premises;
Refusal to follow Council directives;
> Failure to report for work without notification and/or prior approval;
> Unacceptable performance standards;
> Violation of any Township of Southwold policy.

Supervisory staff, at all levels of the Township of Southwold, are obligated to embrace the following procedures:

- Treat all employees as individual, important human beings at all times, respect them and ensure that all employees are thanked for a job well done.
- Represent employees well and strive to be an example to all employees.
- Always evaluate employees carefully, objectively and honestly. Never allow personalities or prejudices to influence opinions of any employee.
- Always strive to improve employee confidence by dealing with issues consistently, and in a considerate, firm and fair manner. If an employee is to be reprimanded this is to be done via private consultation.
- Always take time to administer proper and adequate instructions to new employees concerning job requirements and the Township of Southwold policies and make all employees feel at ease through continuous proper job instruction and orientation.
- As well, always attempt to assign employees to jobs according to their present skills and abilities.
COUNTY OF ELGIN
By-Law No. 17-39

"BEING A BY-LAW TO ADOPT A CODE OF CONDUCT POLICY
FOR COUNCIL AND LOCAL BOARDS TO PROMOTE ACCOUNTABILITY AND
TRANSPARENCY IN MUNICIPAL GOVERNANCE AND
TO RESCIND BY-LAW 12-19"

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, provides a Municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS Part V, 1, Accountability and Transparency, Section 223.2(1) of the Municipal Act, 2001, c. 25, as amended authorizes a Municipality to establish codes of conduct for members of council of the Municipality and of local boards of the Municipality; and

WHEREAS the Council of the Corporation of the County of Elgin previously deemed it expedient to adopt By-Law 12-19 to establish a Code of Conduct Policy; and

WHEREAS the Council of the Corporation of the County of Elgin deems it expedient to rescind By-Law 12-19; and

WHEREAS the Council of the Corporation of the County of Elgin deems it further necessary to adopt a new Code of Conduct Policy reflecting the required ethical and legal requirements for all members of the Council of the Municipality and of local boards of the Municipality for all deliveries of services;

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of the County of Elgin enacts as follows:

1. THAT a Code of Conduct for Council and Local Boards attached as Schedule “A” be adopted.
2. THAT By-Law 12-19 hereby be rescinded.
3. THAT in the event that section or sections of this by-law thereof are found by a Court of competent jurisdiction to be invalid or ultra vires, such section, sections or parts thereof shall be deemed to be severable, with all other sections or parts of this by-law remaining in the full force and effect.
4. THAT this by-law shall take effect upon its adoption.


Julie Gonyou,
Chief Administrative Officer.

Grant Jones,
Warden.
By-Law 17-39
Schedule “A”

CODE OF CONDUCT

FOR MEMBERS OF COUNCIL
AND
LOCAL BOARDS
FOR THE
CORPORATION OF
THE COUNTY OF ELGIN
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS FOR THE CORPORATION OF THE COUNTY OF ELGIN

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CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
FOR THE CORPORATION OF THE COUNTY OF ELGIN

PART 1: PREAMBLE

Members have important obligations and responsibilities to those they represent service and interact with in connection with carrying out the roles and duties attending a Member’s office.

The purpose and intent of this Code of Conduct is as follows:

(i) To establish guidelines for ethical conduct required of Members;
(ii) To establish guidelines to encourage and ensure interpersonal conduct, communications and interactions consistent with legal requirements (i.e. Occupational Health and Safety Act, Ontario Human Rights Code); and
(iii) To provide mechanisms to ensure accountability and compliance with the required ethical and interpersonal conduct standards of this Code of Conduct.

PART 2: DEFINITIONS

2.1 "Censure" means an official expression of disapproval or condemnation.

2.2 "Clerk" shall mean an Employee authorized to act as the Clerk of the County.

2.3 "Closed Meeting" shall mean a meeting or part of a meeting of Council not open to the public in accordance with the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.

2.4 "Committee" shall mean a Committee established by Council.

2.5 "Complaint" shall mean an alleged violation of this Code.

2.6 "Confidential Information" includes information in the possession of the County that the County is prohibited from disclosing under the Municipal Freedom of Information and Protection of Privacy Act, the Personal Health Information Protection Act, 2004 and other applicable legislation. Confidential Information also means any information that is of a personal nature to County employees or clients or information that is not available to the public and that, if disclosed, could result in loss or damage to the County or could give the person to whom it is disclosed an advantage. Confidential Information includes items disclosed or discussed at closed sessions of Council and Committee meetings.

2.7 "Council" shall mean the elected officials who constitute municipal council for the Corporation of the County of Elgin.
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
FOR THE CORPORATION OF THE COUNTY OF ELGIN

2.8 "Employee" shall mean a person employed by the County, including those employed on personal service contracts and volunteers, but does not include members of Council.

2.9 "Gift" includes any cash or monetary equivalent fee, object of value, service, forbearance, preferential treatment or personal benefit received from a third party.

2.10 "Good Faith" shall mean accordance with standards of honesty, trust and sincerity as practiced and understood within the Elgin County community.

2.11 "Integrity Commissioner" shall mean a person appointed by Council to provide independent and consistent complaint investigation and resolution respecting the application of the Code of Conduct, and as defined by County of Elgin By-Law No. 21 of 2015 ("Integrity Commissioner By-Law").

2.12 "Immediate Relative" shall mean a parent, child, sister, brother, sister-in-law, brother-in-law, father-in-law, mother-in-law, as well as step-relationships.

2.13 "Lobby" or "lobby" shall mean to communicate with a member outside of a public process about matters of interest or benefit to the lobbyist and their client business organization. Communication may be about a bylaw or resolution on any matter that requires a decision by Council, a local board, or delegated decision-maker and includes matters regarding policies or programs, the purchase of goods and services and the awarding of contracts, applications for a service grant, planning approval, or other licence.

2.14 "Media" includes any entity such as radio, television, newspaper, magazine, websites, blogs, social media, twitter feeds or other vehicles for the public dissemination of information.

2.15 "Member" means any member of Council, and includes the Warden and any member of the public appointed to a committee or advisory board.

2.16 "Meeting" shall mean any regular, special or other meeting of Council.

2.17 "Pecuniary Interest" shall mean an interest that has a direct or indirect financial impact or as defined under the Municipal Conflict of Interest Act, as amended.

2.18 "Spouse" shall mean the person to whom a Member is married or with whom the Member is living in a conjugal relationship.

PART 3: APPLICATION

3.1 This Code of Conduct applies to the Warden, the Deputy Warden and all Members of Council and members of the public appointed to committees and advisory boards.
PART 4: PURPOSE

4.1 A Member’s conduct and behavior in terms of ethics and interpersonal conduct and communications are regulated by legislative acts including but not limited to:

   a) Criminal Code of Canada;
   b) Human Rights Code;
   c) Municipal Act, 2001;
   d) Municipal Conflict of Interest Act;
   e) Municipal Freedom of Information and Protection of Privacy Act;
   f) Municipal Elections Act, 1996;
   g) Personal Health Information Protection Act, 2004;
   h) The Public Inquiry Act; and,

PART 5: GENERAL DUTIES

5.1 It shall be the duty of all Members to abide by all applicable legislation, policies and procedures pertaining to their position as a Member.

5.2 Members shall at all times serve and be seen to serve their constituents in a conscientious and diligent manner.

5.3 Members will conduct their dealings with each other in ways that maintain public confidence in the position to which they have been elected or appointed. Members will be open and honest, focus on issues rather than personalities, and avoid aggressive, offensive or abusive conduct.

5.4 Members shall accurately and adequately communicate the attitudes and decisions of the Council even if they disagree with Council’s decision, such that respect for the decision making processes of Council is fostered.

5.5 Members shall conduct themselves at all Council and Committee Meetings with decorum, in accordance with the County of Elgin’s Procedural By-Law.

5.6 In accordance with the Municipal Act, 2001 and the Municipal Conflict of Interest Act, every Member shall exercise his or her power and discharge his or her official duties in accordance with the following guiding principles:

   a) Seek to advance the common good of Elgin County;
   b) Exercise care, diligence and skill that a reasonably prudent person would exercise in similar circumstances;
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
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c) Exercise his or her powers only for the purposes for which they were
   intended; and,

d) Truly, faithfully and impartially exercise his or her office to the best of his or
   her knowledge and ability.

PART 6: CONFLICT OF INTEREST

6.1 Members have strict obligations to avoid conflicts of interest by taking the following
   steps whenever a member has a direct or indirect pecuniary interest in any matter
   that is before Council in a meeting where the member is present:

   (i) disclose the general nature of the member's interest prior to any consideration
       of the matter in the meeting;
   (ii) refrain from participating in the discussion of the matter or in any vote on the
        matter; and,
   (iii) refrain from attempting to influence the voting on the matter or question, before,
        during or after the meeting.

