



Executive Committee Agenda

Thursday, December 7, 2017
Council Chambers
County Administration Centre, Walkerton

1. Declaration of Pecuniary Interest

2. Action Items

- A. Accessibility Advisory Committee Appointments (attached)
- B. Fees and Charges By-law Review (attached)
- C. Revised Procedure By-law (attached)
- D. Request for Proposal for Electronic Meeting Management Software (attached)
- E. Letter of Support - Huron-Kinloss (attached)

3. Information Items

- A. Ombudsman Office Review re: Tourist Town Pilot Project (attached)

4. Next Meeting

January 4, 2018

5. Adjournment



Committee Report

To: Warden
Members of the Executive Committee

From: Donna Van Wyck, AMCT
Clerk

Date: December 7, 2017

Re: Accessibility Advisory Committee Appointments

Recommendation:

That Mr. Joshua Easton and Ms. Mary Winn Daykin be appointed to the Bruce County Accessibility Advisory Committee, effective December 1, 2017.

Background:

In July of this year two members of the Accessibility Advisory Committee resigned and recruitment began for two new members.

An advertisement to fill the vacancies was posted on the County's website, circulated to the Library Branches, Brucelea Haven, Gateway Haven, Museum, Employment Resource Centres, local municipalities, Community Living, Rotary Clubs and Lions Clubs.

In accordance with Section 7 of the Committee's Terms of Reference, the Warden, Chair of Social Services and the Clerk met to review the applications. Five very qualified candidates applied which made the decision very difficult. The Clerk contacted references for all candidates which confirmed that they would all bring a valued perspective on accessibility to the Committee.

The Terms of Reference dictates that once the applications have been reviewed a report recommending the appointments is to be forwarded to the Executive Committee for approval.

Financial/Staffing/Legal/IT Considerations:

There are no financial, staffing, legal or IT considerations associated with this report.

Interdepartmental Consultation:

There was no Interdepartmental Consultation.



Corporation of the County of Bruce
Executive

brucecounty.on.ca

Link to Strategic Goals and Elements:

None identified.

Approved by:

Kelley Coulter
Chief Administrative Officer



Committee Report

To: Warden
Members of the Executive Committee

From: Donna Van Wyck, AMCT
Clerk

Date: December 7, 2017

Re: Fees and Charges By-law Review

Recommendation:

That the changes to the Fees and Charges By-law as outlined in the Clerk's Report of December 7, 2017, be approved; and,

That a By-law be introduced to establish fees and charges for the Corporation of the County of Bruce; and,

That By-law Number 2017-037 be repealed; and,

That the Fees and Charges By-law be reviewed on an annual basis.

Background:

The Fees and Charges By-law is reviewed on an annual basis. The following proposed changes are being recommended and are highlighted in the attached draft by-law.:

1. Schedule B - Bruce County Housing Corporation

The amount charged under the Tribunal Cost for Evictions fee will be in accordance with the fee schedule of the Landlord and Tenant Board, therefore the specific dollar amount has been removed.

2. Schedule C - Planning & Development

All fees increased in accordance with #2 of the By-law as follows:

"On January 1st of each year, the fees listed in Schedule "C" of this by-law shall automatically increase on a percentage basis rounded up or down to the nearest ten dollar increment, in a fashion consistent with the Statistics Canada Consumer Price Index for the previous calendar year, if the Consumer Price Index shows an increase."



3. **Schedule F - Library**

Fees for faxing have been added:

In Canada - \$1.00 for first page. \$0.50 for each additional page (sending or receiving)

International - \$2.00 for first page. \$1.00 for each additional page (sending or receiving)

4. **Schedule G - Long Term Care Homes**

Day Away Meals added - \$7.50 (HST included)

Meals on Wheels - amount changed from \$6.64 to show as \$7.50 which includes the HST.

Program Space - Home & Community Support - Rent and square footage decrease - \$2,602.11 per month and 2,016 square feet

Program Space - Wiaraton & District Cooperative Nursery School - annual increase - \$551.11

EMS Laundry - fee increased from \$0.75 to \$0.80 per pound

5. **Schedule I - Highways**

Encroachment Permits fee structure has changed:

Private Landowners - \$50.00 plus \$300 refundable deposit

Industrial/Commercial and Large Developments - \$250 plus variable deposit (depending on application)

There were no changes made to Schedules A (Administration), D (Bruce County Museum & Cultural Centre), E (Paramedic Services), H (Human Resources) or J (Corporate Services).

Financial/Staffing/Legal/IT Considerations:

There is no financial, staffing, legal or IT considerations associated with this report.



Interdepartmental Consultation:

The current Fees and Charges By-law was circulated to the Senior Management Team for their review.

Link to Strategic Goals and Elements:

None identified.

Approved by:

Kelley Coulter
Chief Administrative Officer



By-law Number 2018-

A by-law to establish fees and charges for The Corporation of the County of Bruce

Section 391 (1) of the Municipal Act, 2001, authorizes a municipality to impose fees or charges on persons:

- a) For services or activities provided or done by or on behalf of it;
- b) For costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- c) For the use of its property, including property under its control;

Section 398 (1) of the Municipal Act, 2001, provides that fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality;

Section 398 (2) of the Municipal Act, 2001, authorizes the Treasurer of a local municipality, upon request of its upper-tier municipality, to add fees and charges imposed by the upper-tier municipality to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

- 1) In the case of fees and charges for the supply of a service or thing to a property, the property to which the service or thing was supplied.
- 2) In all other cases, any property for which all of the owners are responsible for paying the fees and charges;

Section 69 (1) of the Planning Act, 1990, as amended, provides that a municipality may establish a tariff of fees for the processing of applications made in respect of planning matters;

The Council of The Corporation of the County of Bruce deems it expedient to pass a by-law establishing certain fees and charges;

The Council of The Corporation of the County of Bruce Enacts By-Law 2018- as follows:

1. A listing of fees and charges for County services to be charged for service provided by the County of Bruce are attached and form part of this by-law:

- | | | | |
|----|--------------|---|---------------------------------------|
| A. | Schedule "A" | - | Administration |
| B. | Schedule "B" | - | Bruce County Housing Corporation |
| C. | Schedule "C" | - | Planning & Development |
| D. | Schedule "D" | - | Bruce County Museum & Cultural Centre |
| E. | Schedule "E" | - | Paramedic Services |
| F. | Schedule "F" | - | Library |
| G. | Schedule "G" | - | Long Term Care Homes |
| H. | Schedule "H" | - | Human Resources |
| I. | Schedule "I" | - | Highways |
| J. | Schedule "J" | - | Corporate Services |

2. On January 1st of each year, the fees listed in Schedule "C" of this by-law shall automatically increase on a percentage basis rounded up or down to the nearest ten-dollar increment, in a fashion consistent with the Statistics Consumer Price Index for the previous calendar year, if the consumer price index shows an increase.

3. Any portion of a fee or charge that remains unpaid beyond the date fixed for payment may bear interest at the rate of 1.25% after 30 days and each month until such fee or charge is paid in full.

4. By-law number 2017-037 is hereby repealed.

5. This by-law shall come into force and effect on the date it is passed by Council.

Passed this 4th day of January, 2018

Warden

Donna Van Wyck
Clerk

Schedule "A" to By-Law 2018

Administration
All County Departments

Service	Fee	HST
<u>Photocopies</u>		
Black & White - any size	\$0.25 per copy	Included
Colour - any size	\$0.50 per copy	Included
Ledger - Black & White	\$0.50 per copy	Included
Ledger - Colour	\$1.00 per copy	Included
Fax Transmissions	\$2.00	Included
NSF Cheque	\$20.00	Not Applicable
Key Replacement	\$20.00	Not Applicable
Room Rental for lower-tier Bruce County Municipalities		
	During Open Hours	
1 room occupancy	\$150.00	Not Applicable
2 room occupancy	\$225.00	Not Applicable
3 room occupancy	\$300.00	Not Applicable
	After Hours	
1 room occupancy	\$200.00	Not Applicable
2 room occupancy	\$275.00	Not Applicable
3 room occupancy	\$350.00	Not Applicable

Schedule "B" to By-Law 2018

Bruce County Housing Corporation

Service	Fee	HST
Truck Fee	\$50.00	Not Applicable
Key Replacement Charge	\$15.00	Not Applicable
Standard Key Replacement	\$2.50	Not Applicable
Lift Key Replacement	\$20.00	Not Applicable
Automatic Door Openers Replacement	\$100.00	Not Applicable
Labour and Service	\$40.00 an hour	Not Applicable
Laundry - wash	\$2.00 per load	Not Applicable
Laundry - dry	\$2.25 per load	Not Applicable
Seasonal Air Conditioner	\$100.00 per season	Not Applicable
Transfer fee for tenants for employment reasons; transfer from social housing to affordable housing; transfer within Bruce County Housing portfolio	\$250.00	Not Applicable
Tribunal cost for evictions (awarded by Landlord Tenant Board cost)	The amount charged will be in accordance with the fee schedule of the Landlord and Tenant Board.	Not Applicable
Charged to contractor for public tender documents if substantial drawings	\$15.00	Not Applicable
Charge for additional Parking Spot for tenants who have more than one vehicle	\$20.00	Not Applicable
Common Room Deposit	\$50.00	Not Applicable

