

The Corporation of the Township of Brock

Council Agenda

Municipal Administration Building

Electronic Meeting

Session Eleven

Monday, October 26, 2020

1. **Call to Order & Moment of Silence – Mayor Debbie Bath Hadden – 7:00 p.m.**

2. **Disclosure of Pecuniary Interest and Nature Thereof**

3. **Announcements from Council and Staff**

4. **Presentations**

5. **Delegations and/or Petitions**

- 1) Mike Walters – Lake Simcoe Region Conservation Authority's 2020 Budget Companion and Annual Operating Priorities

6. **Consent Agenda**

a) Adoption of Minutes of Previous Meeting

- 1) 10th Meeting of Council – September 28, 2020

Resolution

That the minutes of the 10th Council meeting, as held on September 28, 2020, be approved.

b) Reports

- [1436](#) Becky Jamieson – Report: 2020-CO-56, Santa Claus Parades in Brock

Resolution

That Report 2020-CO-56, Santa Claus Parades in Brock be received for information;

That the request from the Sunderland Santa Claus Parade, as contained in communication no. 1401, be denied;

That the Health Department requirements for Santa Claus parades be provided to the three event organizers;

That the Township of Brock's approval for any parade event be subject to meeting the guidelines of the Durham Region Health Department; and

That staff be authorized to work with parade organizers on the implementation of their parade once the Health Department's guidelines have been met.

c) Correspondence

- [1417](#) Guy Giorno, Integrity Commissioner – Report on Complaint – Miller v. Bath-Hadden, 2020 ONMIC 12

Resolution

That communication no. 1417 be received for information and filed.

- 1418 Fasken Martineau DuMoulin LLP – Transparency: Code of Conduct File CC-2020-02, Miller v. Bath-Hadden, 2020 OMNIC 12

Resolution

That communication no. 1418 be received for information and filed.

- 1422 Durham District School Board – Student safety and crossing guards in our community

Resolution

That communication no. 1422 be received for information and filed.

d) Reports of Committees

- 1) 8th Committee of the Whole Meeting – October 5, 2020

Resolution

That the minutes of 8th Committee of the Whole meeting, as held on October 5, 2020, be approved.

e) Motions

- 1) One Year Extension of deadlines in O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure

7. Items Extracted from Consent Agenda

8. Notices of Motions

- 1) Notice of Motion – Alternate Council Member to Regional Council

Moved by Michael Jubb, Seconded by Walter Schummer, Whereas the Municipal Act Subsection 268(1) allows that the Council of a local municipality may appoint one of its Members as an Alternate Council Member, to act in place of a person who is a member of the councils of the local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier council for any reason; and

Whereas Brock Township Council deems it prudent to make such an appointment.

Now therefore be it resolved that Brock Township Council make such an appointment and that the Municipal Clerk so advise the Regional Clerk of the appointment.

- 2) Notice of Reconsideration

Moved by Cria Pettingill, Seconded by W.E. Ted Smith, that the request from Mr. Gerry Green regarding compensation for the replacement of his hedge be reconsidered.

*Requires a 2/3 vote.

- 3) Notice of Motion – Beaverton Supportive Housing Communications

Moved by Michael Jubb, Seconded by Claire Doble that staff be directed to only share information on the Township's social media platforms related to public information sessions or public meetings related to Durham Region's Beaverton Supportive Housing project.

9. By-laws

10. Other Business

- 1) COVID-19 Update
- 2) Committee of the Whole direction from October 19th meeting – Motion

11. Public Questions and Clarification

12. Closed Session

None

13. Confirmation By-law

By-law Number 2980-2020 – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meetings held on October 26, 2020.

Resolution

That By-law Number 2980-2020, being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meetings held on October 26, 2020, be read a first, second and third time and passed in open Council and that the Mayor and Clerk were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

14. Adjournment

Deputations

2020 Budget Companion and Annual Operating Priorities

Township of Brock



Lake Simcoe Region
conservation authority



Member of Conservation Ontario

Budget Companion 2020

- Produced annually to provide more detail regarding the approved budget,



Budget Companion 2020

- Outlines all LSRCA Services Areas and programs,
- Easy to navigate, read and is transparent,

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Budget Companion 2020

- General overview of the budget summarizing all of the 7 service areas,

Our Vision

We envision the Lake Simcoe watershed as a thriving environment that inspires and sustains us for generations to come.

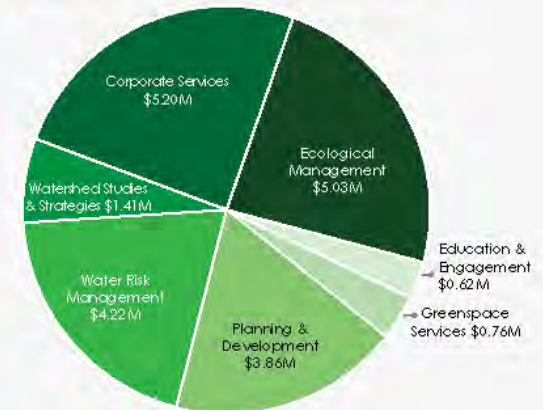
Our Mission

Our mission is to work with our community to protect and restore the Lake Simcoe watershed by leading research, policy and action.

Our employees uphold our mandate under the following 7 Service Areas, which are detailed in the pages that follow:

- Corporate Services
- Ecological Management
- Education & Engagement
- Greenspace Services
- Planning & Development Services
- Water Risk Management
- Watershed Studies & Strategies

2020 Budget Summary \$21.10M



Operating and Capital Split



Revenue Source



Expenditure Type



Budget Companion 2020

- Each service area is then discussed in detail,



Water Risk Management

Flood Management and Warning
\$0.44M

3.1
FTEs

Source Water Protection
\$0.68M

1.8
FTEs

Water Management/Restoration
\$2.59M

2.6
FTEs

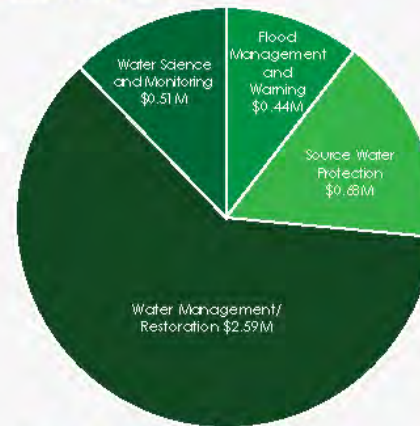
Water Science and Monitoring
\$0.52M

2.4
FTEs

The goal of Water Risk Management is to reduce the risks associated with water, to ensure that we have a safe, clean and adequate supply of drinking water, to undertake restoration projects to protect and manage water and to engage in research activities to inform decision making. Water Risk Management consists of the following program areas:

- Flood Management and Warning
- Source Water Protection
- Water Management/Restoration
- Water Science and Monitoring

2020 Water Risk Management Budget \$4.22M



Operating and Capital Split



Revenue Source



Expenditure Type



Budget Companion 2020

- It also reviews the specific programs comprising each service area,
- Highlights past achievements - focuses on the year ahead.

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- The 2019 spring freshet (melt) resulted in extended high lake levels and drawdown time from March through May, impacting the shoreline and infrastructure of Lake Simcoe
- We have expanded our Flood Event Photo Database so that it now includes 372 pictures of flood events going back as far as February 1, 1929

Flood Management and Warning

The goal of the Flood Management and Warning program is to reduce the risk to people, property and infrastructure (roads, bridges, etc.) from hazards due to flooding and to reduce social disruption.