6.2 All members have important ethical and statutory obligations to adhere to the steps
   outlined above to ensure avoidance of any conflict of interest in connection with
   carrying out the obligations of the Member's office. Each Member must declare the
   conflict of interest and general nature thereof verbally at the beginning of each
   meeting and provide the Clerk with the signed declaration in accordance with
   Appendix D attached.

6.3 While the Integrity Commissioner may provide general interpretation of the Municipal
   Conflict of Interest Act (MCIA), it is expected that members seek independent legal
   advice on a specific question of individual compliance with the Act.

6.4 Members shall be responsible for ensuring that they are familiar with the Municipal
   Conflict of Interest Act. If, upon review by the Integrity Commissioner, a complaint
   is deemed to be a matter covered by the Municipal Conflict of Interest Act, the
   Integrity Commissioner shall advise the complainant, with an explanation, in writing,
   and an investigation may be conducted in accordance with powers and duties of
   integrity commissioner.

PART 7: GIFTS AND PARTICIPATION AT EVENTS

7.1 No Member shall solicit or accept any gift or accept or receive a fee, advance, cash
   or personal benefit that is directly or indirectly connected with the performance of
   his or her duties of office. For the purposes of this provision any gift provided to a
   Member's child, parent or spouse with the Member's knowledge shall be deemed to
   be a gift accepted by that Member.
7.2 The County recognizes that moderate hospitality and participation in charitable non-profit fundraising and business events is an accepted facet of community participation and business relationships. Accordingly, the following types of gifts are recognized as exceptions to the prohibition in Section 7.1:

a) gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibilities of office;

b) token gifts such as souvenirs, mementos and commemorative gifts that are given in recognition of service on a committee for speaking at an event or representing the County at an event;

c) food and beverages consumed at lunchees dinners charity fundraisers banquets receptions ceremonies or similar events if the Member's attendance serves a legitimate municipal purpose;

d) communications to the offices of a Member including subscriptions to newspapers and periodicals;

e) compensation authorized by law;

f) political contributions that are offered accepted and reported in accordance with applicable law;

g) services provided without compensation by persons volunteering their time;

h) gifts of admission to dinner, charity fundraisers, banquets, receptions, ceremonies, cultural events, sporting events, business galas, political events and similar events if the Member's attendance serves a legitimate municipal purpose;

i) reasonable payment for participation in or organizing any reception, dinner, gala, golf tournament, or similar event to support charitable causes or a political fundraising event and food, lodging, transportation or entertainment from a not for profit non-government organization;

7.3 Within 30 days of receipt of any gift described in Section 7.2, Members shall file a disclosure statement in accordance with the format set forth in Appendix A attached with the Integrity Commissioner for any gift that exceeds $200 in value; if the value of any gift described in Section 7.2 exceeds $500 or if the total value of such gifts received from any one source during one calendar year exceeds $1,000 the Member shall file a disclosure statement with the Integrity Commissioner within 30 days of the receipt of the gift. Every disclosure statement shall indicate:

Appendix A.

(i) the nature of the gift;

(ii) its source and date of receipt;

(iii) the circumstances under which it was received; and

(iv) its estimated value.

7.4 Every disclosure statement to the Integrity Commissioner and as anticipated in 7.3 above shall be a matter of public record,
7.5 The Integrity Commissioner shall report to Council annually on all gifts received by Members that are disclosed in accordance with Section 7.2(f).

7.6 The Integrity Commissioner shall examine every disclosure statement filed with him or her to ascertain whether the receipt of the gift might impair his or her opinion create a conflict between a private interest and the public duties of the Member.

7.7 If the Integrity Commissioner makes a preliminary determination of a conflict the Member shall be asked to justify receipt of the gift.

7.8 If the Integrity Commissioner determines that receipt of the gift was prohibited he or she shall report the findings to Council.

PART 8: INTERACTION WITH THE PUBLIC, OTHER MEMBERS and COUNTY STAFF

8.1 Members have a duty to treat members of the public, each other and staff with respect and dignity and without abuse, bullying or intimidation;

8.2 Members have a duty to ensure that the County's work environment is safe and free from discrimination and harassment;

8.3 Members are to recognize that Employees serve Council and work for the municipal corporation under the direction of the Chief Administrative Officer. Council directs Employees through its decisions as recorded in the minutes and resolutions of Council. The role of Employees is to provide advice and services that are based on political neutrality, objectivity and professional judgment which may not necessarily reflect the opinion or position of any single Member. Members have no individual capacity to direct Employees to perform specific functions.

8.4 Inquiries of Employees from Members should be directed to the Chief Administrative Officer or the appropriate Department Head.

8.5 No Member shall compel Employees to engage in partisan political activities or be subjected to threats, discipline or discrimination for refusing to engage in any such activity.

8.6 Members shall show respect for the professional capacities of County Employees. Some Employees have professional credentials (examples: professional engineer, registered nurse) which create separate legal and ethical obligations for those Employees. Members shall refrain from any conduct which may deter, interfere or unduly influence Employees in such a manner as to result in them violating their professional legal or ethical obligations.
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8.7 Certain Employees hold positions within the administration of justice. Members shall refrain from making requests or statements or otherwise taking action which may be construed as an attempt to influence the independence of staff working within the administration of justice.

PART 9: IMPROPER USE OF INFLUENCE

9.1 No Member shall use his or her office to seek to influence any decision made or to be made by Council on behalf of the Member’s private advantage or to the advantage of another person.

9.2 No Member shall use his or her office to seek to influence or intercede with the administration or enforcement of the County’s regulatory By-Laws or other laws enforced by the County. Notwithstanding the foregoing, it is recognized that Members of Council may in good faith raise the concerns of residents with County Employees for the purpose of determining if those concerns can be resolved having due regard for the public interest in fair and impartial By-Law enforcement.

9.3 All applicants for County positions shall have an equal opportunity to obtain such employment. No Member shall use his or her office to seek to inappropriately influence the hiring of specific individuals for any position within the County.

9.4 Nothing in this Section prohibits a Member from providing a reference for an applicant for any position within the County, or offering his or her opinions and voting on any decision to hire a Chief Administrative Officer.

9.5 No Member shall support any cause or third party using the County’s corporate logo or the County letterhead in any communication intended to solicit funds without a vote or resolution of County Council.

PART 10: CONFIDENTIAL INFORMATION

10.1 Members shall hold in strict confidence all Confidential Information concerning matters dealt with in-camera. No Member shall release, make public or in any way divulge any such Confidential Information or any aspect of the in-camera deliberations unless expressly authorized by Council or required By-law.

10.2 No Member shall release, make public or in any way divulge any such Confidential Information acquired by virtue of his or her office unless expressly authorized by Council or required By-Law. The capacity to release Confidential Information can only be made by a majority of Council, and no individual member of Council has authority to waive this privilege.
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
FOR THE CORPORATION OF THE COUNTY OF ELGIN

10.3 No Member shall use information gained in the execution of his or her office that is
not available to the general public for any purpose other than his or her official
duties.

10.4 No Member shall access or attempt to gain access to Confidential Information in
the custody of the County except to the extent necessary for the performance of
his or her duties as a Member and not prohibited by this Code or any other
statute, By-Law or policy.

10.5 Members are only entitled to Confidential Information in the possession of the
County that is relevant to matters before the Council or Committee. Beyond this
entitlement, Members have the same level of access to information as does any
other citizen.

PART 11: COMMUNICATIONS AND MEDIA RELATIONS

11.1 In order to foster respect for the decision making process of Council, Members
shall fairly and accurately communicate the decisions of Council, even if they
disagree with a majority decision of Council, and/or voted in the minority. Members
may publicly express disagreement with a decision, but are to do so in a respectful
manner.

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

11.3 Members shall refrain from making disparaging remarks about other Members,
members of the public, Employees or Council’s process and decisions.

PART 12: MUNICIPAL ELECTION CAMPAIGNS

12.1 Members of Council are required to comply with the Municipal Elections Act, 1996.

12.2 No Member shall use County property, including the County’s logo, for any election
campaign or campaign related activities.

12.3 No Member shall undertake campaign related activities on County owned lands,
with the exception of the permissible use of campaign signs along road allowances,
and in compliance with any local sign By-Laws, as applicable.

12.4 No Member shall use the services of Employees in work for his or her (re)election
during hours in which those Employees are being paid by the County. The
participation of County staff with respect to municipal elections is generally
discouraged.
PART 13: CONDUCT OF FORMER MEMBERS

13.1 The County shall not hire or award any contract to any former Member for a period of 12 months from the date the former Member ceased to hold office except where the former Member is the successful bidder through a quote or tender consistent with appropriate County policies.

13.2 A former Member may not Lobby the County or any Member for a period of 12 months from the date the former Member ceased to hold office.

PART 14: USE OF COUNTY PROPERTY

14.1 Members may only use County property, including land, facilities, equipment, supplies, services, staff or other resources (for example, County owned materials, computers, networks, websites) for activities directly connected with the discharge of their official County duties or, as appropriate, local municipal duties.