Schedule "C" To By-Law 2018

Planning & Economic Development

Service	Fee
Part Lot Control By-law	\$880.00 per lot (Payable prior to the Local Municipal By-Law being given final approval by the County) HST exempt
Official Plan or Secondary Plan Amendment	\$1,450.00 HST exempt
Zoning By-law Amendment	\$1,220.00 HST exempt
Joint Application to Amend Official Plan or Secondary Plan and Zoning By-law Amendment	\$2,200.00 HST exempt
Joint Zoning and Severance/Consent	\$2,250.00 HST exempt
Joint Minor Variance and Severance/Consent	\$1,820.00 HST exempt
Joint OPA, Zoning and Severance/Consent	\$3,250.00 HST exempt
Joint Local OPA / County OPA	\$2,180.00 HST exempt
Joint Local OPA / County OPA / Zoning Amendment	\$3,260.00 HST exempt
Joint Local OPA / County OPA / Zoning Amendment / Consent	\$4,410.00 HST exempt
Joint OPA and Consent	\$2,470.00 HST exempt
Consent/Severance including easements and right-of-way	(a) Where no lot is created \$1,150.00 (b) For each new lot created \$1,150.00 (c) Certification of Consent \$140.00 HST exempt
Consents - Change of Conditions	\$530.00 HST exempt
Minor Variance	\$770.00 HST exempt
Foreclosure, Power of Sale and Validation of Title	\$890.00 plus County legal costs HST exempt

Note:

- i.) Conservation Authority Review Fees have been included in the above fees.
- ii.) Separate technical fees for review of studies or other site specific reports or documents may also be required

Schedule "C" To By-Law 2018

Planning & Economic Development
Plans of Subdivision and Condominium

Activity	Subdivision	Condominium Description
Application - up to 20 lots/blocks or units - 21 to 50 lots/blocks or units - more than 50 lots/blocks or units (0.3 metre reserve blocks shall not be included in the calculation of the application fee)	\$4,850 (Flat Fee) \$6,070 (Flat Fee) \$7,270 (Flat Fee) plus \$70 per lot or block, with a minimum flat fee of \$560.00 and a maximum flat fee of \$6,690.00 HST exempt	\$4,850 (Flat Fee) \$6,070 (Flat Fee) \$7,270 (Flat Fee) plus the lesser of \$70 per unit or \$1,340.00/ha with a minimum flat fee of \$560.00 and a maximum flat fee of \$6,690.00 HST exempt
Certificate of Exemption	N/A	\$1,210.00 HST exempt
Major Revisions (Major revisions to the Plan or conditions of Draft Approval requiring major recirculation.)	\$1,210.00 HST exempt	\$1,210.00 HST exempt
Minor Revision (For minor revisions to the Draft Plan and/or Draft Conditions that <u>do not</u> require recirculation.) OR Draft Approval Extension (for each additional one year beyond three year lapsing.)	\$610.00 HST exempt	\$610.00 HST exempt
Emergency Extension to Draft Approval (When application for Draft Approval Extension is submitted ten or less working days prior to date of lapsing. For each one year Draft Approval Extension.)	\$1,030.00 HST exempt	\$1,030.00 HST exempt
Final Approval (Payable prior to the Plan being given final approval for registration.)	\$1,210.00 HST exempt	\$1,210.00 HST exempt

Note: Separate technical fees for review of studies or other site specific reports or documents may also be required

Schedule "D" to By-Law 2018

Bruce County Museum & Cultural Centre

Service	Fee	HST
<u>Admission</u>		
Individual	\$8.00	Add
Senior/Student	\$6.00	Add
Children (4-12)	\$4.00	Add
Reading Room Day Pass	\$6.00	Add
<u>Membership</u>		
Individual	\$40.00	Add
Family	\$60.00	Add
Senior/Student (60+)	\$30.00	Add
Group/Organization	\$60.00	Add
Corporate	\$250.00	Add
<u>Facility Rental</u>		
Staff Time	\$25.00 per hour	Add
Bartending	\$17.00 per hour (minimum of 3 hours)	Add
Corkage	\$10.00	Add
Coffee/Tea (serves approximately 20 people)	<u>Non-Profit</u> \$15.00	Add
	<u>Commercial</u> \$15.00	Add
Maintenance	\$40.00 per hour	Add
Children's Birthday Parties	\$100.00 for 2 hour rental	Add
Photography	\$150.00 per hour (minimum of 1 hour)	Add
Linens	<u>Non-Profit</u> \$5.00 each	Add
	<u>Commercial</u> \$5.00 each	Add
Security	\$25.00 per hour	Add
Socan/Resound	Charges are specific to individual event	Add
<u>Kitchen Rental</u>		
	<u>Commercial Use Only</u> \$20.00 per hour \$50.00 for 4 hours \$100.00 for 8 hours	Add Add Add
School Programming	\$5.00 half day \$9.00 full day	HST applies to High School Students only
<u>March Break Program</u>		
Member	\$125.00/week	Not Applicable
Non Member	\$150.00/week	Not Applicable

Schedule "D" to By-Law 2018

Bruce County Museum & Cultural Centre

Service	Fee	HST
<u>March Break Program</u>		
Early Drop Off 8:00 a.m. - 8:30 a.m.	\$2.00 per child/per occurrence	Not Applicable
Late Pickup 5:00 p.m. - 5:30 p.m.	\$2.00 per child/per occurrence	Not Applicable
Museum Mobile	\$200.00 half day (up to 30 children) \$300.00 full day (up to 30 children each session)	HST applies to High School Students only
<u>Kidzone or Summer Discovery Days</u>		
Member	\$25.00 per day	Not Applicable
Non-Member	\$30.00 per day	Not Applicable
Early Drop Off 8:00 a.m. - 8:30 a.m.	\$2.00 per child/per occurrence	Not Applicable
Late Pickup 5:00 p.m. - 5:30 p.m.	\$2.00 per child/per occurrence	Not Applicable
<u>Outreach</u>		
Seniors - Inside the County	One Hour Program - No charge	Not Applicable
<u>Group Tours</u>		
Groups of 20 and over	\$5.00 age 13 & up	Add
Groups of 19 people and under	\$6.00 age 13 & up	Add
Children's Groups	\$4.00 age 12 & under	Add
<u>Gift Shop</u>		
Handling fee for shipping of goods	\$5.00 Minimum	Add
<u>Graphic Design Work</u>		
For clients renting facility	\$50.00 per hour (3 hour minimum)	Add
<u>Collections</u>		
Photo Reproductions of artifacts within the Museum collection	\$20.00 per item \$5.00 per additional item	Add Add
<u>Bruce Power Theatre</u>		
Half Day or Evening	<u>Non-Profit</u> \$3.00 per seat \$150.00 minimum \$300.00 maximum	Add Add Add
	<u>Commercial</u> \$5.00 per seat \$250.00 minimum \$475.00 maximum	Add Add Add

Schedule "D" to By-Law 2018

Bruce County Museum & Cultural Centre

Service	Fee	HST
<u>Bruce Power Theatre</u>		
Full Day	<u>Non-Profit</u> \$4.00 per seat \$200.00 minimum \$400.00 maximum	Add Add Add
	<u>Commercial</u> \$6.00 per seat \$300.00 minimum \$600.00 maximum	Add Add Add
<u>Bruce Gallery</u>		
Half Day with A/V	<u>Non-Profit</u> \$85.00	Add
	<u>Commercial</u> \$175.00	Add
Half Day without A/V	<u>Non-Profit</u> \$60.00	Add
	<u>Commercial</u> \$115.00	Add
<u>Bruce Gallery</u>		
Full Day with A/V	<u>Non-Profit</u> \$170.00	Add
	<u>Commercial</u> \$345.00	Add
Full Day without A/V	<u>Non-Profit</u> \$115.00	Add
	<u>Commercial</u> \$230.00	Add
Evening with A/V	<u>Non-Profit</u> \$180.00	Add
	<u>Commercial</u> \$360.00	Add
Evening without A/V	<u>Non-Profit</u> \$120.00	Add
	<u>Commercial</u> \$240.00	Add
<u>Sterling Room</u>		
Half Day	<u>Non-Profit</u> \$30.00	Add
	<u>Commercial</u> \$60.00	Add
Full Day	<u>Non-Profit</u> \$60.00	Add
	<u>Commercial</u> \$90.00	Add
Evening	<u>Non-Profit</u> \$85.00	Add
	<u>Commercial</u> \$120.00	Add

Schedule "D" to By-Law 2018

Bruce County Museum & Cultural Centre

Service	Fee	HST
<u>Dundas Room</u>		
Half Day	<u>Non-Profit</u> \$30.00	Add
	<u>Commercial</u> \$60.00	Add
Full Day	<u>Non-Profit</u> \$60.00	Add
	<u>Commercial</u> \$90.00	Add
Evening	<u>Non-Profit</u> \$85.00	Add
	<u>Commercial</u> \$120.00	Add
<u>Café Area</u>	<u>Non-Profit</u> \$85.00	Add
	<u>Commercial</u> \$115.00	Add
When rented in combination with another room	<u>Non-Profit</u> \$30.00	Add
	<u>Commercial</u> \$60.00	Add
<u>Lobby/Main</u>	<u>Non-Profit</u> \$85.00	Add
	<u>Commercial</u> \$115.00	Add
When rented in combination with another room	<u>Non-Profit</u> \$30.00	Add
	<u>Commercial</u> \$60.00	Add
<u>Kitchen</u>		
When rented in combination with another room	<u>Non-Profit</u> \$30.00	Add
	<u>Commercial</u> \$60.00	Add
<u>Outdoor Patio & Deck (Seasonal)</u>	<u>Non-Profit</u> \$175.00	Add
	<u>Commercial</u> \$345.00	Add
<u>Archives</u>		
Digital		
Low resolution scanned photo image (<75 dpi)	\$8.00	Add
High resolution scanned photo image (>75 dpi)	\$15.00	Add
CD	\$2.00	Add
Emailing digital files	\$2.00 per email	Add