2020 Focus

- Continue to monitor weather forecasts and watershed conditions
- Maintain and improve monitoring system and issue messages when warranted
- Expand GIS database of event photo documentation of flood prone areas of the watershed
- Complete regular inspections of dams and coordinate a structural assessment of the Pefferlaw Dam to address recommendations identified in the 2019 dam inspection report

Outlook

- Our changing climate is creating more extreme weather events and increasing the likelihood of winter runoff flooding due to unseasonable temperatures, as well as more ice damage to our properties

Service Pressures

- Increased pressure on staff and resources to respond to flood events
- Reduced resources due to provincial funding cuts



2019 Achievements

- Issued 17 flood messages
- Monitored 15 flow gauges, 5 precipitation gauges and 8 snow survey sites
- Completed regular inspections of two dams and a detailed visual inspection of the Pefferlaw Dam by an engineering consulting firm to assess potential structural/safety issues
- Updated our hazard mapping as part of annual regulation map revisions

Annual Operating Priorities

- AOP's necessary to implement Strategic Plan,
- Other AOP items based on external opportunities or pressures,
- AOP's can span years.

Proposed AOP Activities for 2020

1

Floodplain Emergency Mapping/
Flood Relief Program

2

Climate Change Adaptation and
Mitigation Strategies

3

Asset Management Plan

4

Enhance service delivery –
Plan Review and Regulation

5

Scanlon Creek Operations Centre

6

Fundraising for Education Centre



Proposed AOP Activities for 2020

7

Community Engagement
Strategy

8

Lead salt reduction strategies

9

Land Disposition
Policies & Strategy

10

Continue restoration efforts

11

Implementing the LSPP

12

Draft 2021-2026 Strategic Plan



Our Path Ahead Remains Clear

- Improve water quality & quantity
- Increase our natural heritage systems
- Make communities safer, healthier, and more connected to the natural environment
- Engage our communities to achieve a balance between social, economic and ecological needs
- Achieve success through partnerships, innovation and engagement
- Monitor & report our progress to our partners and the community

Questions

for more information visit
www.lsrca.on.ca

The Corporation of the Township of Brock

Council Minutes - Draft

Electronically

Session Ten

Monday, September 28, 2020

The Tenth Meeting of the Council of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, September 28, 2020, electronically.

Members present:	Regional Councillor:	W.E. Ted Smith
	Councillors:	Michael Jubb
		Claire Doble
		Walter Schummer
		Cria Pettingill
		Lynn Campbell

Members absent: Mayor: Debbie Bath-Hadden (regrets - illness)

Staff Members present: Municipal Clerk Becky Jamieson
(recording the minutes)
Deputy Clerk Deena Hunt
Acting CAO Ralph Walton
Treasurer Laura Barta
Director of Public Works Paul Lagrandeur
Chief Building Official Richard Ferguson
Fire Chief Rick Harrison
Facilities Coordinator Craig Belfry

1. Call to Order and Moment of Silence

Deputy Mayor W.E. Ted Smith called the meeting to order at 6:30 p.m.

2. Disclosure of Pecuniary Interest and Nature Thereof

None

3. Announcements from Council and Staff

Suspended until further notice.

4. Presentations

Suspended until further notice.

5. Hearing of Delegations and/or Petitions

Delegations

(1) Ms. Jill Proctor – Beaverton Modular Housing Project

Ms. Jill Proctor advised that she is a Beaverton resident and represents 800 Beaverton residents who are asking for the Beaverton Supportive Housing Project to be put on hold to provide time for the execution of proper due diligence. She expressed concern for the lack of a transparent property selection criteria/process, noting that this proposed housing is close to two senior residences and is too large for a small town. She advised that other municipalities, larger than Brock, have experienced difficulty providing support to the homeless and expressed concern for the minimal health care resources, police services, employment opportunities, and social services available in Beaverton. She expressed concern for the unknown financial impact on the municipality and government funding cuts due to COVID-19 deficits. She expressed concern for the deterioration of Beaverton's economy, the lack of local government health services to support individuals who require addiction support, and the vandalism and aggressive behaviour currently exhibited that creates an unsafe community.

Ms. Proctor advised that Beaverton residents expressed disappointment that the Mayor and Regional Councillor failed to ensure transparency and accountability with respect to this project. She advised that the petitioners are requesting that Durham Region Council pause this housing project and fund an evaluation of the risks, gaps, and actions to be conducted by a reputable third party.

Resolution Number 1-10

MOVED by Michael Jubb and SECONDED by Walter Schummer that the rules of procedure with respect to the length of the deputation be waived.

MOTION CARRIED

Ms. Proctor, in closing, requested Council's response following the delegations.

Councillors enquired as to the impact studies recommended by the delegation to which the Chief Building Official advised that he is not aware of any ongoing studies.

Deputy Mayor Smith advised that proper zoning controls the type of housing permitted and studies are not necessarily required. He advised that the Region of Durham provided accommodation for the homeless at Camp Samac this past spring, similar to the Beaverton proposal, which was successful. Ms. Proctor advised that Camp Samac is not comparable to a long term residence and has confirmed this fact with the Commissioner of Social Services at Durham Region.

Councillors enquired whether there was another municipality which performed these studies to which Ms. Proctor advised that the Mayor of Toronto stated that certain site criteria must be met (transportation, employment opportunities, and various other services) prior to the construction of these types of facilities.

Councillors enquired as to what would be a feasible size of facility appropriate for Beaverton to which Ms. Proctor advised that she was unable to locate any comparable community in her research, noting that other similar initiatives have occurred in cities with large populations.

Councillors enquired whether the delegation had contacted the Region to which Ms. Proctor advised in the affirmative and that they had presented a deputation at the Region.

Deputy Mayor Smith commented that Council should request that the petition be forwarded to the Region of Durham to be placed on an agenda which would provide the opportunity for comment.

- (2) Mr. Paul Nelson – Huge community concerns regarding proposal for new 50 bed facility in Beaverton

Mr. Paul Nelson advised that he is a Beaverton resident, one of the 1,800 people who have signed the petition, and is requesting that the Region of Durham pause the process until a more detailed review can be performed. He advised that, while he is not against supportive housing, he does not support the Region's decision to locate the facility in Beaverton and expressed concern that the homeless issue was not previously addressed by the Region of Durham or Brock Township. He advised that the formal decision of Council should be upheld on behalf of Brock residents and that the Municipal Act mandates that Council must ensure accountability and transparency are a priority to maintain public trust. He advised that Regional representatives have failed to follow that mandate in this regard, and enquired as to a legal review of the process noting that Brock residents expect a purity of process on the matter.

Mr. Nelson expressed doubt that Beaverton was listed as a preferred site noting that Durham Region's Housing Task Force had recommended other sites in central and south Durham and that other area housing groups have requested this type of housing. He advised that, while zoning is not an issue, there are other metrics not met with respect to the success of this project. He expressed concern for this type of housing project in a rural location and suggested it be installed in a location where it is more needed and supported. He expressed

concern for the lack of facts to support the choice of Beaverton as a suitable location and advised that government funding is being developed which could address homelessness and thereby eliminate this proposed expense. He expressed concern for the lack of pre-notification of this project and advised that public representation requires improvement.

Mr. Nelson, in closing, requested that the elected representatives help the residents find a way to pause this project and develop a better solution for all Durham Region residents.

Councillors enquired whether the Regional Councillor could assist with placing the petition on the Regional Council agenda and were advised in the affirmative.

Councillors enquired as to the mechanism for a Council vote to be considered by Regional Council to which the Acting CAO advised that staff should be directed to refer the petition to Regional Council for their consideration. It was noted that the petition was only formally received by the Township prior to this meeting and this is the first time Council has officially seen it.

Councillors enquired as to the size of a facility that would properly fit Beaverton to which Mr. Nelson advised that a 5-8 bed facility, for this special client base, would be manageable.