14.2 Occasional or incidental personal use of County computers, phones or similar devices and communication systems is acceptable, subject to the provisions of the Municipal Elections Act. Such use may also be subject to the Municipal Freedom of Information and Protection of Privacy Act.

14.3 No Member shall obtain financial gain from the use or sale of County-developed intellectual property including inventions, cultural materials, computer programs, technical innovations, or other items capable of being patented, or copyrighted, as all such property remains exclusively that of the County.

PART 16: NEPOTISM

15.1 No Member shall attempt to influence the hiring or promotion of a Spouse or Immediate Relative.

15.2 No Member shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate a Spouse or Immediate Relative.

15.3 If a Spouse or Immediate Relative of a Member is an applicant for employment with the County or candidate for promotion or transfer, the Spouse or Immediate Relative will proceed through the usual selection process with no special consideration.

15.4 No Member shall place himself or herself in a position where he or she could have influence over their Spouse or Immediate Relative's employment.

15.5 No Member shall attempt to use a Spouse or Immediate Relative relationship for financial or other gain.
PART 16: OBSTRUCTION OF INTEGRITY COMMISSIONER

16.1 No Member shall obstruct the Integrity Commissioner in the carrying out of their responsibilities.

16.2 It is a violation of this Code to obstruct any staff member acting under the instruction of the Integrity Commissioner in applying or furthering the objectives or requirements of this Code, in attempting to gather information or data, or in the general conduct of duties with respect to a Code of Conduct investigation.

16.3 Examples of obstruction under sections 16.1 or 16.2 include the destruction of documents, the erasure of electronic documents, withholding or concealing the existence of documents and refusal to respond to inquiries from the Integrity Commissioner within 15 days of receipt of same.

PART 17: REPRISALS

17.1 No Member shall seek any reprisal or threaten any reprisal against a complainant or any other person for providing relevant information to the Integrity Commissioner in the course of inquiry pursuant to a complaint.

PART 18: INTERPERSONAL CONDUCT AND COMMUNICATIONS:

18.1 REQUIREMENTS

Members have important legal responsibilities and accountabilities in connection with the tone and substance of interpersonal interactions, conduct or communications pursued in the context of carrying out the activity of a municipal Councillor.

18.2 MUNICIPAL POLICIES

The purpose of this section of the Code of Conduct and the appended policies is to ensure that Members governed by this Code of Conduct understand and comply with standards of conduct required at law in terms of their interpersonal interactions, communications and conduct. (Policies appended: Appendix A – HR 3.01 – Respectful Workplace; HR 3.02 – Adherence to the Ontario Human Rights Code; HR 3.03 – Workplace Harassment; and HR 3.04 – Workplace Violence)

The Municipal Corporation and Members, as agents of the Municipal Corporation share important obligations for ensuring compliance with required standards of interpersonal conduct and interactions. A failure to adhere to the required Standards of Conduct can expose both the Municipality, the County, and individual Members to potential liabilities.
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
FOR THE CORPORATION OF THE COUNTY OF ELGIN

1 Human Rights Guarantees: The Obligation to Treat Every Person with Dignity,
Understanding and Respect and Avoid Harassment and Discrimination

The Ontario Human Rights Code extends equality rights guarantees in the context of
employment and the delivery of services. A Municipal Government is both an employer
and service provider.

As a result the interactions and conduct of Members governed by this Code of Conduct
generally occur in the context of providing services or interacting with employees.

In connection with such interactions, Members have a legal obligation to ensure
adherence to equality rights guarantees. Members have an obligation to ensure that all
individuals dealt with are treated with dignity and respect, and not exposed to
harassment or discrimination as prohibited by the Human Rights Code.

As a Member your obligations in this regard extend to anyone you deal with in the
context of employment or delivery of services; including but not necessarily limited to the
following: other Members of Council, Committee Members, Local Board Members,
Corporate Employees, Individuals providing services, contractors, students, the public.

PART 19: COMPLIANCE / ACCOUNTABILITY / ENFORCEMENT

The County has important obligations and interests in ensuring compliance with the
ethical and interpersonal conduct standards required of Members by this Code of
Conduct.

The County has an interest and obligation to respond to all allegations, complaints or
incidents of alleged conduct inconsistent with the standards outlined in this Code of
Conduct (and appended policies) in a manner consistent with the interests and legal
obligations of the County.

The County recognizes that the County and the Members have a mutual interest in
providing and encouraging access to compliance/enforcement mechanisms in connection
with the conduct required by this Code that deliver objective, independent, skilled and
efficient determinations in connection with alleged misconduct by any Member.

The County shall appoint an Integrity Commissioner pursuant to Section 223.3(1) of the
Municipal Act and, when proclaimed, Bill 88 “Modernizing Ontario’s Municipal Legislation
Act, 2017” to inquire into and determine any alleged non-compliance with the standards
of conduct defined in the Code of Conduct and to investigate and advise on the (MICA) in
March 2019 and thereafter by a Member.

In all circumstances where the County becomes aware of an allegation that a Member
has engaged in any prohibited activity or breached any standard of conduct outlined in
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
FOR THE CORPORATION OF THE COUNTY OF ELGIN

This Code of Conduct, whether by informal communications or formal complaints, the
matter will be addressed as follows:

(i) The "informal" complaint procedure attached as Appendix 1 may be followed
but is not mandatory;

(ii) Any issue of non-compliance with the Code of Conduct shall be referred to the
Integrity Commissioner through the Complaint Protocol attached as Appendix 3;

(iii) The Integrity Commissioner shall conduct an Inquiry to determine whether the
Member has engaged in conduct in contravention of the Code of Conduct; (except
as in Complaints Prior to an Election)

(iv) In planning and pursuing the relevant inquiry the Integrity Commissioner may
proceed consistent with the procedural aspects of any policies addressing the
subject of the alleged infringement and exercise his/her powers under Section 33
and Section 34 of the Public Inquiries Act;

(v) The Inquiry pursued by the Integrity Commissioner shall be an independent
Inquiry; independent of the County or any of its agents, employees or members;

(vi) Where the Integrity Commissioner determines that he/she has reasonable
grounds to believe that there has been a contravention of any other act or the
Criminal Code, the Integrity Commissioner shall refer the matter to the appropriate
authority; suspend his/her inquiry and report the suspension to Council. In these
circumstances Council will pursue the necessary steps to ensure that the matter is
addressed consistent with the County's obligations at law and any relevant County
policies;

(vii) Where the Integrity Commissioner completes an inquiry and determination of
the matter, he/she shall prepare a written report of his/her findings as to
whether a Member has contravened the Code of Conduct. In preparing the
report, the Integrity Commissioner may disclose such matters as are necessary
for the reporting to Council. The Report shall be delivered to Council. Where a
contravention of the Code is substantiated, Council will impose the Penalty;

(viii) The municipality shall consider written reports/findings of the Integrity
Commissioner in open session unless otherwise prohibited by another Act eg.
(MFIPPA) or regulation

(ix) Where the Integrity Commissioner determines that a Member has contravened the
Code of Conduct, the Integrity Commissioner shall recommend the penalty; such
penalty shall be within the remedial parameters defined in the Municipal Act;
Penalties: Where a Member is found to have breached any standard of conduct required by the Code of Conduct, the penalty will be determined by the Council on the advice of the Integrity Commissioner. In determining the penalty the Council shall take into consideration the nature and degree of the current breach of the Code and any prior non-compliance with the Code of Conduct by the Member.

Exception: (Upon proclamation of Bill 68)

Where a Code of Conduct breach is alleged,

i) the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.

ii) In the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration.

Penalties imposed in connection with breaches of the Code of Conduct pursuant to the Code may include:

1. A written reprimand; and or;

2. Suspension of remuneration paid to a Member with respect to services up to 90-days; and or;

Refusal to Conduct Investigation

1. If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.

2. Complaints referred that are repetitious in nature, not germane to the Code of Conduct in the opinion of the Integrity Commissioner, deemed frivolous and without substance in the opinion of the Integrity Officer, or, where the complaint is deemed vexatious in the opinion of the Integrity Commissioner, complaints shall not be advanced to an investigation stage.

3. Other than in exceptional circumstances, the Integrity Commissioner will not report to Council or a local board (restricted definition) on any complaint described in subsections (1) and (2) except as part of an annual or other periodic report.
4. An application may only be made within six weeks after the applicant became aware of the alleged contravention.

Complaints or Reports Prior to Election

No complaint regarding a Member who is a candidate in an election may be accepted by the Integrity Commissioner for review and/or investigation between Nomination Day for a regular election and ending of voting day in any year in which a regular municipal election will be held. The Integrity Commissioner shall hold such complaint in abeyance until after voting day in a regular election year and advise the complainant of the process.