Schedule "D" to By-Law 2018

Bruce County Museum & Cultural Centre

Service	Fee	HST
<u>Archival Photographic Reprints</u>		
Black and White, Sepia and Colour Photos		
3x5	\$5.00	Add
4x6	\$5.00	Add
5x7	\$10.00	Add
8x10	\$18.00	Add
*other sizes require a per item quote		
<u>Reproduction Service Fees</u>		
Photographic reprint or digital image for use in a commercial venture	\$15.00 per photograph	Add
<u>Research Fees</u>		
Service (if no information is available relating to your request, you will be so advised in the initial time/cost assessment that you receive from the Archives and no fee will be charged.	\$30.00 minimum fee for completing a research request	Add
Shipping and Handling	\$5.00 plus postage	Add
Email	\$2.00	Add
<u>Copies</u>		
Black & White (Legal or Letter)	\$0.25 (under 100) \$0.20 (over 100)	Included Included
Colour (Legal or Letter)	\$0.50 (under 100) \$0.40 (over 100)	Included Included
Black & White (Ledger)	\$0.50 (under 100) \$0.40 (over 100)	Included Included
Colour (Ledger)	\$1.00 (under 100) \$0.80 (over 100)	Included Included
<u>Non-Profit Organization</u>		
Black & White (Legal or Letter)	\$0.15	Included
Colour (Legal or Letter)	\$0.30	Included
Black & White (Ledger)	\$0.30	Included
Colour (Ledger)	\$0.60	Included

Schedule "E" to By-Law 2018

Paramedic Services

Service	Fee	HST
<u>Special Events Coverage</u> (4 (four) hour minimum) One Ambulance Staffed One Supervisor	\$165.00 per hour \$ 90.00 per hour	Add Add
Hiring off-duty paramedics and vehicle	Full cost recovery plus 15% administration charge, plus HST. Amount will vary depending on cost of fuel, paramedic wages and benefits, etc.	Add
Ambulance Call Reports (patient, police, law firms, insurance companies, etc.)	\$60.00	Add
Incident Reports (patient, police, law firms, insurance companies, etc.)	\$30.00	Add
Paramedic/Staff Interviews	Minimum 4 (four) hours wage rate or the call back requirement as per collective agreement plus 15% administration charge.	Add
Emergency Management Course Fees	Full cost recovery per participant	Add

Schedule "F" to By-Law 2018

Library

Service	Fee	HST
<u>Overdue Fines</u>		
Adult Books	\$0.25 per day per book per open day to a maximum \$10.00 per item	Not Applicable
High Demand Books	\$0.25 per day per book per open day to a maximum \$10.00 per item	Not Applicable
Juvenile Books	\$0.25 per day per book per open day to a maximum \$5.00 per item	Not Applicable
Audio Visual materials	\$1.00 per day per item per open day to a maximum of \$10.00 per item	Not Applicable
Periodicals	\$0.25 per day per item per open day to a maximum of \$5.00 per item	Not Applicable
Inter-Library loan	\$0.25 per day per item per open day to a maximum of \$10.00 per item	Not Applicable
<u>Material Replacement Charges (books, video etc.)</u>		
Varies depending on replacement cost of item.	\$2.00 processing charge for magazines	Not Applicable
	\$4.00 processing charge for book jackets or DVD case	Not Applicable
<u>Equipment Rental</u>		
Overhead Projectors	\$6.00 per open day	Not Applicable
LCD Projectors	\$20.00 per open day	Not Applicable
Projection screens	\$5.00 per open day	Not Applicable
Replacement borrowers cards	\$3.00 (first card is free)	Not Applicable

Schedule "F" to By-Law 2018

Library

Service	Fee	HST
<u>Internet</u>	First 60 minutes per day are free	
Fees	\$1.00 per ½ hour session	Not Applicable
Printing Costs	\$0.25 per page (black)	Not Applicable
<u>Room Rental</u>	<u>Groups/Individuals</u> \$20 for 3 hours \$5 for each additional hour <u>Non Profit Community Groups</u> \$15 for 3 hours \$3 for each additional hour <u>Bruce County Departments, Friends of the Library, Free Open Events</u> No charge	Not Applicable Not Applicable Not Applicable Not Applicable
<u>Exam Proctoring</u>	\$20.00 per exam	Not Applicable
<u>Faxing</u>		Not Applicable
In Canada	\$1.00 for first page \$0.50 for each additional page (sending or receiving)	
International	\$2.00 for first page \$1.00 for each additional page (sending or receiving)	

Schedule "G" to By-Law 2018

Long Term Care Homes
(Brucelea Haven & Gateway Haven)

Service	Fee	HST
Guest Meals	\$8.00	Included
Staff Meals (Brucelea)	\$5.00	Included
Day Away Meals	\$7.50	Included
Meals on Wheels	\$7.50	Included
Cable Television (billed monthly)	\$42.00	Add
Clothing Mending and Alterations (Gateway)	\$3.00 - \$10.00	Included
<u>Room Rental</u>	<u>Non-profit Organizations</u>	
	No Charge \$20.00 if room left untidy	Included
	<u>Private Organizations</u>	
	\$50.00 \$20.00 if room left untidy	Included Included
Hair Salon	\$200.00 per month	Included
<u>Program Space</u>		
Home & Community Support Services Grey/Bruce (Gateway)	\$2,602.11 per month (2,016 square feet)	Add
Warton & District Cooperative Nursery School	\$551.11 per month (1,057 square feet)	Included
Bruce County EMS Laundry	\$0.80 per pound	Not Applicable

Schedule "H" to By-Law 2018

Human Resources

Service	Fee	HST
Director of Human Resources	\$100.00 per hour	Add
Health & Safety Manager	\$85.00 per hour	Add
Secretarial Services	\$26.50 per hour	Add
Phone	Actual	Add
Meals	Actual	Add
Mileage	County applicable rate	Add
Training	\$250.00 per day plus expenses	Add

Schedule "I" to By-Law 2018

Highways

Service	Fee	HST
<u>Entrance Permits</u>		
New Residential	\$200.00 plus \$300.00 refundable deposit	Not Applicable
- Change of usage/alterations	\$300.00 refundable deposit	Not Applicable
New Field	\$200.00 plus \$300.00 refundable deposit	Not Applicable
New Commercial	\$500.00 plus \$1,000.00 refundable deposit	Not Applicable
- Change of usage/alterations	\$1,000.00 refundable deposit	Not Applicable
Temporary Entrances	\$200.00 plus \$300.00 refundable deposit	Not Applicable
<u>Encroachment Permits</u>		
Private Landowners	\$50.00 plus \$300.00 refundable deposit	Not Applicable
Industrial/Commercial and Large Developments	\$250.00 plus variable deposit (depending on application)	Not Applicable
<u>Sign Permits</u>		
Billboard	\$50.00	Not Applicable
Advertising/Decorative	\$50.00	Not Applicable
<u>Oversize Load Moving Permits</u>		
Single Trip Permit	\$50.00 (up to 4.99m wide/under 45.75m long)	Not Applicable
Annual Permit	\$150.00 (up to 3.75m wide)	Not Applicable
Exceptional Loads (single trip permit only)	\$250.00 (for loads and vehicles 3.75m wide to 4.99m wide)	Not Applicable
	\$100.00 (over 5.0m wide or over 45.75m long)	Not Applicable
In excess of 63,500 kg	\$100.00 up to 120,000 kg	Not Applicable
	\$500.00 for greater than 120,000 kg	Not Applicable
Large Format Photocopies (24"x36")	\$10.00 per copy	Included
Infrastructure Damage	Full cost recovery	Add
Staff Service - County Engineer	Current hourly rate plus payroll burden	Add

Schedule "J" to By-Law 2018

Corporate Services
(Finance and Information Technology)

Service	Fee	HST
System Support Analyst	\$50.00 per hour	Add
Information Technology Manager	\$85.00 per hour	Add
Training	\$250.00 per day plus expenses	Add



Committee Report

To: Warden
Members of the Executive Committee

From: Donna Van Wyck, AMCT
Clerk

Date: December 7, 2017

Re: Revised Procedure By-law

Recommendation:

That changes to the Procedure By-law as outlined in the Clerk's report dated December 7, 2017 be approved; and,

That a by-law be introduced to govern the proceedings of the Council and Committees of the Corporation of the County of Bruce; and,

That by-law 2017-024 be repealed.

Background:

In the March 2, 2017 Report to the Executive Committee outlining changes to the Procedure By-law it was noted that a further review of the Procedure By-law would be required when Bill 68, the Modernizing Ontario's Municipal Legislation Act, receives Royal Assent. Bill 68 received Royal Assent on May 30, 2017 however the proclamation dates vary for certain sections.

The following changes to the Procedure By-law are being recommended as a result of the January 1, 2018 proclamation date for sections of the Municipal Act (the "Act") related to the Procedure By-law and are highlighted for reference in the attached draft by-law:

Section 1. Definitions (Section 238 of the Act)

This is a new addition to the By-law which also incorporates the definitions in the Municipal Act, including the new definition of "meeting".

Section 7. (A) Closed Meetings (Section 239(2) of the Act)

Four (4) additional reasons for holding a closed meeting have been added to this section.



Additional Changes:

The following additional changes are being recommended:

1. **Section 7. (F) - Closed Meetings**

Information has been added to the by-law citing the exceptions to taking a vote in a closed meeting, which were not previously included in the by-law.

2. **Section 23. Standing Committees of Council**

Change the name of:

- a) Social Services and Housing Committee to Human Services Committee as per Committee resolution of November 2, 2017
- b) Highways Committee to Transportation and Environmental Services Committee as per Committee resolution of November 16, 2017

3. **Section 24. Duties of the Committee**

Change the name of the following Committees and update the duties:

- a) Social Services and Housing Committee to Human Services Committee as per Committee resolution of November 2, 2017
- b) Highways Committee to Transportation and Environmental Services Committee as per Committee resolution of November 16, 2017

4. **Section 28. (A) and (B) - Delegations**

Notification to the Clerk has been changed to 7 business days for both A and B.