Deputy Mayor Smith enquired as to the non transparent activity referred to in the delegation to which Mr. Nelson expressed concern with respect to the Township engaging the Regional Clerk as Acting CAO for Brock Township.

Deputy Mayor Smith enquired whether the delegate was aware that these services are needed in Brock to which Mr. Nelson advised in the affirmative noting that the required services for North Durham could be provided separately from this 50 bed facility.

Petitions

- (1) Petition – Peter Bornemisa on behalf of Citizens of Brock – petition to further study supportive housing project in Beaverton

Resolution Number 2-10

MOVED by Michael Jubb and SECONDED by Walter Schummer That the petition to further study supportive housing project in Beaverton submitted by Peter Bornemisa on behalf of Citizens of Brock be received for information and sent to the Region of Durham, MPP Laurie Scott, MP Jamie Schmale, and Premier Doug Ford.

MOTION CARRIED

Resolution Number 3-10

MOVED by Michael Jubb and SECONDED by Claire Doble That staff explore any avenues or mechanisms available to the Township of Brock to "Pause and hold" the modular housing proposed at 133 Main Street until all requests in the original opposing motion be met by the Region of Durham. Further, that a staff report come forward at the next scheduled council meeting with any available options, if any.

The Acting CAO requested clarification that staff is directed to seek legal advice from external counsel and was advised in the affirmative.

Councillors expressed concern for the lack of public consultation, lack of response from the Region, and noted that the request to pause the project until further information is gathered is reasonable.

Councillors advised that it would be prudent to explore all opportunities to pause the project while they await answers to their requests.

Resolution Number 4-10

MOVED by Claire Doble and SECONDED by Cria Pettingill that Resolution No. 3-10 be amended to include "Furthermore, that a formal request be sent to Durham Region to pause this housing project while a formal evaluation of risks, gaps, and actions, be conducted by a reputable third party".

Councillor Doble advised that research is needed to ensure that this location and size of housing would not negatively impact the community.

The Acting CAO requested clarification on the motion that the intention is for the Region to retain the third party for a review to which Councillor Doble advised in the affirmative.

There was discussion as to the engagement of an acceptable organization who could provide independent advice and that the Region should consult with the Township on the selection of the third party.

The Chief Building Official advised that he attended a pre-consultation with the Region and the Conservation Authority noting that there was minimal information available.

Councillors enquired as to being kept abreast of project details to which the Acting CAO advised that Council could be kept informed of significant events on an ongoing basis. The Chief Building Official advised that, while this is not common practice for the site plan process, these efforts could be implemented.

Deputy Mayor Smith advised that he would support the project as long as the Region brings forth solid information.

Resolution Number 4-10

MOVED by Claire Doble and SECONDED by Cria Pettingill that Resolution No. 3-10 be amended to include "Furthermore, that a formal request be sent to Durham Region to pause this housing project while a formal evaluation of risks, gaps, and actions, be conducted by a reputable third party".

MOTION CARRIED

Councillor Jubb requested a recorded vote.

Resolution No. 3-10

MOVED by Michael Jubb and SECONDED by Claire Doble That staff explore any avenues or mechanisms available to the Township of Brock to "Pause and hold" the modular housing proposed at 133 Main Street until all requests in the original opposing motion be met by the Region of Durham.

Further, that a staff report come forward at the next scheduled council meeting with any available options, if any.

Furthermore, that a formal request be sent to Durham Region to pause this housing project while a formal evaluation of risks, gaps, and actions, be conducted by a reputable third party.

Recorded VoteYeasNays

Cria Pettingill
Walter Schummer
W.E. Ted Smith
Lynn Campbell
Claire Doble
Michael Jubb

MOTION CARRIED

6. Consent Agenda

Resolution Number 5-10

MOVED by Walter Schummer and SECONDED by Lynn Campbell that the items listed in Section 6, Consent Agenda be approved, save and except the 15th Special Council In Camera meeting, communication numbers 318, 1268, 1278, 1283, 318, 1195, and 1287.

MOTION CARRIED

(a) Adoption of Minutes of Previous Meetings

(1) 9th Council meeting – August 10, 2020

Resolution Number 6-10

That the minutes of the 9th Council meeting as held on August 10, 2020, be approved.

(2) 9th Council meeting, In Camera Session – August 10, 2020

Resolution Number 7-10

That the minutes of the in camera session of the 9th Council meeting as held on August 10, 2020, be approved.

(3) 4th Statutory Public meeting – August 10, 2020

Resolution Number 8-10

That the minutes of the 4th Statutory Public meeting as held on August 10, 2020, be approved.

(4) 13th Special Council meeting – August 18, 2020

Resolution Number 9-10

That the minutes of the 13th Special Council meeting as held on August 18, 2020, be approved.

(5) 13th Special Council meeting, In Camera Session – August 18, 2020

Resolution Number 10-10

That the minutes of the in camera session of the 13th Special Council meeting as held on August 18, 2020, be approved.

(6) 14th Special Council meeting – August 20, 2020

Resolution Number 11-10

That the minutes of the 14th Special Council meeting as held on August 20, 2020, be approved.

(7) 15th Special Council meeting – August 25, and August 26, 2020

Resolution Number 12-10

That the minutes of the 15th Special Council meeting, as held on August 25 and August 26, 2020, be approved.

(9) 18th Special Council meeting – September 11, 2020 at 3:00 p.m.

Resolution Number 13-10

That the minutes of the 18th Special Council meeting, as held on September 11, 2020, at 3:00 p.m., be approved.

- (10) 18th Special Council meeting, In Camera Session – September 11, 2020, at 3:00 p.m.

Resolution Number 14-10

That the minutes of the in camera session of the 18th Special Council meeting as held on September 11, 2020, be approved.

- (11) 17th Special Council Education meeting – September 14, 2020

Resolution Number 15-10

That the minutes of the 17th Special Council Education meeting as held on September 14, 2020, be approved.

(b) Reports

- 1277 Becky Jamieson – Report: 2020-CO-51, Brock Emergency Response Benefit Update

Resolution Number 16-10

That Report: 2020-CO-51, Brock Emergency Response Benefit Update be received for information and that a letter of thanks be sent to South Lake Community Futures Development Corporation for administering the Brock Emergency Response Benefit.

(c) Correspondence

- 1262 Cannington Lions Club – Annual Scrap Metal Drive, October 3, 2020

Resolution Number 17-10

That communication number 1262 be received and further, that Council have no objection to the request as contained in the communication.

(d) Reports of Committees

- (1) 7th Committee of the Whole Meeting – September 21, 2020

Resolution Number 18-10

That the minutes of the 7th Committee of the Whole meeting as held on September 21, 2020, be approved.

- (2) 7th Committee of the Whole Meeting, In Camera Session – September 21, 2020

Resolution Number 19-10

That the minutes of the 7th Committee of the Whole meeting In Camera Session, as held on September 21, 2020, be approved.

(e) Motions

- (1) Bridge Number 28 Rehabilitation (Concession Road 6) (communication number 1130)

Resolution Number 20-10

That the Mayor and Clerk be, and they are hereby authorized to enter into an agreement with Carlington Construction Inc. regarding Bridge Number 28 Rehabilitation (Concession 6).

(2) Release of Agreement – Casquenette

Resolution Number 21-10

That the Mayor and Clerk be, and they are hereby authorized to sign a release of agreement.

(3) Farm 911 Project

Resolution Number 22-10

That the Mayor and Clerk be, and they are hereby authorized to enter into an agreement for the 911 Farm Project.

MOTION CARRIED

7. Items Extracted from Consent Agenda

a) Adoption of Minutes of Previous Meetings

(8) 15th Special Council meeting, In Camera Session – August 25 and August 26, 2020

Councillors requested that the minutes be amended to reflect the correct spelling of the names listed therein.