PART 20: OTHER COMPLAINT/ENFORCEMENT RIGHTS BEYOND THE REFERRAL TO THE INTEGRITY COMMISSIONER

While the County encourages complainants, Members and all parties to access and support the use of the Integrity Commissioner as the means of addressing any issues of non-compliance with the Code of Conduct by Members, the County has an obligation and commitment to support complainants or potential complainants access to the following processes in connection with allegations of prohibited activity, conduct or communications.

1. Complaints of Harassment (Code or Personal), Discrimination, Violence by Employees, Members of Council

   • Access to the procedures committed to in the County's relevant Policies (i.e., informal resolution, mediation, complaint procedures);

   • Complainants also have a right to file complaints with the Ontario Human Rights Tribunal (in connection with human rights allegations) and complaints with the Ministry of Labour (in connection with allegations of violence, threats of violence or personal harassment).

2. Complaints Regarding Allegations of Conduct Regulated by the Criminal Code

   • Complaints can be directed to the Elgin County Detachment of the Ontario Provincial Police to pursue an investigation under Section 122 of the Criminal Code of Canada where allegations of fraud or breach of trust are made in connection with a Member carrying out the duties of the office;

   • Complaints can be directed to the Elgin County Detachment of the Ontario Provincial Police to pursue an investigation under Section 122 of the Criminal Code of Canada regarding allegations of a Member's involvement in demands for, acceptance of, offering or agreement to accept a loan, reward, benefit or their advantage from any person, in connection with the performance of the duties of the Member in the office;
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
FOR THE CORPORATION OF THE COUNTY OF ELGIN

3. Complainant’s Direct Dealings with Members in Connection with Concerns of Non-Compliance with the Code of Conduct

- Any person who believes that a Member has infringed any standard under this Code of Conduct can advise the Member of the concern directly (verbally or in writing) that their activity infringes the Code of Conduct;
- Such person (complainant) may directly encourage the Member to stop the offending activity;
- Such person (complainant) should keep a record of the incident, including date, time, location, persons present and any other relevant information.

PART 21: JUDICIAL INVESTIGATION

In circumstances where liability is denied and the alleged misconduct is serious in nature, Council may pass a resolution, pursuant to s. 274(1) of the Municipal Act, requesting a judicial investigation into the Member of Council, or Council’s Local Board or Committee Member’s conduct.

PART 22: SUMMARY

The County and all Members of Council share an important interest and responsibility in ensuring that the standards of conduct required under this Code of Conduct are understood, maintained and where necessary enforced by holding Members accountable.

The standards reflect the ethical and legal context in which the County and Members must deliver services to the community served by the Council and Members.

Deviations from the standards of conduct outlined in this Code of Conduct leave the County, Council and Individual Members exposed to the following:

- Reputational risk;
- Loss of credibility in the community;
- Risks of significant liabilities.

All Members of Council are expected to be knowledgeable of the contents of this Code of Conduct and of the appended County Policies, and to adhere to the standards of conduct defined in the Code of Conduct and Policies.
INFORMAL COMPLAINT PROCEDURE

Individuals (for example, Municipal employees, members of the public, members of Council or local boards (restricted definition), or organizations (including local boards (restricted definition) who have identified or witnessed behaviour or an activity by a member of Council or a local board (restricted definition) that they believe is in contravention of the Code of Conduct for Members of Council and Local Boards (Restricted Definition) the "Code of Conduct" would address the prohibited behaviour or activity themselves as follows:

1. advise the member that the behaviour or activity contravenes the Code of Conduct;
2. encourage the member to stop the prohibited behaviour or activity;
3. keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
4. tell someone else (for example, a senior staff member or an officer of the organization) about your concerns, your comments to the member and the response of the member;
5. if applicable, confirm to the member's satisfaction with the response of the member; or, if applicable, advise the member of your dissatisfaction with the response; and,
6. consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Appendix B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

Individuals and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code of Conduct. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining pursue the informal complaint procedure prior to pursing the formal complaint procedure.
DUTIES OF A MUNICIPAL INTEGRITY COMMISSIONER

The Integrity Commissioner shall perform the duties and have the powers provided for in the Act, including but not limited to the following:

(1) Advisory: upon proper request, provide written and/or verbal advice to individual members of Council respecting the application of the Code of Conduct and/or any other procedures, rules, and policies relating to and reflecting upon their ethical behavior, including but not limited to general interpretation of the Municipal Conflict of Interest Act (Ontario); and furthermore and when appropriate, providing the full Council with specific and general opinions and advice respecting compliance by elected officials in respect of the provisions of governing statutes the Code of Conduct and any other applicable procedures, rules, and policies.

(2) Compliance Investigation/Determinations: upon proper request from a member of Council or local board, municipal administration or one or more members of the public, to conduct an inquiry and make a determination as to any alleged contravention of the Code of Conduct or applicable procedures, rules, and policies by a member of Council or local board and, thereafter, to report the details and results of such inquiry to municipal Council.

(3) Educational: provide the Chief Administrative Officer or as directed with an annual report of activities during the previous calendar year as Integrity Commissioner, including but not necessarily limited to advice given to Council or individual members of Council and a summary of inquiry results and determinations; furthermore, provide outreach programs to members of Council and local boards and relevant staff on legislation, protocols, and office procedures emphasizing the importance of compliance with a Code of Conduct for public confidence in Municipal Government; and, furthermore, dissemination of information available to the public on the website operated by Elgin.

Notwithstanding that set forth above, the parties acknowledge and agree that the function of the Integrity Commissioner is to provide advice and opinion to Council and members thereof, to provide independent complaint prevention, investigation, adjudication, and resolution to members of Council and the public, and education respecting adherence with the Code of Conduct for members of Council and other procedures, rules, and policies governing ethical behavior.
Appendix 2 (continued)

The parties hereto also acknowledge and agree the Integrity Commissioner, will perform services, and in particular those services relating to advisory and educational duties, in a manner so as to avoid duplicated advice, opinion, and cost in respect of identical requests and inquiries – for example, the Integrity Commissioner shall decline to provide individualized advice and opinion to more than one member of Council or a local board on identical issues but should choose to provide general advice to Council or such local board as a whole to answer all such inquiries. in addition, it is recognized that the Integrity Commissioner, will likely receive requests for advice on matters involving compliance with the Municipal Conflict of Interest Act (the “MCIA”) – while the Integrity Commissioner may provide general interpretation of the MCIA, it is expected that individual members of Council or local boards will seek independent legal advice on a specific question of individual compliance with such legislation. (until such time as Bill 68 is proclaimed) Appendix C

(4) The application of sections 5, 5.1, and 5.2 of the Municipal Conflict of Interest Act to members of Council and of local boards will become the responsibility of the Integrity Commissioner on March 1, 2019.
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
FOR THE CORPORATION OF THE COUNTY OF ELGIN

Appendix 3

COMPLAINT PROTOCOL

(1) Any member of Council, staff or the public that believes they have experienced or witnessed conduct in contravention with the Code of Conduct may file a complaint and request an investigation.

(2) All complaints shall be in writing and signed by an identifiable individual.

(3) A complaint shall set out reasonable and probable grounds for the allegation that the member as contravened the Code of Conduct and include a support affidavit that sets out the evidence in support of the complaint.

(4) The complaint protocol information package shall be available at the County Clerk’s office. Appendix B
Subject: Code of Conduct for Members of Municipal Council and Council's Local Board and Committee Members (hereinafter referred to as "Members")

COUNCILLOR ACKNOWLEDGEMENT

The preceding Code of Conduct has been explained to me and I have received, read, and understood the Code of Conduct for the Corporation of the County of Elgin.

Councillor Name (Please Print)

Councillor Signature ___________________________ Date ___________________________
Appendix A

Council Code of Conduct Disclosure Statement

COUNTY OF ELGIN

Council Code of Conduct

Part 7 of the Council Code of Conduct regarding the acceptance of gifts and benefits, requires members to disclose the receipt of certain gifts and benefits if the dollar value of a single gift or benefit exceeds $200.00 or if the total value of gifts and benefits received from one source in a calendar year exceeds $1,000.00. This Disclosure Statement is to be used to report on such gifts and benefits and shall be filed with the clerk within 30 days of receipt of such gift or benefit, or upon reaching the annual limit. Disclosure Statements are a matter of public record.

Nature of Gift or Benefit Received:

__________________________________________________________________________

Source of Gift or Benefit:

__________________________________________________________________________

Circumstances under Which Gift or Benefit Received:

__________________________________________________________________________

Estimated Value of Gift or Benefit: $ ________

Date Gift or Benefit Received: ________

Signature of Member: ___________ Date: ___________

Date Statement Received by Clerk: ___________
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS
FOR THE CORPORATION OF THE COUNTY OF ELGIN

Appendix B
Council Code of Conduct – Formal Complaint Form/Affidavit
COUNTY OF ELGIN
Council Code of Conduct

AFFIDAVIT OF __________________________________________ (full name)
I, __________________________________________ (full name), of the __________________________ (City,
Town etc.) of __________________________________________ (municipality of residence) in the Province of Ontario.