Electronic Participation in Meetings

Bill 68 changes to the Municipal Act will allow Electronic Participation in Meetings as of January 1, 2018. It is being recommended that electronic participation in meetings not be included as an option in the Procedure By-law at this time and that this option be investigated in 2019.

Financial/Staffing/Legal/IT Considerations:

There are no financial, staffing, legal or IT considerations associated with this report.

Interdepartmental Consultation:

The Directors of Human Services and Transportation and Environmental Services provided wording for Section 24 of the By-law.



Corporation of the County of Bruce
Executive

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Link to Strategic Goals and Elements:

None identified.

Approved by:

A handwritten signature in black ink, appearing to read 'Kelley Coulter', is written over a light grey horizontal line.

Kelley Coulter
Chief Administrative Officer



By-law Number 2017-

A by-law to govern the proceedings of the Council and Committees of the Corporation of the County of Bruce

Section 238 (2) of the Municipal Act, 2001, S.O. 2001, c.25 requires every municipality to pass a procedure by-law governing the calling, place and proceedings of meetings:

Section 238 (2.1) of the Municipal Act, 2001, S.O. 2001, c.25 requires that the procedure by-law shall provide for public notice of meetings:

The Council for the Corporation of the County of Bruce enacts By-law 2017- as follows:

1. General Provisions

The proceedings of Council and its Committee and the calling of meetings shall be governed by the rules of procedure contained in this by-law.

All points of Order or Procedure not provided for in this by-law shall be decided in accordance with "Bourinot's Rules of Order" and the Warden or Chair shall submit the ruling without debate.

2. Definitions

"Act" means the Municipal Act, 2001, as amended from time to time.

"Chair" means the person presiding at a meeting whether it be the Head of Council, Acting Head of Council or Chairperson of any Committee.

"Chief Administrative Officer" means the Chief Administrative Officer (CAO) or designate of The Corporation of the County of Bruce, appointed by by-law.

"Clerk" means the Clerk or designate of The Corporation of the County of Bruce, appointed by by-law.

"Closed Meeting" means a meeting, or portion thereof, closed to the public in accordance with Section 239 of the Municipal Act, 2001 and Section 7. (A), (B) and (C) of this By-law.

"Committee" means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards.

"Council" means the elected members of The Corporation of the County of Bruce.

"County" means The Corporation of the County of Bruce.

"Head of Council" means the Warden (or Acting Warden) and who shall preside at all meetings of the Council.

"Majority" means more than half of the votes cast by members entitled to vote.

"Meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,

- (a) a quorum of members is present, and
- (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

“Member” means a Member of Council or a Committee as defined in this by-law.

“Minutes” means a record of the proceedings of Council or Committee which includes the place, date, time, name of Chair, list of members in attendance, evidence of quorum. Minutes will record the actions taken and decisions made by members at the meeting without note or comment in accordance with Section 239(7) of the Municipal Act.

“Pecuniary Interest” includes a direct or indirect financial interest of a member and a financial interest deemed to be that of a member, in accordance with Sections 2 and 3 of the Municipal Conflict of Interest Act.

“Quorum” means the minimum number of required members (fifty percent plus one of the membership) to be in attendance to conduct the business of the meeting and vote on any matter or question to achieve a simple majority.

“Recorded Vote” means the recording of the name and vote of every Member of Council or a Committee who is present when the vote is called on any matter of question.

“Resolution” means a formal state of opinion or intention adopted by Council in accordance with these rules.

“Warden” means the Head of Council and the Chief Executive Officer of the County of Bruce, pursuant to Section 225 of the Municipal Act, 2001.

3. Inaugural Meeting

The Council shall hold its first meeting in each year on the first Thursday of the month of December at 9:30 a.m. in the Council Chambers or such other location as Council may from time to time decide.

4. Regular Council Meetings

Regular meetings of Council shall be held on the first Thursday of each month at 9:30 a.m. in the Council Chambers at the County Administration Centre or at such other time or location within the County as may be determined by Council.

5. Special Meetings

(A) The Warden may at any time summon a special meeting of Council and it shall be their duty to summon a special meeting whenever requested in writing by a majority of the members of Council.

(B) In case of the absence of the Warden, or if the office is vacant, or if the Warden refuses to act, a special meeting may be summoned by the County Clerk upon a request signed by a majority of the members of Council.

(C) At special meetings of Council, the Council shall not decide upon any matter unless the matter has been specified in the Notice calling the meeting. This provision may be waived only where all members are present to vote upon a motion to waive it.

(D) Notwithstanding subsection (C) the Warden may call a special Council meeting without notice to consider and deal with an emergency or other extraordinary matter and such meeting shall be deemed to have been properly

constituted if at least two thirds of all members of Council are present at the meeting.

6. Open Meetings

Except as authorized under this By-law, all meetings shall be open to the public except for matters that qualify for consideration at a closed meeting as provided in Section 7 (A), (B) and (C).

7. Closed Meetings

(A) A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- i. The security of the property of the municipality or local board;
- ii. Personal matters about an identifiable individual, including municipal or local board employees;
- iii. A proposed or pending acquisition or disposition of land by the municipality or local board;
- iv. Labour relations or employee negotiations;
- v. Litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;
- vi. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- vii. A matter in respect of which a Council, Board, Committee or other body may hold a closed meeting under another Act;
- viii. Information explicitly supplied in confidence to the municipality or local board by Canada, a province or a territory or a Crown agency of any of them;
- ix. A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- x. A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- xi. A position, plan, procedure or 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.

(B) Other Criteria

A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

(a) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or

(b) an ongoing investigation respecting the municipality, a local board of a municipally-controlled corporation by the Ombudsman appointed under the

Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2(1).

(C) **Educational or Training Sessions**

A meeting of a Council or Local Board or of a Committee of either of them may be closed to the public if the following conditions are both satisfied:

- i. The meeting is held for the purpose of educating or training the members;
- ii. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.

(D) **Resolution**

Before holding a meeting or part of a meeting that is to be closed to the public, a Municipality or Local Board or Committee of either of them shall state by resolution:

- i. The fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting, or;
- ii. In the case of a meeting that is an educational or training session, the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed as an educational or training session.

(E) As provided in Section 239 (5) of the Act, a meeting shall not be closed to the public during the taking of a vote.

(F) Despite section 244, a meeting may be closed to the public during a vote if,

- i. subsection (2) or (3) permits or requires the meeting to be closed to the public; and,
- ii. the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board, or committee of either of them or persons retained by or under a contract with the municipality or local board.

(G) Section 239.1 of the Municipal Act, S.O. 2001, c.25 permits a person to request an investigation of whether Council has complied with the requirements of the Municipal Act or this Procedure By-law governing a meeting or part of a meeting that was closed to the public.

(H) Upon resuming open session, the Chair shall state:

- (a) the matters which were considered and;
- (b) confirmation that no motions were carried in closed other than procedural motions or directions to staff.

(I) The Closed Meeting Procedures as adopted by County Council are attached as Appendix "A".

8. **Quorum**

(A) The majority of all members of Council is necessary to form a quorum.

(B) If a quorum is not present at a scheduled meeting fifteen (15) minutes after the scheduled commencement time, the meeting shall stand adjourned until the date

of the next regular meeting and the Clerk shall record the names of the members present.

(C) If during the course of a meeting, a quorum is lost the Chair shall declare that the meeting shall stand adjourned and all unfinished business shall be carried forward to the next meeting.

(D) Where the number of members, who by reason of the provisions of the Municipal Conflict of Interest Act, are prohibited from participating in a meeting is such that, at that meeting, the remaining members are not of sufficient number to constitute a quorum, then the remaining number of members shall be deemed to constitute a quorum, provided this number is not fewer than two (2).

9. Absence of Warden

(A) In the case of the absence of the Warden from illness or any other case, except death, or other circumstances rendering the Warden's seat in the Council vacant by law, the Council shall, from among the members appoint a Chair who during such absence shall have all the powers of the Warden.

(B) In the case of the death of the Warden, or a vacancy in the Warden's Office under circumstances which by law render the Warden's seat on the Council vacant, the members shall without delay at their first meeting thereafter proceed in the manner directed by law to elect a successor for the remainder of the term.

(C) If at any meeting of the Council, the Warden is not in attendance within fifteen (15) minutes after the hour appointed, the members present, being a quorum of the Council, may appoint a Chair from among themselves and such Chair shall have the same authority in presiding at such meeting as the person would have had if present.

(D) In the absence of the Head of Council, the Deputy Head of Council of all Bruce County Local Municipalities who are duly appointed pursuant to the Municipal Act are authorized to act on behalf of the Head of Council at all Bruce County Council and Standing Committee meetings and are given the same authority as the Head of Council.

10. Election of Warden

(A) At the first meeting of the Council in each year, immediately after calling the roll and a quorum being present, the Council shall proceed to elect a Warden.

(B) The term of office of the Warden shall be one year, however this does not preclude the current Warden from serving multiple years if they choose to stand for re-election.

(C) The election of the Warden shall be conducted by the Clerk or in their absence the Deputy Clerk shall preside.

(D) The election of the Warden shall be by secret ballot under the authority and direction of the Clerk.

(E) Pursuant to the provisions of the Municipal Act and amendments thereto, for the purposes of the election of the Warden, each member of County Council shall have one vote.

(F) Each candidate for Warden is permitted to speak a maximum of three minutes prior to the election of the Warden.

(G) Where it appears to the Clerk, by asking for further nominations and receiving no response, that there are no further nominations, the Clerk shall call for a motion declaring nominations closed.

(H) The names of all those nominated shall be submitted to the Council at the same time on equal size pieces of paper listing those nominated in alphabetical order.