Resolution Number 23-10

MOVED by Cria Pettingill and SECONDED by Lynn Campbell That the minutes of the in camera session of the 15th Special Council meeting as held on August 25 and August 26, 2020, be approved, as amended.

MOTION CARRIED

1268 Ralph Walton – Report: 2020-CO-52, Integrity Commissioner Complaints

Councillors enquired as to the full review of the Council Code of Conduct and were advised that it would be forthcoming.

Resolution Number 24-10

MOVED by Walter Schummer and SECONDED by Lynn Campbell That Report: 2020-CO-52, Integrity Commissioner Complaints be received for information and that Council authorize staff to amend the Council Code of Conduct and Complaint Protocol as outlined in this report.

MOTION CARRIED

Resolution Number 25-10

MOVED by Lynn Campbell and SECONDED by Claire Doble that Council break for a recess at 8:12 p.m.

MOTION CARRIED

Deputy Mayor W.E. Ted Smith reconvened the meeting at 8:21 p.m. with the same members of Council and staff in attendance.

1278 Becky Jamieson – Report: 2020-CO-53, Brock COVID-19 Community Grant for Not-for-Profits Funding Allocation Update

Resolution Number 26-10

MOVED by Cria Pettingill and SECONDED by Michael Jubb That Report: 2020-CO-53, Brock COVID-19 Community Grant for Not-for-Profits Funding Allocation Update be received for information and that Council authorize staff to proceed with the payments as recommended for the Brock COVID-19 Community Grant for Not-for-Profits as contained in Attachment 3.

MOTION CARRIED

1283 Craig Belfry – Report: 2020-CO-54, Township of Brock Arenas Re-opening Update

Resolution Number 27-10

MOVED by Claire Doble and SECONDED by Michael Jubb That Report: 2020-CO-54, Brock COVID-19 Township of Brock Arenas Re-opening Update be received for information; and that Council direct staff to reallocate \$14,000 in the 2020 capital budget from the shower upgrades at the Rick MacLeish Memorial Community Centre, to offset the COVID-19 flooring tile and cleaning equipment requirements in the arenas; and that Council approve the Township of Brock Ice User Protocol

Councillors enquired as to the use of skate tiles, staff time allocation, and whether ice time has increased to which the Facilities Coordinator advised that the skate tiles would be used to provide an efficient exit flow pattern of participants, staff time would be managed efficiently, and ice time allocation remains fluid at this point but could be 30 to 60 hours depending on the decision of the OMHA.

Councillors enquired as to the affect of the recent COVID-19 regulation changes and were advised that it does not affect the Township's current plans.

There was discussion with respect to further public skating programs, the time constraints for the limited number of arena staff to perform sanitization, and league volunteers to provide door screening as part of the organizations regulations.

Councillors expressed concern for liability issues with respect to insurance coverage in all three arenas during the COVID-19 pandemic.

The Acting CAO advised that staff would provide Council with any Provincial announcements that would impact areans and any staff concerns that arise from the arena operations.

Resolution Number 27-10

MOVED by Claire Doble and SECONDED by Michael Jubb That Report: 2020-CO-54, Brock COVID-19 Township of Brock Arenas Re-opening Update be received for information; and that Council direct staff to reallocate \$14,000 in the 2020 capital budget from the shower upgrades at the Rick MacLeish Memorial Community Centre, to offset the COVID-19 flooring tile and cleaning equipment requirements in the arenas; and that Council approve the Township of Brock Ice User Protocol

MOTION CARRIED

318 Becky Jamieson – Interoffice Memorandum – Wilfrid Hall Board of Management

Resolution Number 28-10

MOVED by Walter Schummer and SECONDED by Claire Doble That communication number 318 be received for information.

Councillors enquired as to the timing of this communication to which the Clerk advised that it had been included on a March Committee of the Whole agenda which subsequently was cancelled due to the pandemic and now that Committees are scheduled to meet again, staff felt it was an appropriate time to be addressed. Discussion ensued with respect to the appointment of representatives during a term of Council and the need for congruency.

Councillors expressed concern that the Council representative was not permitted to attend meetings during the investigation to which the Clerk advised that she would follow up and provide clarification.

Councillor Schummer requested a recorded vote.

Resolution Number 28-10

MOVED by Walter Schummer and SECONDED by Claire Doble That communication number 318 be received for information.

Recorded Vote

Yeas

Nays

W.E. Ted Smith
Lynn Campbell
Claire Doble
Michael Jubb
Cria Pettingill
Walter Schummer

MOTION CARRIED

1195 Colala Poutine and Bar – Application for a Liquor Sales Licence at B1565 Regional Road 15, Beaverton

Councillors enquired as to staffing review of directing all requests of this nature before Council to which the Clerk advised that a review is ongoing and the existing process remains in place until it is complete.

Resolution Number 29-10

MOVED by Claire Doble and SECONDED by Michael Jubb That communication number 1195 be received and further, that Council have no objection to the request as contained in the communication.

MOTION CARRIED

1287 Kim Underwood et al – Crosswalk at Albert Street and Rennie Street, Sunderland

Resolution Number 30-10

MOVED by Lynn Campbell and SECONDED by Claire Doble That communication number 1287 be received and that staff prepare a report on the request for a crosswalk at Albert and Rennie Streets, including the results of the Durham District School Board's safety review of this area.

Councillor Campbell expressed concern for senior student safety as they are now crossing Albert Street at the south entrance of the Sunderland Public School.

The Clerk advised that the Durham Student Transportation Services has reviewed the area, and while they did not witness a high volume of student traffic, recommended additional safety measures be implemented such as a 3-way stop, extra signage, and line painting on the road to reduce speed should the Township not be able to accommodate an extra crossing guard. She advised that staff would not recommend a 3-way stop, however, additional signage and road painting could be considered.

She advised that an additional crossing guard would increase the staff budget by \$10,000 for the school year, or \$3,000 for the balance of 2020.

Councillors expressed safety concerns for other school areas in the Township noting that line painting would be beneficial and other measures could be considered during Budget discussions.

Councillor Campbell requested that the motion be withdrawn to which Councillor Doble agreed.

Resolution Number 30-10

MOVED by Lynn Campbell and SECONDED by Claire Doble That communication number 1287 be received and that staff prepare a report on the request for a crosswalk at Albert and Rennie Streets, including the results of the Durham District School Board's safety review of this area.

MOTION WITHDRAWN

Resolution Number 31-10

MOVED by Lynn Campbell and SECONDED by Walter Schummer That Council approve the hiring of an additional crossing guard at the intersection of Rennie & Albert Streets as soon as possible as long as the existing student traffic flow related to COVID-19 is in place.

Councillors enquired as to the timing of a future staff report and were advised October 26 Council meeting or a Special Council meeting called prior to that.

Councillors enquired as to the feasibility of employing an extra crossing guard to which the Treasurer advised that each additional crossing guard would cost \$3,000 for the remainder of the year which could not be financed through COVID funding as it has been allocated to other matters.

Resolution Number 32-10

MOVED by Walter Schummer and SECONDED by Claire Doble That Resolution Number 31-10, with respect to communication number 1287, be tabled until staff provide a comprehensive report to either the next regular or Special Council meeting.

MOTION CARRIED

Resolution Number 31-10

MOVED by Lynn Campbell and SECONDED by Walter Schummer That Council approve the hiring of an additional crossing guard at the intersection of Rennie & Albert Streets as soon as possible as long as the existing student traffic flow related to COVID-19 is in place.