MAKE OATH AND SAY (or AFFIRM):

1. I have personal knowledge of the facts as set out in this affidavit, because

________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
(insert reasons e.g. I work for... I attended a meeting at which... etc.)

2. I have reasonable and probable grounds to believe that a member of the County of
Elgin Council __________________________________________ (specify name of member)
has contravened section(s) __________________________________________ specify section(s) of the
Council Code of Conduct of the County of Elgin. The particulars of which are as follows:

(Set out the statements of fact in consecutively numbered paragraphs in the space below,
with each paragraph being confined as far as possible to a particular statement of fact.
If you require more space please use the attached Schedule A form and check the appropriate box below. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B etc. and attach them to this affidavit.)
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS FOR THE CORPORATION OF THE COUNTY OF ELGIN

Please see the attached Schedule A.

1. This affidavit is made for the purpose of requesting that this matter be reviewed by the County of Elgin appointed Integrity Commissioner and for no other purpose.

SWORN (or AFFIRMED) before me at the


(City, Town etc. of )

in the Province of Ontario on


(date) 

Signature

(Signature of Commissioner)
(Signature) A Commissioner for taking affidavits etc.

Please note that signing a false affidavit may expose you to prosecution under Sections 131 and 132 or 134 of the Criminal Code, R.S.C. 1985, c. C-46 and also to civil liability for defamation.
CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND LOCAL BOARDS FOR THE CORPORATION OF THE COUNTY OF ELGIN

Schedule A (Additional Information)

COUNTY OF ELGIN
Council Code of Conduct

To the affidavit required under Part 18 Procedure – Formal Complaint of the Council Code of Conduct.

(If more than one page is required, please copy this blank page and mark each additional page as 2 of 2, 2 of 3, etc. at the top right corner.)

This Schedule A referred to in the affidavit of

_______________________________________ (full name)

Sworn (or Affirmed) before me on this ______ day

of ______________________, ________.

A Commissioner for taking affidavits, etc.

Page 26
Appendix C

Council Code of Conduct – Request for Advice Form

COUNTY OF ELGIN

Council Code of Conduct

Name of Member: ____________________________

Telephone No.: ____________________________

Email Address: ____________________________

Advice Requested: (Please provide as much detail as possible. Attach additional pages if required.)

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Signature of Requestor ____________________________  Date Received by Integrity Commissioner ________________

Date ________________  Date Reply Issued ________________
Appendix D
Conflict of Interest Form
COUNTY OF ELGIN
Council Code of Conduct

Name of Member: ____________________________

Telephone No.: ____________________________

Email Address: ____________________________

Date of Council meeting: _____________________

Agenda item number and name:

________________________________________

General Nature of the Conflict of Interest:

________________________________________

________________________________________

________________________________________

________________________________________

Signature of Council Member ____________________________ Date Received by County Clerk ____________________________
Council Staff Relationship Policy

POLICY STATEMENT: The Township of Southwold will promote a respectful, tolerant and harassment-free relationship and workplace between members of Council and the officers and employees of the corporation.

LEGISLATIVE AUTHORITY: Section 270 of the Municipal Act, 2001, as revised by Bill 68 requires Council to adopt and maintain a policy with respect to the relationship between members of Council and the officers and employees of the corporation. The Council-Staff Relations Policy identifies the legislation, policies, procedures and practices that the Municipality complies with in order to promote a respectful relationship between members of Council and the officers and employees of the Township of Southwold.

MEMBERS OF COUNCIL AND STAFF SHALL:

• Demonstrate a commitment to accountability and transparency among Council and staff and with the general public;

• Demonstrate leadership by making sound decisions based on knowledge areas of expertise and sound judgment;

• Demonstrate a high degree of confidentiality;

• Enhance public education about the political process by providing context and process information about decision making;

• Uphold the decisions of Council, regardless of personal opinion or belief, and commit to the implementation of those decisions;

• Refrain from publicly criticizing members of Council or staff; and

• Seek to achieve a team approach in an environment of mutual respect and trust, with acceptance of the different roles in achieving Council's objectives.

RESPECT FOR TIME

Priorities and timelines must be respected by all members of Council and staff. It is expected that all participants will be well prepared for meetings and will prioritize appropriately, according to direction given by management or Council. Staff will spend time on significant projects only once direction is given by Council to do so.
It is expected that appointments will be made for meetings between staff members and Council members in order to ensure that all parties are available and prepared for the discussion.

**ROLE OF MEMBERS OF COUNCIL**

- Seek to advance the common good of the community which they serve;
- Truly, faithfully and impartially exercise the office to the best of their knowledge and ability;
- Govern and provide political direction;
- Act in a way that enhances public confidence in local government;
- Set strategic objectives and goals for the organization based on consultation with staff and community members;
- Give direction to staff through resolution by Council as a whole;
- Govern the management of the organization through the CAO;
- Respond to concerns from the public and refer concerns to staff members through the mayor and CAO for action – elected officials do not have an administrative managerial role in the day to day business of the organization;
- Adhere to the Code of Conduct for Members of Council and the oath of office sworn at the inaugural meeting of each term of council; and
- Refrain from behaviour that could constitute an act of disorder or misbehaviour; is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others; or prejudices the provision of a service or services to the community.

**IT IS EXPECTED THAT COUNCIL MEMBERS WILL:**

- Acknowledge that only Council as a whole has the capacity to direct staff members to carry out specific tasks or functions;
- Refrain from using their position to improperly influence members of staff in their duties or functions or to gain an advantage for themselves or others;
- Refrain from publicly criticizing individual members of staff in a way that casts aspersions on their professional competence and credibility;
- Request staff’s input prior to making important policy decisions;
• Direct questions or concerns regarding departmental activities to the Mayor and/or CAO

• Discuss issues with the CAO and advise staff of questions that may arise prior to Committee or Council meetings whenever possible;

• Understand that their discussions with staff may be communicated and that a member of Council cannot compel a member of staff to confidentiality;

• Consult with the CAO prior to making commitments to agencies, groups, citizens, or likewise.

INTERGOVERNMENTAL COMMUNICATIONS

The Mayor is the spokesperson for Council regarding communications with other governments or agencies. If a member of Council is interested in formally communicating with another government or agency, they should take their request to the Mayor and/or the CAO through Motion to Council.

Members of Council should not directly contact any regulatory bodies regarding any regulatory compliance concerns. Individual members of Council should not be directly involved in any negotiations to secure contracts or agreements on behalf of the Township of Southwold, unless direction is given to this effect through resolution by Council as a whole.

ROLE OF MEMBERS OF STAFF

• Provide timely reports to Council outlining factors that will assist in their decision making process and provide information based upon professional expertise and good judgement, and free from undue influence from any individual member or members of Council;

• Research policy issues as required;

• Implement Council’s decisions;

• Manage and identify the means for achieving corporate goals and outcomes;

• Provide appropriate follow-up to Council inquiries and keep members of Council up-to date and informed, as appropriate – staff do not have a political role;

• Refrain from behaviour that could constitute an act of disorder or misbehaviour; is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others; or prejudices the provision of a service or services to the community.
IT IS EXPECTED THAT STAFF MEMBERS WILL:

• Ensure the Council members are aware of any issues that may impact upon their decision making process;

• Management will ensure that the CAO is aware of any issues that may impact upon the municipality and of ongoing activities in each department;

• The CAO will ensure that managers are aware of any issues that may impact upon their departments;

• Respond to inquiries from Council members (through the CAO or Mayor) in a timely fashion, when appropriate during business hours with the exception of emergencies.

• Present a professional opinion/recommendation in writing or in person, at Council meetings or Committee meetings.

• Notify Council members of changes to legislation and any unexpected impacts of policy decisions through written material circulated electronically or at a Council or Committee meeting; and

• Through the CAO, convey feedback to Council members who may be unaware of existing policies or staff workload demands, and other related issues.

RESPECTFUL REPORTING RELATIONSHIP

The formal relationship between staff and members of Council must be respected to ensure that all members of staff and Council are treated equally. There is a chain of command in place to deal with significant issues, and Council members are encouraged to primarily direct questions and concerns to the Mayor and/or CAO for their consideration. Any request for information from a Council member that is not received and answered at a Committee or Council meeting, shall be received in writing and circulated in writing to all Council members.

POLICY REVIEW

The Council Staff Relations Policy shall be reviewed each term of Council.
Pregnancy and Parental Leave for Members of Council

POLICY STATEMENT: The Township of Southwold is committed to providing a clear and transparent process for members of Council on pregnancy and parental leaves as permitted by the Municipal Act.

PURPOSE: The purpose of the policy it to establish the procedure for declaring the leave and to identify the remuneration package and other administrative matters.

DEFINITIONS:

Council Agenda Package means the package provided to council for meetings of council including closed meetings which includes the agenda, minutes and supporting agenda documentation.