(I) Where there is an equality of votes the Clerk will conduct two additional ballots to determine the successful candidate. If equality exists after two additional ballots, the successful candidate shall be determined by the Clerk by placing the names of the candidates on equal sized pieces of paper in a box and one name being drawn by the Clerk. The name of the candidate drawn shall be declared elected Warden.

(J) If more than two candidates are seeking the office of Warden, the candidate receiving the fewest number of votes shall be eliminated after the first ballot.

(K) When a candidate has received a majority vote of Council, five (5), there will be no further ballots.

(L) Where there is an equality of votes between the second and third or more candidates, the Clerk will conduct an additional ballot to determine which candidate will remain on the ballot for Warden. If equality exists after two additional ballots, the Clerk would conduct a draw as previously described and the name drawn would be eliminated. Once this has been decided, all the remaining candidates would be placed on the next ballot.

(M) The Clerk will report the successful candidate to Council.

(N) The Returning Officer for the election is to be an active Senior Partner of the County's Solicitor's firm.

(O) The Clerk and the Chief Administrative Officer are the scrutineers and are to be bound to secrecy regarding the number of votes received by the candidates.

(P) A candidate may voluntarily withdraw their name at any time during the process.

11. Powers and Duties of the Warden

(A) The Warden as Head of Council, except where otherwise provided, shall preside at all meetings of the Council.

(B) If a quorum is present, as soon after the hour fixed for a meeting of Council, the Warden shall call the meeting to order.

(C) The Warden may expel any person for improper conduct at a meeting.

(D) The Warden shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Council; and when called upon to decide a point of order or practice shall state the rule or authority applicable to the case, without argument or comment. If objection be taken to the Warden's ruling the Warden shall submit it to a vote of the Council without debate in the following words: "Shall the ruling of the Chair be sustained?" and the decision of the Council shall be final.

(E) It shall be the duty of the Warden whenever he understands a motion introduced to be contrary to the rules of the Council or inconsistent with the matter to which it is intended to refer, to apprise the Council thereof before such motion is debated upon or put, citing the rule applicable to the case.

(F) It shall be the duty of the Warden:

- i. To open the meeting of Council by taking the Chair and calling the members to order;
- ii. To announce the business before the Council in the order of which it is to be acted upon;
- iii. To receive and submit, in the proper manner, all motions presented by the members of Council;
- iv. To put to vote all questions which are regularly moved and seconded or necessarily arise in the course of the proceedings, and to announce the result;
- v. To decline to put to vote motions which infringe the rules or procedure;
- vi. To authenticate, by signature, when necessary, all by-laws, resolutions and minutes of the Council;
- vii. To inform the Council when necessary or when referred to for the purpose, a point of order or its usage;
- viii. To represent and support the Council, declaring its will and implicitly obeying its decisions in all things, to restrain the members when engaged in debate within the rules or order;
- ix. To enforce on all occasions, the observance of order and decorum among the members;
- x. To call by name any member persisting in breach of the rules of order in the Council thereby ordering the member to vacate the Council Chambers.
- xi. Where it is not possible to maintain order, the Warden may without any motion being put, adjourn the meeting to a time to be named by the Warden.

(G) In addition to the duties imposed upon the Warden by the Municipal Act, or any other Act, the Warden shall also perform such duties as are defined in this by-law or as may be determined from time to time by by-law or resolution of Council.

(H) The Warden is hereby authorized to consult with the Solicitor when the necessity arises, and any instructions the Warden may give to the Solicitor on behalf of the County in special cases shall be in writing.

12. Voting Rights for the Warden

The Warden may vote with the other members on all questions, except where disqualified to vote by reason of pecuniary interest or otherwise.

13. Warden Entering Debate

If the Warden desires to leave the Chair for the purpose of taking part in the debate or otherwise, shall call upon one of the Councillors to fill their place until they resume the Chair.

14. Order of Business

The Clerk shall prepare a Council agenda with the routine order of business for regular meetings of Council as follows:

- i. Roll Call

- ii. Declaration of Pecuniary Interest
- iii. Adoption of the Minutes
- iv. Communications
- v. Delegations
- vi. Reports from Staff
- vii. Inquiries and Announcements
- viii. Committee Minutes
- ix. Notice of Motion
- x. Other Business
- xi. By-laws
- xii. Adjournment
- xiii. O Canada

15. Minutes

(A) The minutes of the Council, as taken by the Clerk or designate, shall consist of a record of the names of the members present or absent at each meeting and of all proceedings taken in the Council. Pursuant to the Municipal Act, the minutes shall record all resolutions, decisions and other proceedings without note or comment.

(B) The minutes of each Council meeting shall be presented to Council for approval at the next regular meeting.

(C) After the Council minutes have been approved by Council they shall be signed by the Warden and Clerk.

(D) After the Committee minutes have been approved by Council, they shall be signed by the Committee Chair.

16. Rules of Conduct and Debate

(A) Every member desiring to speak must be recognized by the Warden.

(B) Members shall only speak on the subject in debate.

(C) No member shall interrupt a member who has the floor except to raise a point of order.

(D) No member shall speak more than once to a question, except in explanation of a material part of their speech in which the member may have been misconceived, but then the member may not introduce a new matter.

(E) When two or more members indicate their desire to speak at the same time, the Warden shall designate the order of speakers.

(F) No member shall use indecent, offensive or insulting language in or against the Council or any Councillors, staff, public or any other person.

(G) A member called to order by the Warden shall immediately sit down, after which the Warden shall give the reason for calling the member to order, and the Council, if appealed to, pursuant to Section 9 (C) shall decide on the case, if there is no appeal, the decision of the Warden shall be final and binding.

(H) No person other than Council members, representatives or employees of the County and representatives of the news media shall be allowed to enter the lower circle without permission of the Chair.

17. Taping or Recording of Meetings

(A) Council or Committee meetings, not held in closed, may be taped, televised or otherwise electronically or mechanically recorded by a cable television company, by another licensed telecommunications company, or by any other media at the back of the Council Chambers or meeting room and in such a manner as not to interfere with the proceedings of the meeting with advance notification to the Clerk, Head of Council or Chair of the Committee as the case may be.

(B) Members of the public will be permitted to make recordings of proceedings provided that the action of recording does not interfere with the conduct of the meeting with advance notification to the Clerk or Chair of the Committee. Meetings which take place during closed session will not be recorded.

(C) Should the recording interfere with the proceedings of the Council or Committee meeting; the recording privileges may be withdrawn. The ruling of the Presiding Officer or Chair shall be final unless by appeal to the Council which shall decide upon the question without debate.

(D) When exercising the discretion to authorize the use of equipment such as described above, regard shall be had as to whether the use will be a distraction to the meeting, whether the use is required for an accessibility reason and also as to whether there is a recording secretary present with the capability of providing a complete record of the meeting.

18. Declaration of Pecuniary Interest

Where a member, either on their own behalf or while acting for, by, with or through another has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the member shall, in accordance with the Municipal Conflict of Interest Act:

- i. Prior to any consideration of the matter at the meeting, disclose the member's interest and the general nature thereof; and,
- ii. Not take part in the discussion of or vote on any questions in respect of the matter; and
- iii. Not attempt in any way whether before, during or after the meeting to influence the voting on the matter.

Where a meeting is not open to the public, the member shall, in accordance with the requirements of the Municipal Conflict of Interest Act, forthwith leave the meeting or the part of the meeting during which the matter is under consideration.

Where the interest of a member has not been disclosed by reason of the member's absence from a particular meeting, the member shall disclose the member's interest and otherwise comply at the first meeting of the Council or Committee, as the case may be, attended by the member after the particular meeting.

The Clerk shall record in reasonable detail the particulars of any disclosure or pecuniary interest made by a member and this record shall appear in the Minutes of that meeting.

19. Voting

- (A) Every member present at a Council meeting shall vote when a question is put, unless the member has declared a pecuniary interest in that matter and the member's declaration shall be recorded.
- (B) Any question that receives an equality of votes shall be declared to be negative.
- (C) When the Warden is putting the question, no member shall walk across or out of the room, or make any noise or disturbance, nor when a member is speaking shall any other member pass between the member and the Chair.
- (D) Any member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the member speaking.
- (E) All decisions of Council shall require a majority vote except as otherwise set out in this by-law.
- (F) When called for by a member or when required by law, a recorded vote shall be taken and the results declared by the Clerk. A member may call for a recorded vote immediately prior to or immediately after the taking of a vote. On taking a vote the names shall be called in alphabetical order, or in reverse order, at the pleasure of the Warden if requested by any member.

20. Motions

- (A) All motions must be submitted in writing with the names of the mover and seconder, before being read by the Clerk or debated.
- (B) After a motion is read by the Clerk, it shall be deemed to be in the possession of the Council but may be withdrawn by a majority vote of Council.
- (C) Only two adopted amendments shall be allowed on the original motion before Council. The first vote to be called shall be on the first amendment, the next vote shall be on the second amendment, and the last vote shall be on the original motion as may be amended. Numerous amendments however may be introduced to obtain the first two adopted amendments to the original motion. Only two motions to amend an amending motion shall be permitted regardless of whether they pass or fail.
- (D) A motion to refer, until it is decided, shall precede all amendments of the main question.
- (E) A motion to amend shall:
- i. Be relevant to the main motion;
 - ii. Be debatable;
 - iii. Not be further amended more than once provided that further amendment may be made to the main motion;
 - iv. Shall be put in reverse order to that in which they are moved;
 - v. Shall be decided or withdrawn before the main question is put to the vote
- (F) A motion to adjourn and amendments thereto shall take precedence over any other motion and shall be put immediately without debate except:
- i. When a member is in possession of the floor;
 - ii. When a vote is being called;

- iii. When the members are voting;
- iv. When adjournment was the last preceding motion

(G) When a **motion is under consideration**, no motion shall be received unless it is:

- i. A motion for adjournment;
- ii. To move the previous question;
- iii. To lay on the table;
- iv. To defer to a certain time;
- v. To refer; or,
- vi. To amend

(H) **A motion to reconsider:**

- i. Is debatable but not amendable;
- ii. No discussion of the main question which is proposed for reconsideration shall be allowed until the motion to reconsider is carried;
- iii. No motion shall be reconsidered more than once during a twelve (12) month period;
- iv. No motion to reconsider may itself be the subject of a motion to reconsider;
- v. A motion to reconsider shall not be introduced unless it is moved and seconded by two members from among those who voted with the majority;
- vi. Must be supported by a majority vote of the members of Council before the matter to be reconsidered can be debated

(I) **A previous question**, until decided, shall preclude all amendments and debate of the main motion and shall be put forthwith without debate.