MOTION TABLED

8. Notices of Motions

(1) Notice of Motion

Resolution Number 33-10

MOVED by Walter Schummer and SECONDED by Michael Jubb

WHEREAS it is understood that The Council of the Township of Brock works best when all members of Council have the same information at the same time and it is also understood that the residents of Brock Township deserve the best information from their elected officials in a timely manner; and,

FURTHERMORE it is understood that certain members of Council may come into material information affecting the Township and its residents before such information may otherwise become available to other members of Council or the general public especially in cases where members of Council benefit from being on other elected or appointed bodies including, but not limited to, Regional Council;

THEREFORE be it resolved that members of Council coming into information of material significance to the Township and its residents will share such information in a timely manner as to not unfairly leave other members of Council in inequitable positions and that such information shall be shared at the next available meeting of Council or Committee of the Whole and where no such meeting is scheduled to take place within 10 days that the member(s) of Council in possession of material information shall forward the information to members of Council via email at their earliest possible convenience except in circumstances where dissemination of such information would be in contravention of The Municipal Act.

Councillors expressed concern for significant information affecting the Township reaching the public domain prior to Council members being made aware.

Councillor Campbell left the meeting at 9:40 p.m.

Councillors advised of the necessity for members to work together with the same information available to all to avoid the loss of mutual respect and trust.

Councillor Schummer requested a recorded vote.

Resolution Number 33-10

MOVED by Walter Schummer and SECONDED by Michael Jubb

WHEREAS it is understood that The Council of the Township of Brock works best when all members of Council have the same information at the same time and it is also understood that the residents of Brock Township deserve the best information from their elected officials in a timely manner; and,

FURTHERMORE it is understood that certain members of Council may come into material information affecting the Township and its residents before such information may otherwise become available to other members of Council or the general public especially in cases where members of Council benefit from being on other elected or appointed bodies including, but not limited to, Regional Council;

THEREFORE be it resolved that members of Council coming into information of material significance to the Township and its residents will share such information in a timely manner as to not unfairly leave other members of Council in inequitable positions and that such information shall be shared at the next available meeting of Council or Committee of the Whole and where no such meeting is scheduled to take place within 10 days that the member(s) of Council in possession of material information shall forward the information to members of Council via email at their earliest possible convenience except in circumstances where dissemination of such information would be in contravention of The Municipal Act.

Recorded Vote

Yeas

W.E. Ted Smith
Claire Doble
Michael Jubb
Cria Pettingill
Walter Schummer

Nays

MOTION CARRIED

9. By-lawsResolution Number 34-10

MOVED by Cria Pettingill and SECONDED by Walter Schummer that the By-laws listed in Section 9. By-laws be passed.

- (1) By-Law Number 2973-2020 – being a by-law under the provisions of Section 34 of the Planning Act, R.S.O., 1990, as amended, to amend zoning by-law number 287-78-PL, as otherwise amended, of the Corporation of the Township of Brock, with respect to certain land located within Pt Lot 22 and 23, Concession Road 6 (Brock), in the Township of Brock, Region of Durham, be read a first, second and third time and passed in open Council. The Mayor and Clerk be authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.
- (2) By-law Number 2977-2020 – being a by-law to appoint a Municipal Law Enforcement Officer for the Corporation of the Township of Brock pursuant to section 15 of the Police Services Act, R.S.O. 1990, as amended, be read a first, second and third time and passed in open Council. The Mayor and Clerk be authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.
- (3) By-law Number 2978-2020 – being a by-law to amend by-law number 957-88-PP, being a by-law to regulate vehicular traffic on highways, fire routes, private and municipal property, and to prohibit the injuring or fouling of highways and bridges, and the obstruction of ditches and culverts, be read a first, second and third time and passed in open Council. The Mayor and Clerk be authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

MOTION CARRIED

- (4) By-law Number 2979-2020 – to appoint a Chief Administrative Officer the Corporation of the Township of Brock pursuant to sections 228(2) and 229 of the Municipal Act, S.O. 2001,

Resolution Number 35-10

MOVED by Michael Jubb and SECONDED by Walter Schummer that By-law Number 2979-2020 being a by-law to appoint a Chief Administrative Officer the Corporation of the Township of Brock pursuant to sections 228(2) and 229 of the Municipal Act, S.O. 2001, as amended, be read a first, second and third time and passed in open Council and that the Mayor and Clerk be authorized to sign the by-law on behalf of the municipality and to have some engrossed in the by-law book

MOTION CARRIED**10. Other Business**

- (1) COVID-19 Update

Deputy Mayor Smith enquired as to re-opening the Township halls to which the Clerk advised that staff met with the Hall Boards in August and a report with recommendations would be forthcoming.

- (2) Deputy Mayor W.E. Ted Smith

Deputy Mayor Smith advised that the Province is ready to move forward on the Brock Community Health Centre and was advised that a staff report could be provided to an upcoming Committee of the Whole meeting.

(3) Councillor Claire Doble

Councillor Doble enquired as to increasing the number of people in an arena changeroom if masks were worn to which the Facilities Coordinator advised that maintaining the 6 foot separation between people would be upheld, similar to other municipalities.

Councillor Doble enquired as to clearing away the brush collected under the bridge in Beaverton and was advised that Arbor Tech has been contacted.

11. Public Questions and Clarification

Suspended until further notice.

12. Closed Session

None

13. Confirmation By-law

By-law Number 2976-2020 – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on September 28, 2020

Resolution Number 36-10

MOVED by Walter Schummer and SECONDED by Michael Jubb that By-law Number 2976-2020, to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on September 28, 2020, be read three times and passed in open Council. The Mayor and Clerk be authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

MOTION CARRIED

14. Adjournment

Resolution Number 37-10

MOVED by Claire Doble and SECONDED by Cria Pettingill that we do now adjourn at 10:00 p.m.

MOTION CARRIED

DEPUTY MAYOR

CLERK

Reports



The Corporation of the Township of Brock

Date:	20/10/2020
Refer to:	Council
Meeting Date:	October 26, 2020
Action:	null
Notes:	Report
Copies to:	

Clerk's Department

Municipal Clerk to Council

Report: 2020-CO-56

Date: Monday, October 26, 2020

Subject

Santa Claus Parades in Brock

Recommendation

That Report 2020-CO-56, Santa Claus Parades in Brock, be received for information;

That the request from the Sunderland Santa Claus Parade, as contained in Communication No. 1401, be denied;

That the Health Department requirements for Santa Claus parades be provided to the three event organizers;

That the Township of Brock's approval for any parade event be subject to meeting the guidelines of the Durham Region Health Department; and

That staff be authorized to work with parade organizers on the implementation of their parade once the Health Department's guidelines have been met.

Attachments

- | | |
|------------------|--|
| Attachment No. 1 | Communication No. 1288 from Ms. Joan Down, requesting permission to hold 2020 Santa Claus Parade |
| Attachment No. 2 | Communication No. 1401 from Ms. Joan Down, follow-up regarding Sunderland Santa Claus Parade, COVID 19 Protocols |
| Attachment No. 3 | Communication No. 1435 from Ms. Cyndi Schaffer, requesting permission to hold 2020 Santa Claus Parade |
-

Background

On October 5, Council considered communication no. 1288, requesting permission to hold the annual Sunderland Santa Claus Parade. Council adopted Resolution No. 7-8 that that communication number 1288 from Joan Down be deferred until the October 19 COW meeting to give organizers an opportunity to provide another letter outlining their plans for safe COVID 19 protocols at the 2020 Sunderland Santa Claus parade.

In addition, staff noted that they were planning to hold a meeting with the three local Santa Claus Parade event organizers to learn about their plans. Staff also noted that the Township will need to consult with the Durham Region Health Department on these requests.