Pregnancy and Parental Leave for the purposes of this policy means the period of time the member of Council will not attend meetings of council or any other Township of Southwold committee to which the member has been appointed as a result of the member’s pregnancy, the birth of the member’s child or the adoption of a child by the member.

SCOPE: This policy applies to a member of Council who is absent from meetings of council for at least three consecutive months as a result of the member’s pregnancy, the birth of the member’s child or the adoption of a child by the member.

POLICY COMMUNICATION: This policy will be provided to all members of Council as part of Council orientation

POLICY:

1. The office of a member of Council shall not become vacant if a member is absent for 20 consecutive weeks or less if the absence is a result of the member’s pregnancy, the birth of the member’s child or the adoption of a child by the member.

2. Prior to the member missing meetings of Council for three consecutive months, a member of Council shall complete the Leave Advisory Form attached as Attachment A to this policy and submit the form to the CAO/Clerk.
3. If a member of Council wishes to seek a leave in excess of 20 consecutive weeks, the member shall complete the extended leave section of the Leave Advisory Form and submit to the CAO/Clerk as soon as the need for an extended leave is known. If an extended leave is requested, the CAO/Clerk shall prepare a report for Council's consideration of the extended leave.

4. A member of Council on pregnancy or paternity leave is exempt from attending meetings of council and any other Township of Southwold committee to which the member has been appointed.

5. Members of Council shall continue to receive a copy of the Council Agenda Package.

6. Members of Council on pregnancy or paternity leave shall participate in events, conferences, committee meetings, constituent meetings or respond to communications at the level they determine, utilizing an out of office email feature to identify they are on leave, the level of service offered and an alternate contact if required.

7. Members of Council on pregnancy or paternity leave shall continue to receive all remuneration and benefits afforded to regular members of Council and the Township shall continue to pay all benefit premiums.

8. Members of Council on pregnancy or paternity leave shall continue to have access to all equipment supplied to a regular member including but not limited to access to the Township office, information technology equipment, account access and elected officials staff support.

9. A member of Council shall notify the Accounting Clerk within 31 days of the birth or adoption of a child if benefit coverage is required. If the request for dependent coverage is made more than 31 days after the dependent becomes eligible it will be considered a late entrant under the terms of the benefit plan and the member will be required to submit evidence of insurability to the benefit provider for approval.

**COMPLIANCE:** In cases of policy violation, the Integrity Commissioner may investigate and determine appropriate corrective action.
Member of Council Request for Leave of Absence

While completing this form please refer to the Pregnancy and Paternity Leave for members of Council if the request for a leave is as a result of the member’s pregnancy, the birth of the member’s child or the adoption of a child by the member.

1) PREGNANCY OR PATERNITY LEAVE UP TO 20 WEEKS
Complete this section of the Leave of Absence form if the Leave of Absence is for less than 20 consecutive weeks.

Member of Council Name: ________________________________
Leave Begin Date: ________________________________
Expected Date of Return: ________________________________

2) EXTENDED LEAVE OF ABSENCE:
Complete this section if the Leave of Absence will be for more than 20 consecutive weeks. Please note, a leave request of more than 20 consecutive weeks will be brought to Council for consideration in a staff report prepared by the CAO/Clerk.

Member of Council Name: ________________________________
Leave Begin Date: ________________________________
Expected Date of Return: ________________________________

3) LEAVE ADMINISTRATION
Would you like to receive the Council packet while on leave? Yes:____ No:_____
Will you initiate an out of office message during leave? Yes:____ No:_____
If yes, indicated member of Council or staff person to be identified as alternate contact for out of office message:
Do you wish to continue to receive e-mail and event invitations during leave?
Yes:____ No:_____


DATE: February 11, 2019

PREPARED BY: Kim Grogan, Treasurer

REPORT NO.: FIN 2019-11

SUBJECT MATTER: Farm Tax Ratio

Recommendation:

THAT Council receive report FIN 2019-11 Farm Tax Ratio as information.

Purpose:

On February 12, 2019, the County of Elgin will be discussing a request from the Elgin County Federation of Agriculture to reduce the farm tax ratio from 25% to 23%.

Background:

County staff have been directed by County Council to deliver the 2019 budget with 0.25%, 0.24% and 0.23% alternatives for their consideration. While the majority of rural counties still maintain a 25% farm tax ratio, some area Counties have lowered their tax ratios. Any change to the tax ratio will result in a shift of tax burden from the farm tax class to all other property tax classes.

The impact of a decrease in farm tax ratio on the burden of the Township of Southwold tax levy would be as follows:

A 25% farm tax class ratio would result in a preliminary 2019 tax levy on the farm tax class of $621,635.67, based on our budget deliberations to date.

A 24% farm tax class ratio would result in a preliminary 2019 tax levy on the farm tax class of $601,455.47, based on our budget deliberations to date, a shift of $20,180.20. Most of the shift in burden, 86%, will impact residential properties, equal to $17,324.68. An additional shift in burden will be experienced because of a shift in burden of the County of Elgin tax levy.

A 23% farm tax class ratio would result in a preliminary 2019 tax levy of $580,955.89, based on our budget deliberations to date, a shift of $40,679.78. The majority of the shift in burden, 86%, will impact residential properties, equal to $34,923.53. An additional shift in burden will be experienced because of a shift in burden of the County of Elgin tax levy.
The impact resulting from a change in the farm class tax ratio on a farm property with a residence varies, and lowering the tax ratio can actually increase the burden of tax on a farm property. Examples follow:

<table>
<thead>
<tr>
<th>Tax Class</th>
<th>Assessment</th>
<th>Southwold portion of tax with 25% farm class tax ratio</th>
<th>Southwold portion of tax with 23% farm class tax ratio</th>
<th>(Tax Savings) or Additional Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>FT</td>
<td>319400</td>
<td>$392.36</td>
<td>$366.68</td>
<td>$ (25.68)</td>
</tr>
<tr>
<td>RT</td>
<td>139600</td>
<td>$685.95</td>
<td>$696.80</td>
<td>$10.86</td>
</tr>
<tr>
<td>FT</td>
<td>887950</td>
<td>$1,090.78</td>
<td>$1,019.39</td>
<td>$ (71.38)</td>
</tr>
<tr>
<td>RT</td>
<td>410550</td>
<td>$2,017.31</td>
<td>$2,049.23</td>
<td>$31.92</td>
</tr>
<tr>
<td>FT</td>
<td>255580</td>
<td>$313.96</td>
<td>$293.41</td>
<td>$ (20.55)</td>
</tr>
<tr>
<td>RT</td>
<td>359096</td>
<td>$1,764.48</td>
<td>$1,792.40</td>
<td>$27.92</td>
</tr>
<tr>
<td>FT</td>
<td>136400</td>
<td>$167.56</td>
<td>$156.59</td>
<td>$ (10.97)</td>
</tr>
<tr>
<td>RT</td>
<td>286700</td>
<td>$1,408.75</td>
<td>$1,431.04</td>
<td>$22.29</td>
</tr>
</tbody>
</table>

**Financial Implications:**

The Township would be impacted from a shift in burden relating to the tax bills on municipally owned properties that are leased. i.e. the medical centre, plaza, library, farmland.

There is no impact on overall tax levy revenue.

Respectively Submitted by:  
Kim Grogan, Treasurer  
“Submitted electronically”

Approved by:  
Lisa Higgs, CAO/Clerk  
“Approved electronically”
Presentation – Feb 2 2019
Southwold Solar Energy Proposal
by
German Solar Corporation
We have several developed project sites in Southwold. Each site is 500 kWp each and in proximity to one another. All ground mounted projects sited on former CN rail line.

We spent 4 years developing the projects, they were at the final stage of the Development process and set for Construction.

Hydro One Connection Impact Studies were all completed.

Our projects have been in the REA process for 2 yrs plus. The MECP (formerly MOECC) 6 month service guarantee ended Oct 24 2018 for all REAs.
Southwold Solar Proposal - Background
Southwold Solar Proposal - Background
Southwold Solar Proposal - Background
The New PC Government terminated all contracts regardless of the stage of development.

The new era of solar rests in Virtual Net Metering (VNM)

Community projects are essential to establish renewable energy projects throughout Rural communities – Rural Solar Electrification program through VNM.
Southwold Solar Proposal - Background

Provincial Peak Window
13.2 cents/kWh
For kWhrs only

Ontario Demand [MWhrs] versus Solar Irradiance [W/m²]

Ontario Demand Data Source: IESO
Irradiance Data Source: London Hydro Array
Southwold Solar Energy Project

Proposal
The Current Situation In Southwold

- Little to no Generation Assets in Southwold
- Cost of Grid Electricity ranges from 16 to 25 cents/kWhr, source: local farm, Southwold
- IESO has reported there will be a 1,400,000 kW generation deficit in the province by 2023
- Nuclear refurbishments will commence in 2020 and thru to 2030.
- Electricity costs are expected to increase 5% annually to 2030 reaching +/- 30 cents/kWhr
- Based on 2011 census there are 1643 households and 229 farms
- Average energy consumption per household is 24 kWhrs/day, source: NRCAN
- A 7200 kWp array generates approximately 70% of the energy needs for the households of Southwold
Southwold Solar Energy Project - Proposal

• Use the Developed projects in Southwold to supply Solar Energy to the Community – 12 Projects in total in locations previously defined in the Renewable Energy Approval Process.