The previous question shall be put as follows: "That the main motion be now put". If this motion is resolved in the affirmative, the main motion shall be put immediately without amendment or debate, but if the aforesaid motion is resolved in the negative the debate shall continue.

(J) **A motion to table** removes the subject from consideration until a vote of Council lifts it from the table. A matter can be tabled for a specific period of time or tabled indefinitely. A motion to table cannot be debated or amended.

21. Notice of Motion

(A) Any member of Council may give notice of intent that they will introduce a motion at the next or a subsequent meeting of Council to introduce a new matter, or initiate any measure to make any change in the Council's established policy. The giving of notice requires no seconder and is not at that time debatable.

(B) All Notices of Motion shall be in writing, signed by the mover and filed with the Clerk.

(C) Notices of Motions filed with the Clerk shall be directed to the next regular meeting of Council unless otherwise noted.

22. Committee of the Whole

(A) The rules governing the procedures of the Council and the conduct of members shall be observed in Committee of the Whole, except that the number of times speaking on any question shall not be limited provided that no member speaks more than once until every member who desires to speak has spoken.

(B) The only motions that may be approved during Committee of the Whole are motions to “amend”, to “adopt” and to “rise and report”. As a Committee of the Whole cannot adjourn, a motion to “rise and report” shall be put immediately and shall be decided without debate. As soon as the motion to “rise and report” is adopted, the Warden resumes the Chair.

(C) The Warden may preside as Chair of Committee of the Whole or may appoint another member of Council to act as Chair. Any member so appointed shall have the same duties and powers as the Warden in the Chair of the Council.

23. Standing Committees of Council

(A) There shall be the following Standing Committees of Council in addition to the Committee of the Whole Council:

- i. Corporate Services Committee
- ii. Executive Committee
- iii. Homes Committee
- iv. Human Resources Committee
- v. Human Services Committee
- vi. Museum Committee
- vii. Paramedic Services Committee
- viii. Planning and Development Committee
- ix. Transportation and Environmental Services Committee

(B) All members of Council shall serve on the Standing Committees.

(C) Appointing Committee Chair

Committee Chairs are selected by Council in Committee of the Whole at the Inaugural Session and ratified by a motion of Council.

(D) Committee Tenure

No member of Council shall be appointed to serve as the same Chair for more than three consecutive years without the permission of Council.

(E) Quorum

Committee quorum shall be defined as 50% of the membership of the Committee, including the Warden.

(F) Warden as Committee Member

The Warden shall be a member ex-officio of all Committees and may vote on all questions before the Committee.

(G) Regular Committee Meetings

Regular Committee meetings shall be held on the first and third Thursday of every month, except for the months of July and August when the Committee's will meet on the first and second Thursday in the Council Chambers at the County Administration Centre or at such other time or location within the County as may be determined by Council.

(H) Calling of Committee Meetings

The Warden shall represent the Council while the same is out of Session and the Warden is hereby empowered to summon a meeting of any Standing Committee or Special Committee whenever, in their judgment, the urgency of the matter or the interests of the County justify such action.

(I) Committee Vacancy

In the event of a vacancy occurring for any reason the individual filling such vacancy shall assume the same rotational position on the same Committee as the individual who caused such vacancy to occur.

(J) Committee Member

In the event of any person ceasing to be a member of County Council for any reason shall cease to be a member of all Standing and Special Committees.

(K) Absence of Committee Chair

In the absence of the Chair of any Committee, the Warden shall preside and the Warden shall discharge the duties and possess all the powers and privileges of the Chair until their arrival. In the absence of the Chair and the Warden at any Committee, one of the other members shall be selected to preside and they shall discharge the duties and possess all the powers and privileges of the Chair.

(L) Committee Chair Voting

The Chair of any Committee may vote on any question submitted for consideration and any case on which there is an equality of votes shall be declared to be negative.

(M) Reporting Procedure

Each Committee shall report to the Council on every matter referred to it. No report shall be presented to or be received by the Council as the report of a Committee which shall not have been approved at a meeting of the Committee or a majority of its members, nor shall a report of a Committee be final or anything done by virtue thereof until such report is approved by the Council unless where such Committee has been expressly authorized by the Council to deal with the questions.

(N) Committee Rules of Procedure

It is the responsibility of each Committee to adhere to the same rules of procedure governing the procedures of Council as prescribed by this by-law. It shall be the duty of the Chair of each Committee to see that the business is conducted in accordance with such rules.

24. Duties of the Committees

(A) Committees shall establish regular meeting dates, times and locations at the beginning of each term. Meetings will generally be held in the County Administration Centre but may be moved to alternate locations on the recommendation of the Chair.

(B) The role of the Committees shall generally be to:

- i. Make recommendations to Council on matters which are in their jurisdiction;
- ii. Guide and request staff to provide reports on the direction and nature of policy development, fact finding, analysis and generation of public policy matters;
- iii. Receive public deputations and establish mechanisms to receive further public input on vital public policy matters.

(C) **Corporate Services Committee**

The Corporate Services Committee is responsible for all matters that generally concern the finances for the County. Responsibilities also include property management for certain properties owned by the County and all aspects of information technology, including end user computing, server and network infrastructure, software licensing and voice and data communications.

Executive Committee

The Executive Committee is responsible for matters that are outside the authority and responsibility of all other Standing Committees, generally related to the long-term strategic goals of the County of Bruce. Responsibilities also include administration related to County Council and legislation affecting the County.

Homes Committee

The Homes Committee is responsible for oversight of the management of the County Long Term Care Homes (Brucelea Haven and Gateway Haven) and ensures that all objectives, goals and policies are being achieved. The Committee shall ensure that all legislative and professional medical standards are being maintained in the care of the residents and shall exercise the powers set out in the Long Term Care Act.

Human Resources Committee

The Human Resources Committee is responsible for all aspects of employment in the County, including recruitment, collective agreement negotiation, administration, policy and procedure development and implementation, employee benefits, job evaluation, health and safety, payroll and other Provincial legislation relating to employment.

Human Services Committee

The Human Services Committee is responsible for the human services programs in the County of Bruce including: Children's Services Programs; Housing Facilities Programs; Housing Services Programs; Income and Employment Support Programs and Strategic Community Initiative Fund Programs. These programs are under the jurisdiction of: the Ministry of Education; Ministry of Housing; the Ministry of Community & Social Services; and the County of Bruce respectively. The County is the Service System Manager for both Child Care and Early Years and Housing and Homelessness in the County of Bruce.

Museum Committee

The Museum (Bruce County Museum & Cultural Centre) Committee is responsible for the development of short and long term strategic goals as well as the responsibility of securing the funding necessary for the operation and capital maintenance of the Museum and Archives.

Paramedic Services Committee

The Paramedic Services Committee is responsible for the funding and service delivery of the paramedic services and the County's Emergency Management Program and Business Continuity Plan.

Planning & Development Committee

The Planning and Development Committee oversees the County wide land use planning program; the provision of economic development services; the establishment of corporate wide strategic research and policy development; and the management of resource assets.

Transportation and Environmental Services Committee

The **Transportation and Environmental Services Committee** is responsible for the summer and winter maintenance and for the capital improvements on the County road system composed of approximately 691 kilometers of collector and arterial roads and approximately 143 bridges (values including boundary roads and bridges). **This Committee also oversees the County's waste management responsibilities that include; monitoring the consumption and remaining capacity of municipal landfill sites; monitoring the activities and volumes of municipal waste diversion; education of waste management practices; and undertaking the collection of municipal hazardous and special waste (MHSW).**

(D) Any matter which is not on the Committee Agenda or does not relate to a matter on the Agenda may be considered by the Committee if the members agree to consider it by a majority vote.

25. Special Committees

(A) The Council or the Warden may from time to time as may be necessary appoint one or more Special Committees to which may be referred for report any matter sent to such Committee by the Council or the Warden.

(B) The Council or the Warden when appointing a Special Committee shall be satisfied that the matter or matters referred are beyond the normal responsibility of any Standing Committee or other Committee referred to in this by-law.

(C) Bruce County Library Board

The Bruce County Library Board performs such duties as are prescribed by the Statutes and County by-laws.

The Bruce County Library Board shall be comprised of seven members as follows:

- i. Warden
- ii. Three elected members which includes one member from each of the following areas: Coastline (Huron-Kinloss, Kincardine, Saugeen Shores); Inland (Arran-Elderslie, Brockton, South Bruce); North (North Bruce Peninsula, South Bruce Peninsula)
- iii. Three non-elected members which includes one member from each of the following areas: Coastline (Huron-Kinloss, Kincardine, Saugeen Shores); Inland (Arran-Elderslie, Brockton, South Bruce); North (North Bruce Peninsula, South Bruce Peninsula)

Where non-elected individuals are appointed to the Library Board the appointments shall reflect the requirements of the Library Act whereby the appointment term will coincide with the term of Council.