Discussion

On Friday, October 16, 2020, the Acting CAO, Recreation & Leisure Co-ordinator, Fire Chief, Director of Public Works, and the undersigned, met with Bo Enns, Chair of the Cannington Santa Clause Parade and Ms. Joan Down, Chair of the Sunderland Santa Claus Parade. Ms. Cyndi Schaffer, Chair of the Beaverton Santa Claus Parade was unable to attend but provided an overview of the Beaverton parades plans. A summary of parade plans are noted below:

- **Beaverton Santa Claus Parade**

The Beaverton Lions Club is proposing to do a drive-thru parade on December 12, 2020 in the parking lot of the Foster Hewitt Memorial Community Centre. As cars arrive, letters to Santa can be dropped into a drop box provided by the Lions members, before driving the route to view the vehicles and Santa. Lions Members would be the only individuals on-site.

- **Cannington Santa Claus Parade**

The Cannington Lions Club is proposing to do a drive-by parade on November 28, 2020 where they will drive through the subdivisions with just Santa on his float and encourage people to watch from their homes.

- **Sunderland Santa Claus Parade**

Sunderland Santa Claus Parade committee has a primary proposal of hosting their usual parade, on the regular parade route, with the added measure of enforcing masks to be worn by all participants and/or spectators. Parade marshals would be stationed at each street to remind everyone to Social distance and wear masks. If this proposal is denied, there secondary plan is as follows:

- Have the floats line up stationary (facing north) on Albert Street starting at the Public School and going south to Hwy #7 & 12 – ending with the Santa Float. Everyone would be in their cars and would drive by going south from “Water and Albert” and exit at Hwy #7 & #12.
- The cars would line up in Sunderland to avoid congestion on Hwy 7 & 12.
- Request the assistance of the Auxiliary Durham Regional Police to assist with traffic control.

Durham Region Health Department

On Friday, October 16, 2020, the undersigned reach out to the Durham Region Health Department to inquire if there are any protocols for Santa Claus Parades. The Durham Region Health Department staff indicated that guidelines will be forthcoming but noted the following Santa Claus Parade Recommendations:

- Drive-thru parades only – would fall under Schedule 2, Section 12 of Regulation 364: Drive-in or drive-through cinemas, performances, etc. (make sure to adhere to this section of the Regulation)
- Capacity per float based on physical distancing
- **Strongly recommend** masking at all times, but it is required if physical distancing can't be maintained (includes on floats and volunteers on the ground)
- Must maintain 6 feet physical distancing unless necessary to be closer for the "performance"
- Singing/or playing brass/wind instruments on floats/ground need an impermeable barrier between members if 6 feet can't be maintained
- Marching band members must be at least 6 feet apart from each other and the vehicles
- Screening of all volunteers and members of each float must be completed
- Contact information must be maintained for volunteers and members of each float
- Hand sanitizer stations should be provided in staging area/on floats
- Stagger or schedule people getting on/off the floats to reduce gatherings – ensure that people aren't mingling between floats
- Each float to have their own staging area
- Ensure physical distancing during setup and take down
- Recommend that food is **not** served, but if it will be served, then a drive thru style food option must be used

Township staff requested input from the Health Department on the three parade organizers proposal. A summary of the responses are noted below in red:

1. Sunderland: Standard parade with face mask and social distancing
Unfortunately, standard parades will not be allowed this year.
2. Beaverton: Set up stationary parade at the Beaverton Fairgrounds and people drive thru the parade in their cars (similar to the Pickering parade proposal).
A drive-thru model like this is acceptable, assuming all above COVID precautions are in place as per the Durham Region Health Department recommendations as noted above.
3. Cannington: Drive by parade where they will drive thru the main subdivisions in town and encourage participants to watch from their home. **Unfortunately, at this time we would not be supportive of a model like this as it encourages gatherings.**

Staff inquired if the current gathering limits apply and were advised no they do not. It was further noted that there are no gathering limits for drive thru events provided physical distancing and float limits as per the Health Department recommendations are followed.

Based on the information staff have gathered, staff feel it is prudent that the Township's approval of the Santa Claus parades be subject to the Durham Region Health Department guidelines being met.

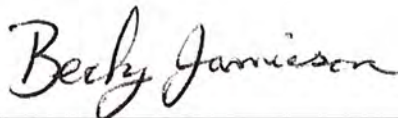
Financial

There is no financial impact to this report.

Summary

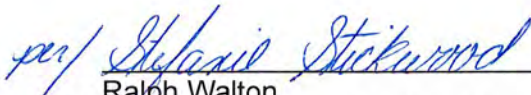
It is staff's recommendation, the Township of Brock's approval for any parade event be subject to the guidelines of the Durham Region Health Department being met, and that staff be authorized to work with parade organizers on the implementation of their parade once the guidelines have been met.

Respectfully submitted,



Becky Jamieson
Municipal Clerk

Reviewed by,



Ralph Walton
Acting Chief Administrative Officer

Lesley Donnelly

From: Joan Down <joan.down@sympatico.ca>
Sent: September 23, 2020 6:16 PM
To: Brock General; Joan Down
Subject: Sunderland Santa Claus Parade December 12, 2020
Attachments: Complete Package for Township.pdf

Date:	24/09/2020
Refer to:	Not Applicable
Meeting Date:	October 5, 2020
Action:	null
Notes:	COW - PWFP - Consent
Copies to:	Public Works, Alicia, Craig

Good Afternoon,

Attention: Becky Jamieson

Please find attached, the request for the Sunderland Santa Claus Parade to be held December 12.

Included - is the parade route as well as our proof of insurance.

Please do not hesitate to call me with any questions or concerns.

Many thanks

Joan Down

Chairperson

Sunderland Santa Claus Parade Committee

Cell phone – 416-587-3852

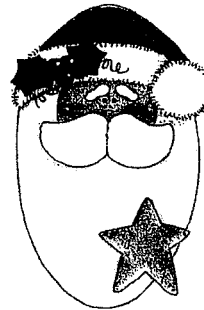
Home phone – 705-357-3852

Email – joan.down@sympatico.ca

September 23, 2020,

Township of Brock
1 Cameron Street east
Cannington, ON
L0E 1E0

Attention: Becky Jamieson
Municipal Clerk



Dear Becky,

This letter is a request to hold the Sunderland Santa Claus Parade on Saturday December 12, 2020 with a start time of 7:00 pm. (please see attached parade route). We, the Parade Committee, would also like to hold a free skate at the Brock Township Memorial Arena on the same night between the hours of 4:30 and 5:30 pm. We realize that this may be an unknown at this point but we could adjust as necessary i.e. have people sign up to control numbers etc.

We also wanted to let make you aware that we will be holding our annual Bottle Drive to raise monies for the parade on Saturday October 17, 2020. If circumstances are such that we can't have the parade, we would hold the monies for next year.