• Current project development provides energy for upto 70% of all households in Southwold.

• Cost of this energy is less than 12 cents/kWhr – stable for 20 years. i.e **No Escalation of Solar Energy Costs**
Southwold Solar Energy Project - Proposal

• Rural Solar Electrification program through VNM.

• All residents of Southwold benefit from the net metering program.

• Given the number of households/farms in Southwold a percent of the Renewable energy generated per year will be allocated equally to each home to reduce energy bills.

• The capacity of solar arrays developed in Southwold is 7200 kWp, annual generation approx = 9,972,000 kWhrs

• Estimated annual electrical demand combined from households of Southwold = 14,400,000 kWhrs

• The Solar array group would provide approximately 70% of the household energy demand. In other words we could net out 70% of the average household energy demand with Solar energy. We have the space to achieve 100%.
Southwold Solar Energy Project - Proposal

Community Energy Action Plan – City of London found:

• Given the various sources of energy to run the community, a significant % of revenue leaves the city and does not contribute economically to the community.

• Sources of energy include: 1) Propane, 2) Natural gas, 3) Gasoline, 4) Diesel, 5) Fuel Oil, and 6) Electricity.

• The City of London spends $1.4 Billion every year on these sources of energy.

• Electricity was the lions share of these expenditures, with over $580 Million, and $510 Million directly leaving the city. London Hydro retained the balance as a Local Distribution Company for the community.

• The capital losses per year from the community is due to the fact there are no electrical generation assets present within the community.
Southwold Solar Energy Project – Proposal

(Energy source distribution)
Southwold Solar Energy Project - Proposal

- One can assume a similar situation for Southwold.

- Sources of energy include: 1) Propane, 2) Natural gas, 3) Gasoline, 4) Diesel, 5) Fuel Oil, and 6) Electricity.

- Applying the population differential, that would represent over 15 Million per year in Southwold. Some correction is needed to account for the larger energy consumption attributed to farming.

- It is reasonable to assume Electricity will be treated similar to the city scenario. However, there is no LDC in Southwold to retain any earnings such as London Hydro in the city.

- The capital losses per year from the community will be greater, due to the fact there are no electrical generation assets nor LDC present within the community.
Southwold Solar Energy Project - Proposal

<table>
<thead>
<tr>
<th></th>
<th>Quantity</th>
<th>Energy Load est. (kWhrs)</th>
<th>Cost of Electricity (19 cents/ kWhr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southwold Population</td>
<td>4494</td>
<td>14,392,680</td>
<td>$2,734,609.20</td>
</tr>
<tr>
<td>Number of households</td>
<td>1643</td>
<td>12,955,675</td>
<td>$2,461,578.25</td>
</tr>
<tr>
<td>Number of Farms</td>
<td>229</td>
<td>12,955,675</td>
<td>$2,461,578.25</td>
</tr>
<tr>
<td>total</td>
<td>1872</td>
<td>27,348,355</td>
<td>$5,196,187.45</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>kWs</th>
<th>kWhrs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Household electrical load combined for Southwold</td>
<td>6.00</td>
<td>14,392,680</td>
</tr>
<tr>
<td>Annual Energy Generated from Solar project</td>
<td>7200</td>
<td>9,972,000</td>
</tr>
</tbody>
</table>
What does this mean to the average Southwold Household?

- Decrease in annual household electricity costs. Savings of over $500 per household per year, and expected to increase with time as provincial Electricity rates increase.
- Protects against increasing energy costs into the future.
- Revenue for the Municipality.
- Creates Electrical Generation Assets in Southwold where none currently exists.
- Job Creation, construction and long term Maintenance and operations.
Site C-1 – 1420 kWhrs/kWp installed in first year of generation
Key Points with Respect to My Company and our Projects

Remaining Hurdles:

• MECP to issue final REA approval – there is a need for lower cost renewable energy in the community
• The Virtual Net Metering rules are not in place, but will need to be for this project.
• Develop a PPA or leasing agreement for the transfer of energy to the end user (again depends on VNM)
By-law for Municipalities Not Within a Regional Municipality, the County of Oxford or The District Municipality of Muskoka – Form 5

Drainage Act, R.S.O. 1990, c. D.17, subs. 45(1)

Drainage By-law Number 2019-09

A by-law to provide for a drainage works in the Township of Southwold in the County of Elgin.

Whereas the council of the Township of Southwold has procured a report under section 4 of the Drainage Act for the construction of the Turville Drain No. 2 drain;

And whereas the report dated 2019/01/10 has been authored by Mike DeVos, Spriet Associates and the attached report forms part of this by-law;

And whereas the estimated total cost of the drainage work is $42,600.00;

And whereas $0.00 is the amount to be contributed by the Township of Southwold for the drainage works;

And whereas (Complete this clause only if other municipalities are being assessed a share of the cost of the project);

$583.00 is being assessed in the County of Elgin;

$583.00 is being assessed in the County of Elgin;

$583.00 is being assessed in the County of Elgin;

And whereas the council is of the opinion that drainage of the area is desirable;

Therefore the council of the Township of Southwold pursuant to the Drainage Act enacts as follows:

1. AUTHORIZATION

The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report.

2. BORROWING

The Corporation of the Township of Southwold may borrow on the credit of the Corporation the amount of $42,600.00 being the amount necessary for the construction of the drainage works.

This project may be debentured.
This by-law comes into force on the passing thereof and may be cited as the
"Turville Drain No. 2 by-law".

First reading 2019/02/11
Second reading 2019/02/11

Provisionally adopted this ___ day of February, 2019

<table>
<thead>
<tr>
<th>Name of Head of Council (Last, First Name)</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jones, Grant</td>
<td></td>
</tr>
</tbody>
</table>

Name of Clerk (Last, First Name) | Signature
-----------------------------------|-----------|
| Higgs, Lisa                       |           |

Third reading  

Enacted this ___ day of _________, 2015

<table>
<thead>
<tr>
<th>Name of Head of Council (Last, First Name)</th>
<th>Signature</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Name of Clerk (Last, First Name)</th>
<th>Signature</th>
</tr>
</thead>
</table>

I, ______________________________________________________
clerk of the Corporation of the Township of Southwold, 
certify that the above by-law was duly passed by the council of the Corporation and is a true copy thereof.

<table>
<thead>
<tr>
<th>Name of Clerk (Last, First Name)</th>
<th>Signature</th>
</tr>
</thead>
</table>
Elgin County Council and staff and the City of St. Thomas Council and staff met this day at the Administration Building at 4:00 p.m.

Welcome and Introductions

Warden McPhail and Mayor Preston welcomed all in attendance for joining them today. The meeting kicked off with all in attendance introducing themselves and sharing their positions for their respective local government. Both the Warden and Mayor mentioned how they were excited to finally have this meeting and hope this will help to strengthen the County/City relationship moving forward.

Overview of County Governance Structure – Julie Gonyou, CAO, Elgin County

Julie Gonyou, Chief Administration Officer provided a brief overview of the County structure and how the County and lower-tier municipal partners work together. Details were provided on how Council Meetings work at the County level, the different departments and what they are responsible for, and focused on how the County and constituent municipalities differ from each other and how they work independently of one another, but offer support for one another when needed.

Ms. Gonyou went on to provide details about shared services within Elgin such as an accessibility coordinator; integrity commissioner/closed meeting investigator; road maintenance agreement; legal services; fire trainer/community emergency management (starting at some point in 2019); and support with lower-tiers.

Overview of Shared Services – Wendell Graves, City Manager

Wendell Graves, City Manager, thanked Julie for her overview and mentioned how it was an important component for City staff to better understand how the County works and what its responsibilities are. Mr. Graves outlined some of the services that are currently shared between the County and the City which include emergency medical services; provincial offences courts; health recruitment; adult day program (Valleyview); and social services in a variety of ways.

Mr. Graves also highlighted services that are shared with the lower-tier municipalities such as animal control services, community recycling centre, mutual aid, primary/secondary water systems, access to pollution control plant, land use planning and winter maintenance activities to name a few.

Highlights from the County – Warden McPhail
Before providing County Council priorities, the Warden talked about the importance of neighbours working together and how important it is to get an action plan between the two local governments.

The Warden went on to underscore the 2019 Capital Budget and the County’s 10 year plan. He mentioned the importance of understanding “wants” vs. “needs”. Some of the major capital projects that were discussed include the Terrace Lodge Redevelopment, Provincial Offences Act Facility, Port Bruce Bridge, and broadband internet for the rural areas.

Warden McPhail discussed the Western Ontario Wardens’ Caucus and some of the initiatives they are working on and their general structure and key roles in helping neighbouring counties come together on different initiatives.