Where elected members are appointed to the Library Board, appointments shall reflect the term of Council.

(D) Grey Bruce Board of Health

Public Health programs and services promote healthy living, protect the health of populations and prevent illness and disease. The Ontario Public Health Standards and the Health Protection and Promotion Act establish requirements and provide for the organization and delivery of fundamental public health programs and services. The Board of Health is responsible for the assessment, planning, delivery, management and evaluation of these programs and services.

The Health Protection and Promotion Act and R.R.O. 1990, Regulation 559: Designation of Municipal Members of Boards of Health, outline the requirements for the composition of Boards of Health.

The Warden and two members of Bruce County Council are appointed annually to the Grey Bruce Board of Health.

(E) Bruce County Housing Corporation

The Board of the Bruce County Housing Corporation oversees the development and implementation of policies and procedures in the areas of tenant placement, financial, facilities management and tenant administration as set out in the Corporations Act and the Housing Services Act.

26. By-laws

(A) Every by-law shall be listed on the Agenda and will include a brief description of the intent of the by-law.

(B) By request of any member any by-law(s) may be discussed or voted on individually.

(C) All amendments to any by-laws approved by Council shall be incorporated into the by-law and if the by-law is enacted by Council, the amendments shall be recorded by the Clerk.

(D) Any by-law may be debated, amended or referred to a Committee or to staff for further consideration.

(E) When a by-law is being considered in Committee of the Whole, it shall be debated clause by clause or as otherwise considered advisable by the Warden and members of Council, leaving the preamble and title to be considered last.

(F) Any changes to by-law(s) made in Committee of the Whole shall be reported by the Warden to Council and shall be received forthwith and the amendments so incorporated into the by-law(s).

(G) The proceedings of every meeting of Council shall be confirmed by by-law so that every decision of Council at that meeting and every resolution thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

(H) Every by-law passed by Council shall be dated, sealed and duly signed by the Warden and Clerk.

27. Petitions and Communications

Every communication, including a petition to be presented to Council shall be legibly written or printed and shall be signed by at least one person and filed with the Clerk.

28. Delegations

- (A) Delegations wishing to address Council must notify the Clerk **seven (7)** business days prior to the regular Council or Committee meeting.
- (B) Any person or group who is scheduled to appear as a delegation before Council or a Committee is requested to submit to the Clerk written or electronic documentation concerning the presentation not less than **seven (7)** business days preceding the meeting.
- (C) Each delegation shall be limited in speaking to not more than ten (10) minutes. Extensions to this time limit will be at the discretion of the Warden.
- (D) No person shall be permitted to speak to Council more than once within six (6) months on the same topic without the prior permission of Council.
- (E) No person shall be permitted as a delegate to Council if the purpose of the delegation is to speak regarding:
- i. A tender or request for proposal which is either proposed, pending, or actually before Council or a Committee of Council for its consideration;
 - ii. Labour relations;
 - iii. Legal issues including the enforcement of By-laws, litigation and potential litigation;
 - iv. Insurance claims; or
 - v. Contract negotiations.
- (F) Delegations not listed on the Agenda may be heard provided a majority of the members' present vote to hear the delegation.

29. Notice Provisions

The form, manner and times when notice will be provided to the public regarding specific by-laws and the holding of certain meetings is outlined in the County's Notice Policy.

30. Conflict

If there is any conflict between this by-law and any statute, the provisions of the statute prevail.

31. Repeal and Enactment

- (A) By-law number 2017-024 is hereby repealed.
- (B) This by-law shall come into force and effect on the date it is passed by Council.

Passed this 4th day of January, 2018

Warden

Donna Van Wyck
Clerk

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Appendix "A" The Corporation of the County of Bruce

Closed Meeting Procedures

Effective Date: March 1, 2016

Revision Date:

Reviewed by Staff:

1. Coverage

This procedure applies to Council, Committees, Sub-Committees and Local Boards of the County of Bruce.

2. Purpose

This procedure defines the process on when closed meetings are to be held and the processes to be followed. The County of Bruce supports the principles of open and accountable governance. There are circumstances, however, where it is necessary to hold a closed meeting.

3. Procedure

Agenda

Agendas shall include closed meeting items, when required, including information surrounding the nature of the closed meeting item. The Agenda will also include confidential reports for discussion and Minutes for approval.

Confidential Reports

Whenever possible, written closed meeting reports are preferred over verbal reports as the former provides for a more detailed account of the confidential record. Whenever possible, written reports are to be distributed in advance in order to ensure that Council or Committee is prepared for any decisions they may need to consider in relation to a closed meeting discussion.

Staff who are considering labelling a report "confidential", and therefore to be considered a closed meeting matter, should, if necessary, seek advice from the Chief Administrative Officer or Clerk to ensure that the subject matter meets the criteria for a closed meeting discussion.

Resolution to go into a Closed Meeting

A resolution to go into a closed meeting should voluntarily disclose as much information as possible about the subject matter to be discussed to provide transparency and accountability to the public. The reason must meet the criteria as set out in Section 239 of the Municipal Act, 2001 as amended.

If Council or a Committee is going into a closed meeting under Section 239 then the resolution must also include the following:

- Notation that the meeting is going into closed session under Section 239 of the Municipal Act

- A description of the subject matter to be discussed and the fact that the meeting is being closed under the specific subsection.

Discussion and Voting

Voting during closed meetings is restricted to procedural matters or for giving directions or instructions to officers, employees or agents of the municipality or committee of either of them or persons retained by or under a contract with the municipality.

It is recommended that where voting is permitted that formal motions be utilized for voting.

The Warden or Chair shall prohibit discussion of any matter that was not disclosed in the resolution authorizing the closed meeting.

Minutes

Closed meeting minutes are taken by the Recording Secretary. In the event the Recording Secretary is excused from the closed portion of the meeting, the C.A.O. will document the proceedings. The authority for the responsibility of minutes has been delegated to the C.A.O. by the Director of Corporate Services.

Once back in the open meeting the Warden or Chair shall confirm that the Council or Committee discussed only those matters identified in the resolution to go into a closed meeting and that this shall be recorded in the minutes.

Approval of Closed Meeting Minutes

Closed meeting minutes shall be approved at the next closed meeting.

Circulation of Closed Meeting Minutes and Confidential Reports

Closed meeting minutes and confidential reports shall be circulated to the members electronically, in advance of the meeting, to allow members time to read the minutes and reports.

Recipients shall not copy, forward or in any way share the confidential information. It is recommended the email containing the confidential information related to the closed meeting be deleted immediately following the closed meeting.



Committee Report

To: Warden
Members of the Executive Committee

From: Donna Van Wyck, AMCT
Clerk

Date: December 7, 2017

Re: RFP CAO-17-02 Electronic Meeting Management
Software

Recommendation:

That the County of Bruce enter into a three-year contract with eSCRIBE Software LTD for the provision of Electronic Meeting Management Software; and,

That the Clerk be authorized to sign the contract.

Background:

One of the County's primary mechanisms for disseminating information to the public is through the reports and materials that are included in Council and Committee meeting agendas. While improvements have been made towards accessibility with regards to the general public, as well as those with disabilities, there is still room for improvement. The implementation of this software will be a step in the right direction towards full compliance with the Accessibility for Ontarians with Disabilities Act. This as well as the anticipated efficiencies to be gained, have led staff to move forward with the investigation of software options for the production of agendas, minutes and related tasks and ultimately the release of a Request for Proposal.

This software product can house the templates and streamline the report preparation workflow, the process will become more efficient and less susceptible to technology upgrade incompatibility.

The utilization of common software for reports, agendas and minutes will allow the use of a dedicated portal for access to agenda items. The portal will provide a more easily accessible manner for Council, staff and the public to find and view any relevant items, thus increasing accessibility. The software will also prove efficient and effective for staff in managing outstanding tasks and action items.



Once an agenda is published, members of Council will be able to access the documents through a dedicated application that will allow for the ability to make notes, bookmark and highlight certain areas for discussion purposes.

The recent Request for Proposal closed on October 13th, 2017 and the Staff Evaluation Committee completed the two-step review.

The Electronic Meeting Management Software rating requirements included the following:

- Technical:
 - Qualifications and Experience of Company & Project Team
 - Understanding of Objectives & Compliance with Required Specifications (with input from Information Technology Services)
 - Quality of Approach and Methodology
 - Proposed Work Plan and Schedule
- Financial
 - Fees and disbursements (including sub-consultants)

Four submissions were received; eSCRIBE Software LTD and PROVOX Systems, Inc. met or exceeded the minimum threshold for technical requirements following the evaluation and scoring process:

- (i.) eSCRIBE Software LTD - \$65,670 - 3 year contract (21,890 annually)
 - Total score 84.33 points
- (ii.) PROVOX Systems, Inc. - \$61,282 - 3 year contract (\$20,427 annually)
 - Total score - 80 points
- (iii.) iCompass Technologies, Inc.
- (iv.) ZUUL Inc.

eScribe Software LTD. the recommended proponent is the highest ranked proponent but not the lowest cost.

Financial/Staffing/Legal/IT Considerations:

Information Technology Services will be involved throughout the implementation process.

Financial - Pricing was calculated based on a three-year term contract.

There are no staffing or legal considerations associated with this report.



Corporation of the County of Bruce
Executive

brucecounty.on.ca

Interdepartmental Consultation:

Senior Management Team have been made aware of the project and Information Technology Services provided input to the RFP on their requirements. The Purchasing Division assisted in the preparation and issuing of the RFP and its review.

Link to Strategic Goals and Elements:

Goal #6 - Explore alternate options to improve efficiency and service.

Approved by:

A handwritten signature in black ink, appearing to read 'Kelley Coulter', with a stylized flourish at the end.