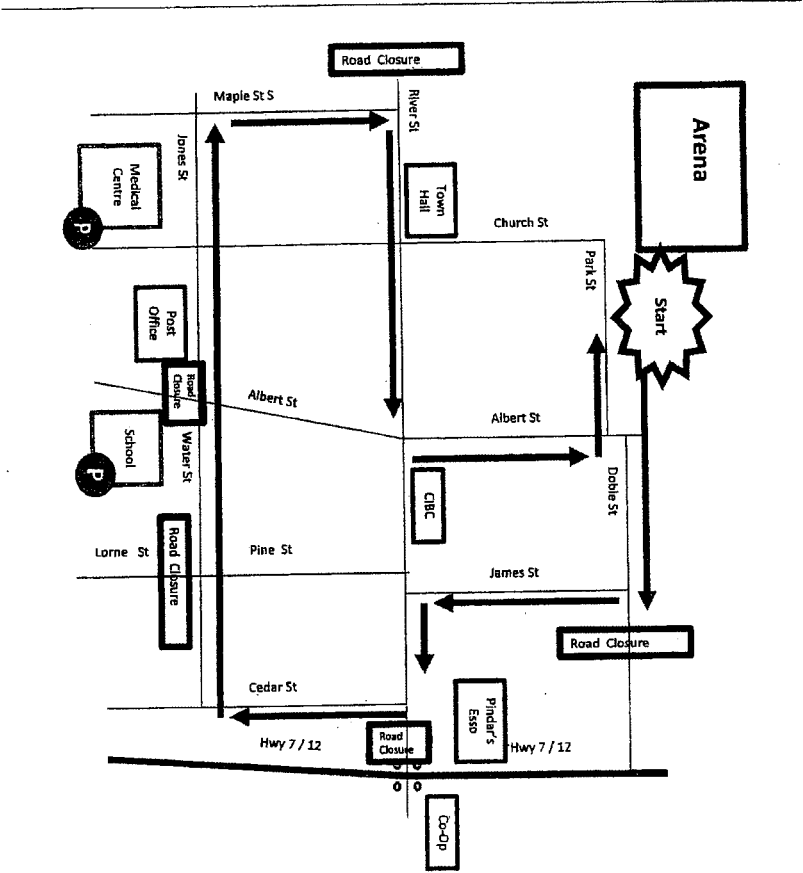
Should there be any problems with the date and times we have requested, please let me know as soon as possible.

I have also attached a copy of our insurance for your records.

Please confirm with me your approval of this arrangement.

Thank you in advance for your support.

Joan Down
Chairperson, Sunderland Santa Claus Parade Committee
310 Durham Rd 10,
Sunderland, ON
L0C 1H0
Home email: joan.down@sympatico.ca
Cell phone: 416-587-3852
Home phone: 705-357-3852





75 Main Street North, Princeton, ON N6J 1V0
Phone: 800-265-4000
Fax: 519-458-4360

CERTIFICATE OF INSURANCE									
This certificate is issued as a matter of information only and confers no rights upon the certificate holder and imposes no liability on the insurer. This certificate does not amend, extend or alter after the coverage afforded by the policies below.									
INSURED'S FULL NAME AND MAILING ADDRESS					BROKER'S FULL NAME AND ADDRESS				
SUNDERLAND MAPLE SYRUP FESTIVAL 5785 CONCESSION 5, RR 1, SUNDERLAND, ON L0C 1H0					Brown & Braithwaite Insurance Brokers Limited 131 River Street, Sunderland, ON L0C 1H0				
COVERAGES									
This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all terms, exclusions and conditions of such policies.									
LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS									
TYPE OF INSURANCE	COVERAGE BASIS	LIMIT TYPE	LIMIT OF LIABILITY	DEDUCTIBLE	INSURANCE COMPANY AND POLICY NUMBER	Subscribing Company as	EFFECTIVE DATE	EXPIRY DATE	
Liability		General Aggregate	Not Applicable	1,000					
Blackout Contractual	Occurrence	Occurrence	Included	1,000	CP98205A		May 11, 2020	May 11, 2021	
Body Injury and Property Damage	Occurrence	Occurrence	5,000,000	1,000	CP98205A		May 11, 2020	May 11, 2021	
Cross Liability	Occurrence	Occurrence	Included	1,000	CP98205A		May 11, 2020	May 11, 2021	
Employers Liability	Occurrence	Occurrence	Included	1,000	CP98205A		May 11, 2020	May 11, 2021	
Malpractice Liability	Occurrence	Aggregate	Not Insured	NIL	CP98205A		May 11, 2020	May 11, 2021	
Malpractice Liability	Occurrence	Occurrence	Not Insured	NIL	CP98205A		May 11, 2020	May 11, 2021	
Medical Payments (Any One Person)	Occurrence	Occurrence	10,000	1,000	CP98205A		May 11, 2020	May 11, 2021	
Personal Injury	Occurrence	Occurrence	Included	1,000	CP98205A		May 11, 2020	May 11, 2021	
Products and/or Completed Operations	Occurrence	Occurrence	Included	1,000	CP98205A		May 11, 2020	May 11, 2021	
Tenants Legal Liability	Occurrence	Occurrence	Included	1,000	CP98205A		May 11, 2020	May 11, 2021	
Non-Owned Automobile									
Hired Automobile (BEP 94)	Occurrence	Occurrence	50,000	500	CP98205C		May 11, 2020	May 11, 2021	
Non-Owned Automobile	Occurrence	Occurrence	2,000,000	NIL	CP98205C		May 11, 2020	May 11, 2021	
ADDITIONAL INSURED NAME AND ADDRESS					DESCRIPTION OF OPERATIONS/LOCATIONS/ AUTOMOBILES/ SPECIAL ITEMS				
THE CORPORATION OF THE TOWNSHIP OF BROCK 1 CAMERON STREET EAST, CANNINGTON, ON L0E 1E0					Included as an Additional Insured(s) as per agreement(s) with the Named Insured With respect to The Sunderland Santa Claus Parade on December 12th, 2020				
CERTIFICATE HOLDER - NAME AND MAILING ADDRESS					CANCELLATION				
THE CORPORATION OF THE TOWNSHIP OF BROCK 1 CAMERON STREET EAST, CANNINGTON, ON L0E 1E0					Should any of the above described policies be cancelled before the expiration date thereof, the insuring company will endeavour to mail written notice to the certificate holder named on the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its brokers or representatives.				
SUBSCRIBING COMPANIES ON BEHALF OF FRANK COWAN COMPANY LIMITED, AS MANAGING GENERAL AGENT:					Cancellation Notice: 30 days				
The Guarantee Company of North America					Date				
Temple Insurance Company					September 22, 2020				
Underwriting at Lloyd's of London					Authorized Representative				
INSURED'S FULL NAME AND MAILING ADDRESS					LARRY RYAN				
SUNDERLAND MAPLE SYRUP FESTIVAL 5785 CONCESSION 5, RR 1, SUNDERLAND, ON L0C 1H0									

Date:	19/10/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	
Copies to:	Alicia



October 12, 2020

Township of Brock
1 Cameron Street East
Cannington, ON
L0E 1E0

Attention: Becky Jamieson
Municipal Clerk

Dear Becky

Please find this letter as a follow up to our previous communication dated September 23rd requesting approval to hold the Sunderland Santa Claus Parade on December 12th starting at 7:00 PM.

We are indicating in this letter our Primary Plan for the Parade and a suggested Secondary Plan for the Parade and have also outlined our COVID 19 Procedures to keep our spectators COVID safe.

We realize these are unprecedented times and we are doing our best to return joy and hope to our community.

If you have any concerns, please do not hesitate to contact me for more information.

We thank you for your consideration.

Regards

Joan Down
Chairperson,
Sunderland Santa Claus Parade Committee

Home email – joan.down@sympatico.ca
Cell phone – 416-587-3852
Home phone – 705 357-3852

Sunderland Santa Claus Parade

Our Primary Plan

Our first choice is - we would like to hold the parade following the original route throughout the town as outlined in our previous letter. We believe we can do it safely and follow the COVID Procedures (see below) to keep everyone safe. We also believe this route creates the most excitement and best experience for our viewers.

In past parades, we have had Irwin Smith singing Christmas Carols from the back of a truck. He is amazing and he adds so much to our parade and he would be a considerable distance from any of the spectators. We would like your comments on this and will accept your guidance.

Our Secondary Plan (Floats would be Stationary)

Our Secondary Plan to hold the Parade would be to –

- Have the floats line up stationary (facing north) on Albert Street starting at the Public School and going south to Hwy #7 & 12 – ending with the Santa Float. Everyone would be in their cars and would drive by going south from “Water and Albert” and exit at Hwy #7 & #12.
- The cars would line up in Sunderland to avoid congestion on Hwy 7 & 12
- As we do every year - we would request the assistance of the Auxiliary Durham Regional Police to assist with traffic control.
- We believe that our Secondary plan would not be as enjoyable yet could still bring some excitement and joy to the community.