The Warden ended his presentation with the sentiment that neighbors should only need to call if they need help with any initiative.

**Highlights from the City– Mayor Preston**

Mayor Preston shared Warden McPhail’s sentiment that the two parties need to work together and that getting together to have these discussions more often would be beneficial.

The Mayor presented those in attendance with some of the important City initiatives. The new affordable housing (with childcare) in the downtown core has been a major priority including other existing housing around the City; reviewing social services and long-term care/adult day programs is also being conducted. Urban Settlement Area is a major priority as the boundaries have expanded as far as they can go. Mutual respect and conversation between these municipalities is essential. A full review of the transit system is underway and they are looking at all the possibilities to improve the existing coordination. Industrial land has been purchased and finding the right businesses to bring to St. Thomas will be very important for economic development.

The Mayor gave credit to Councillor Steve Peters as well about the importance of making these neighbouring relationships as positive as possible and to make sure we help each other as best as we can.

**Discussion**

The Warden and Mayor agreed that the first line of action is to open up the communication lines and make sure that they continue to be open the next four years and into the future.
The CAO and City Manager were asked to come up with new ways to continue to strengthen this relationship. The Mayor also mentioned that the Regional Mayors and the Western Ontario Wardens’ Caucus would like to open lines of communications.

Councillor Koehler mentioned that there is a lot of low hanging fruit to combine on and show how these relationships can be successful. Councillor Stevenson agreed with Councillor Koehler’s sentiment as it will show the citizens that they can work together and be successful.

Councillor Herbert asked for a list of everyone’s name and titles to help remember County employees. Legislative Services Coordinator, Dan Scheid, will provide this information.

Councillor Peters asked how best to get the lower-tier municipalities engaged. Warden McPhail says he hopes that the information will flow down from the County Council. Another option he mentioned was that he and the Mayor visit each lower-tier. The Mayor mentioned that two-way communication will be important as the lower tiers will provide valuable information on what needs to be focused on and how everyone can help each other. Councillor Martyn mentioned that Minutes should be shared with the lower-tiers to ensure they are kept in the loop as well.

Councillor Peters referenced the former Elgin St. Thomas Municipal Association and asked if a similar joint event could be arranged so everyone can meet each other and help understand where everyone is coming from. Warden McPhail mentioned that the City-County Liaison Committee could arrange for this to happen and the Mayor was in agreeance.

Councillor Stevenson mentioned that it may help if a third party was present to facilitate a structured meeting. The CAO and City Manager will help with this process.

Discussion came to an end at 5:08 p.m.
My name is Duncan McPhail and I am pleased to have the opportunity to provide a delegation as Warden of the County of Elgin and Mayor of West Elgin.

I know that you are going to hear from a number of municipalities tonight about what they would like you to do for them. I am pleased to have this opportunity to talk about what we can do together to reduce costs and improve services for the common tax payer.

Every day we strive to do more with less, meet our community’s expectations and drive innovation while experiencing cutbacks of funding, increased regulation and an increase in downloaded services from the province.

Where we need assistance from the province is with the high cost of services that ultimately we have a little control over such as land ambulance, long-term care, policing, and broadband. The regulatory requirements in each of these services does not match the Provincial funding formula — this forces us to heavily augment these services and burden our residents by increasing taxes.

To give you one example, Elgin is forced to “top up” the funding for our 247 Long Term Care beds with an additional $5m per year. We need your help to offset the high cost of services like this one — where the provincial led Aging in Place strategy has resulted in the demand of hospital level care within our long term care homes and insufficient funding to support it.

On behalf of the seven (7) municipalities within Elgin County – I would also like to take this opportunity to stress the importance of the Ontario Municipal Partnership Fund (OMPF) to our municipalities. Reductions in OMPF are creating tremendous sustainability challenges and the effects of this have created a negative and devastating ripple effect across the County. Changes in the funding formula denote a complete departure from provincial policy supporting agricultural areas in Ontario. We are asking that you consider a change in provincial program policies to offset the loss of OMPF in a way that equalizes the funding between urban and rural municipalities in particular for areas with low or declining assessment growth.

Our success as a County is ultimately measured by the taxpayer and the value they are receiving for every dollar they spend in taxes, yet our residents are generally unaware of the level of responsibility that is delegated by the Province of Ontario. I hope that you agree that continuing to burden our taxpayers with the rising costs and increased regulation for services that we have no control over is a source of tension in the community.

We are seeking your help with increased fiscal sustainability and dependable funding through greater sharing of higher level government revenues, in particular through OMPF. I ask that you empower Elgin and our Constituent municipalities by giving us the tools we need to work with you to lower costs and improve services for the common tax payer.

Transformation and innovation starts and ends with long-term sustainable funding and alternative revenue tools and the accompanying authority and I know that if we work together, we can do what’s best for our residents.

We have sent a copy of Elgin County Council’s resolution in regard to OMPF to your office.

Thank you.
January 22, 2019

Ministry of Finance
c/o Honourable Vic Fideli, Minister of Finance
Frost Building South
7th Floor
7 Queen’s Park Cres.
Toronto, ON M7A 1Y7

Dear Minister Fideli,

The rural communities of Elgin rely on the Ontario Municipal Partnership Fund (OMPF) to provide basic local and county services and infrastructure. For years, OMPF has offered stability and predictability of funding which helped our entire community finance longer-term challenges. The effects of a reduction in transfer payments will not only jeopardize our municipal fiscal sustainability but will force our residents to absorb the costs associated with reconciling municipal budgets following a further decline or the elimination of OMPF.

The following resolution was passed by Elgin County Council at its regular meeting held on January 22, 2019.

WHEREAS the Ministry of Finance sent a letter to heads of council and treasurers advising that the OMPF will be reduced by an unspecified amount and allocation notices for 2019 will be delayed;

AND WHEREAS there is inequity of funding allocated from the provincial and federal government to rural Ontario municipalities;

AND WHEREAS changes to the OMPF funding formula denote a complete departure from provincial policy supporting agricultural areas in Ontario;

AND WHEREAS grants from the federal and provincial government are a critical part of the budget for Elgin County and the seven (7) municipalities within Elgin County;

AND WHEREAS increased regulatory requirements for mandated services has resulted in unsustainable fiscal pressures for our residents;

AND WHEREAS a decline in OMPF will exacerbate economic imbalances and will be especially difficult for rural municipalities in Elgin with low or declining assessment growth;
AND WHEREAS this notice of anticipated changes in the OMPF does not allow Elgin County Council and constituent municipal Councils to make accurate 2019 spending decisions and has delayed budget planning and approvals;

AND WHEREAS reducing the overall envelope and delayed allocation notices have immediate and long-term consequences for communities not only across Elgin County but across the province as a whole forcing councils to compensate with property tax increases and local service reductions in 2019;

AND WHEREAS residents across Elgin County cannot afford significant property tax increases and residents will be forced to absorb the cost increases associated with reconciling municipal budgets following a further decline or elimination of OMPF;

NOW, THEREFORE BE IT RESOLVED THAT Elgin County Council petition the Province of Ontario and the Minister of Finance to place an immediate moratorium on the OMPF review until the negative impacts on rural municipalities can be considered;

AND THAT Elgin County and other rural Ontario municipalities be provided with a greater share of the Province of Ontario's revenues and request that stable funding be reinstated to allow for increased fiscal sustainability and dependable funding for the delivery of services;

AND FURTHER THAT this resolution be circulated to: Elgin County's constituent municipalities; Honourable Vic Fideli, Minister of Finance; Honourable Steve Clark, Minister of Municipal Affairs; Association of Municipalities of Ontario; Honourable Bernadette Jordan, Federal Minister of Rural Economic Development; Western Ontario Wardens Caucus member municipalities; Ontario Federal of Agriculture and Elgin Federation of Agriculture; and Jeff Yurek MPP.

Sincerely,

Warden Duncan McPhail
Corporation of the County of Elgin

Julie Gonyou
Chief Administrative Officer | County Clerk
THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2019-10

Being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on February 11th, 2019.

WHEREAS Section 5(3) of the Municipal Act, 2001, Chapter 25, provides that a municipal power, including a municipality’s capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise.

WHEREAS it has been expedient that from time to time, the Council of the Corporation of the Township of Southwold should enact by resolution or motion of Council;

AND WHEREAS it is deemed advisable that all such actions that have been adopted by a resolution or motion of Council only should be authorized by By-law;

NOW THEREFORE the Council of the Corporation of the Township of Southwold enacts as follows:

1. That the actions of the Council of the Township of Southwold at the Regular Meeting of Council held on February 11th, 2019; in respect to each report, motion, resolution or other action passed and taken by the Council at its meetings, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.

2. That the Mayor and the proper officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the Corporate Seal of the Township of Southwold to all such documents.


Grant Jones
Mayor

Lisa Higgs
Clerk

By-law No. 2019-10