Kelley Coulter
Chief Administrative Officer



Committee Report

To: Warden
Members of the Executive Committee

From: Kelley Coulter, CPA, CGA, MPA
Chief Administrative Officer

Date: December 7, 2017

Re: Letter of Support - Huron-Kinloss

Recommendation:

That the request for a letter of support for the Township of Huron-Kinloss' funding applications to the Ministry of Energy - Municipal Energy Plan Program (MEP) and the Ministry of Environment and Climate Change - Municipalities for Climate Innovation Program Fund (MCIP), be approved.

Background:

A request has been received from the Township of Huron-Kinloss to provide a letter of support for their applications to the Municipal Energy Plan Program (MEP) and Municipalities for Climate Innovation Program (MCIP) for funding. (attached)

Financial/Staffing/Legal/IT Considerations:

There are no financial, staffing, legal or IT considerations associated with this report.

Interdepartmental Consultation:

No consultation required.

Link to Strategic Goals and Elements:

N/A

Approved by:

Kelley Coulter
Chief Administrative Officer



The Corporation of the Township of Huron-Kinloss

P.O. Box 130
21 Queen Street
Ripley, ON N0G 2R0

Phone: 519-395-2909
Fax: 519-395-4107
e-mail: recreation@huronkinloss.com

To: Bruce County Council

Re: Letter of support for Township of Huron-Kinloss application for Municipal Energy Plan (MEP) fund, and Municipalities for Climate Innovation Program fund (MCIP)

In August 2013, the Ontario Ministry of Energy launched the Municipal Energy Plan (MEP) Program to support municipalities' efforts in local and long-term energy planning in consultation with the community. The MEP Program provides successful applicants with funding for 50 per cent of eligible costs, up to a maximum of \$90,000, for the development of a Community Energy Plan (CEP). The Township of Huron-Kinloss is also applying to the Federation of Canadian Municipalities program named Municipalities for Climate Innovation Program (MCIP) which funds up to \$175,000 funding to 80 per cent of eligible costs.

In November 2015, the Ministry of the Environment and Climate Change released its updated Climate Change Strategy, which included an interim target of reducing greenhouse gas emissions by 37 per cent below 1990 levels by 2030 and a long-term target of reducing emissions by 80 per cent below 1990 levels by 2050.

The Township of Huron-Kinloss Council and Staff has identified the preparation of a CEP as a key contributor to an important opportunity for planning of facility project development and enhancing local economic development. The CEP requires a substantial effort in data collection, analysis and community consultation. The collaborative development of a Huron-Kinloss Municipal Energy Plan, involving local residents, Township of Huron-Kinloss, local industry in Huron-Kinloss, and local energy utilities with funding support from Ontario's MEP Program, and Municipalities for Climate Innovation Program MCIP has been approved by Township of Huron-Kinloss Council, and the application submission requires a letter of support from the County of Bruce.

Community Energy Plans in General

A CEP is a comprehensive long-term plan that serves to define community priorities around energy. It aims to improve energy efficiency, reduce energy use and greenhouse gas emissions, and foster green energy solutions at the local level, while helping to plan ahead for future growth and development, energy generation, delivery and use in a community. A CEP helps municipalities to:

- Assess community energy use and greenhouse gas emissions;
- Identify opportunities to conserve, improve energy efficiency and reduce greenhouse gas emissions;
- Consider the impact of future growth and options for local clean energy generation
- Support local economic development leading to more sustainable communities.

A CEP considers long-term energy generation, consumption, infrastructure, economic growth, and land-use planning. It encompasses a community's residential, commercial and industrial sectors, as well as institutional and transportation energy use.

Benefits of developing a CEP can include:

- improve energy efficiency
- reduce energy consumption and greenhouse gas emissions
- study the impact of future growth on energy needs
- foster renewable energy production and economic development
- More stable businesses through energy cost reductions;
- Improved resident health through improved air quality and increased active transportation;
- Fostering local sustainable energy solutions in the community, and incorporating in Municipal infrastructure;

At this time the Township of Huron-Kinloss requests that the County of Bruce support the initiative, and provide a letter of support for the Township of Huron-Kinloss application to the Municipal Energy Plan fund, and the Municipalities for Climate Innovation Program fund.

Respectfully

A handwritten signature in black ink, appearing to read 'Mike Fair', written in a cursive style.

Mike Fair

Director of Community Services

Township of Huron-Kinloss

mfair@huronkinloss.com

cc Township of Huron-Kinloss Council

cc MaryRose Walden CAO Township of Huron-Kinloss



Township of Huron-Kinloss
Mike Fair, Director of Community Services
P.O. Box 130
21 Queen Street
Ripley, ON N0G 2R0

December 7, 2017

Dear Mr. Fair,

The Executive Committee of the County of Bruce, at its meeting held December 7, 2017, considered your request to support the Township's application for funding to the Ontario Ministry of Education for Municipal Energy Plan (MEP) Program and the Ontario Ministry of the Environment and Climate Change under the Municipalities for Climate Innovation Program (MCIP) through a letter of support.

A resolution has been passed by the Executive Committee in support of this initiative and the Township of Huron-Kinloss' application to the Municipal Energy Plan and the Municipalities for Climate Innovation Program for funding.

Regards,

Warden



Committee Report

To: Warden
Members of the Executive Committee

From: Kelley Coulter, CPA, CGA, MPA
Chief Administrative Officer

Date: December 7, 2017

Re: Ombudsman Office Review - Tourist Town Pilot Project

Recommendation:

The Ombudsman Office Review of Tourist Town Pilot Project is for information.

Background:

In October 2016, the Planning and Development Committee approved a staff report seeking approval for a pilot project to create a single integrated platform for operators to market their business. Following the decision, a number of citizens in the Tobermory area expressed concern with the approach taken. Staff responded to all of the concerns. Ultimately, a citizen complaint was submitted to the Ontario Ombudsman's Office.

Throughout 2017 staff have been working through the complaint with staff from the Ontario Ombudsman's office. On Thursday November 23, Warden Twolan and CAO Coulter participated in a final teleconference of the review with the Ombudsman Office.

The complaint to the Ontario Ombudsman's office focused on the following areas:

- 1) Staff administration of the County Procurement Policy;
- 2) Information transparency to the community and operators;
- 3) Lack of awareness of potential fees for the operators; and
- 4) Potential staff Code of Conduct/Ethics violations.

The findings and recommendations from the Ombudsman's Office are as follows:

- 1) The Ombudsman Office determined that the Procurement policy was properly waived through Committee Resolution. However, an area of concern was that the Form 2 was not completed and retained. The procurement bylaw outlines that when a waiver is required staff complete a Form 2 which the CAO either authorizes the purchase or refers the item to Committee for approval. In this case staff were referred to Committee for approval, however no Form 2 was completed. The recommendation is that staff determine a mechanism to ensure that Form 2s are completed and retained with the Purchasing division. Additionally, the Procedural Policy does not explicitly



state that Committee recommendations go forward to Council for approval and that minute approval gives staff the authority to act. The recommendation is that the Procedural By-law be updated.

- 2) In the Ombudsman interviews with the Planning & Development staff, it was determined that there was inconsistent knowledge and awareness of the particulars with the former Procurement Policy. As a result, expanding training including application was recommended, particularly given the Procurement Policy has been recently redefined. The Ombudsman's office also recommended that the County maintain formal record retention, by employee, to demonstrate the training has occurred.
- 3) The Ombudsman Office reviewed the staff report and determined that it generally lacked content. The recommendation was that staff enhance the content of their reports in future to outline the pattern of logic that was applied to advance the final recommendation. This item will be reflected upon by staff for future reports.
- 4) The Ombudsman Office reviewed the summary of all community outreach including the 2014 survey. Through that review it was determined there was no explicit language or statements about the need to find a tool that would address and streamline the workload for operators in the area of marketing. The recommendation from the Ombudsman office was for future outreach activities, that staff utilize a mechanism that documents community feedback.
- 5) The Ombudsman Office found that staff could have been more transparent with the criteria surrounding the "Best of" program. The lack of public documentation of the criteria did create a lot of unfortunate confusion which may have unnecessarily strained the program. This was unfortunate given the County won a national award for the program.
- 6) The Ombudsman Office outlined that although the \$120 fee was required by Tourist Town, there was inconsistent knowledge of this issue which contributed to the problem. It was recommended, that in future, when appropriate, such items should be clearly stated in the report if known at the time of writing to ensure full disclosure.



- 7) The Ombudsman Office reviewed the responsiveness of all County staff to the complaints. They found that all complaints were acted upon in a timely and effective manner. They further commended staff who completed a FAQ form in a timely manner. Further, they were aware that staff attended the Chamber of Commerce meeting to address the concerns. Equally, it was pointed out that had staff information and documentation to stakeholders been more proactive this level of 'reactive' outreach would likely not have been necessary.
- 8) The Ombudsman Office were aware that County Council recently passed a complaint policy. It was recommended that all staff be fully trained on the application of the complaints process and that the County establish a protocol for staff to follow.

The Ombudsman Office did not find any ethical violations by County Staff. They did recommend however that the CAO accelerate the modernization of the Code of Ethics for staff and to ensure that there is a formal protocol that outlines the need for declaration of a potential and a real conflict of interest. The CAO did commit to the Ombudsman Office that the Code of Ethics will be addressed early in Q1 of 2018.

Overall the feedback from the Ombudsman Office has allowed the County to improve our administrative operations. A core principle of public service is independence, neutrality, and zero perceived or actual Code of Conduct violations. In January staff will return with draft updated Employee Code of Conduct/Ethics policy for Committee consideration.

Financial/Staffing/Legal/IT Considerations:

There are no financial, staffing, legal or IT considerations associated with this report.

Interdepartmental Consultation:

No consultation required.

Link to Strategic Goals and Elements:

N/A