FREE SKATE For children

Each year before the parade we offer the children a FREE SKATE at the Sunderland Arena.

However, this year due to circumstances, we will not be offering this indoor activity.

COVID Plan and Procedures for Parade and Free Skate

The Parade is outside and in cooler weather which greatly reduces the chances of someone contacting the Virus.

- The Committee will ensure we have a list of the participants in the Parade and each participant will be advised of this year's changes to be COVID safe.

The two main preventative measures to the Virus are *wearing masks and social distancing*.

Wearing Masks

- **Participants** of the Parade will be required to wear a mask – whether they are riding on a float, driving a float or walkers in the parade.
- **ALL Spectators** of the Parade standing outside will be required to wear a mask.

Social Distancing

- We will request anyone riding on a float be more than 6 ft from the next rider.

If we are given permission to have our Primary Plan for the Parade -

- We will ask all Spectators to practice Social Distancing in their Family Units along the Parade Route.
- We will have Parade Marshalls on all streets prior to the parade, to remind everyone to Social Distance and to promote the wearing of masks.

Additional Safety Procedures

- In past Parades – we have always handed out Candy to the children along the parade route - but have made the decision this year - we will **NOT** be handing out any Candy.
- In past – the Councilors have collected food for the Food Bank - but will announce unfortunately, they will not be able to collect this year.

Information to Brock Citizens re Parade changes

To ensure all information regarding Sunderland Santa Claus Parade reaches the community – we will ...

- Create a Sunderland Santa Claus Parade Face Book Page and a Twitter account
- Place advertisements in our local newspaper – Brock Citizen
- In our advertising for the Parade – we will ensure to include the COVID 19 procedures for spectators of wearing of masks and social distancing.

We strongly feel the community needs this parade for mental health and to restore some form of normalcy to give us hope for the future.



The Lions Club of Beaverton
(Incorporated under the Laws of Ontario on August 18, 1954)
P. O. Box 297
Beaverton, ON L0K 1A0

Date:	20/10/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	
Copies to:	Alicia

Alicia Bagshaw, Recreation and Leisure Coordinator
Township of Brock
Box 10
Cannington, ON L0E 1E0

Re: Beaverton Lions Club, 2020 Santa Claus Parade Proposal

October 19, 2020

Alicia,

Further to our discussions recently with respect to the 2020 Beaverton Santa Claus Parade, our parade committee has decided to cancel our traditional parade due to the ongoing COVID-19 pandemic and have looked at other avenues to ensure that the families of Beaverton can still see Santa while ensuring the health and safety of all.

With this being said, the Beaverton Lions Club and Santa Claus parade committee ask the Township of Brock for permission to do the following:

- A stationary parade located in the parking lot of the Foster Hewitt Memorial Community Centre
 - Cars will enter from one entrance and exit thru another as they wave at Santa safely from their vehicles.
 - Santa's elves will be located at entrance to collect letters to Santa which children can drop into a box safely thru their car windows.
- Tentative date December 12, beginning at 1pm
- Stationary parade would consist of Santa Float, Beaverton Lions Float and Township of Brock Fire Trucks.
- For overall safety and traffic control, we ask for 3 Township of Brock fire vehicles, safety cones and road barriers.

Please feel free to contact me if you have any questions or concerns.

We thank you for your assistance and look forward to hearing from Council with their decision.

Sincerely

Beaverton Lions Club, Santa Claus Parade

Cyndi Schaffer
Secretary
705-934-0885
cyn705@sympatico.ca

Chris Gillespie
Parade Committee

Chuck Gillespie
Parade Committee

Correspondence

Date:	16/10/2020
Refer to:	Council
Meeting Date:	October 26, 2020
Action:	null
Notes:	Correspondence
Copies to:	

TOWNSHIP OF BROCK INTEGRITY COMMISSIONER, GUY GIORNO

Citation: Miller v. Bath-Hadden, 2020 ONMIC 12

Date: October 13, 2020

REPORT ON COMPLAINT

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THE COMPLAINT

1. This report concludes a brief inquiry into a complaint related to a February 1 photograph and a February 7 meeting.
2. Ms Therese Miller (Complainant) alleges that Mayor Debbie Bath-Hadden (Respondent) contravened the Code of Conduct for Members of Council¹ by using offensive and discriminatory language during the February 7 Committee of the Whole meeting.
3. The Complainant also alleges that a February 1 group photograph posted on Facebook shows the Respondent engaged in harassment of the Regional Chair.

SUMMARY

4. After hearing from the parties I have exercised my discretion to discontinue the investigation into the group photograph. I took into account the fact that nobody in the photograph, including the Regional Chair, had complained.
5. The Respondent acknowledges that it was wrong to utter the offensive and discriminatory term. She has apologized publicly.
6. The Respondent was right to apologize. I agree that use of the expression was inappropriate.

BACKGROUND

7. The Beaverton Lions Club Winter Carnival 2020 was held February 1. Afterward, four Facebook users, including the Club itself, posted a total of 31 event photos on the Club's Facebook page.²
8. The Mayor (Respondent) posted seven of these photos, including a group photograph of the Mayor, the Regional Chair, the Deputy Mayor, the federal Member of Parliament and the Mayor of Uxbridge.
9. When Ms Miller (Complainant) saw the group photograph that the Mayor had posted, she felt that the Mayor's position was "totally inappropriate." The Complainant describes the photo as showing the Mayor sitting on the Regional Chair's lap with her

¹ Township of Brock Code of Conduct for Members of Council, By-law 2843-2019-AP.

² The Club's Facebook page is named Beaverton Lions Club Ontario, presumably to distinguish it from the page Beaverton Lions Club belonging to a group in Michigan.

arm around the Regional Chair. The Respondent states that she was not sitting on the Regional Chair's lap.

10. The Complainant says she is able to identify the Regional Chair in the photograph because she served on Township Council from 2004 to 2018.

11. The Complainant takes the position that the conduct shown in the photograph amounts to harassment of the Regional Chair by the Mayor.

12. The only complaint filed in relation to this photograph is that of Ms Miller. Nobody complained who was actually present when the photo was taken.

13. The Complainant further alleges that the Mayor contravened the Code of Conduct when she used the term "Indian giver" during the February 7 meeting of Council's Committee of the Whole. The Mayor directed the comment to the Fire Chief during a discussion of the Fire Department budget.

14. The video recording of the meeting contains the following exchange, as part of a discussion about reviewing and updating the Township's emergency plan:³

Councillor Judd: That's great news. So would you need any more money, in this line item, for this year, to complete that?

Fire Chief: Through you [*i.e.*, through the Mayor]: I think right at this point – I mean, I'm always willing to take more money but – I think we're OK because Durham Emergency Management has stepped up to assist us in whatever way possible to help us get to that point.

Mayor: I think if we were to offer you \$5,000 and you took it then you'd be an Indian giver, so we don't want to go there. Right?

Unidentified speaker: [inaudible]

Mayor: I know it's politically incorrect but I couldn't think of, in today's generation, what they would call that. What would they call that? You have kids.

Unidentified speaker: I don't know.

Unidentified speaker: Nothing

Mayor: Nothing? They would so. They have another phrase for it. Anyone else on this line? No? Go ahead, Rick.

Fire Chief: It's OK. I am part Indian so – Just, I'll move on to the stations. Nothing really jumps out –

15. The Mayor was in the chair when the exchange occurred.

³ The remarks start at the 4:02:35 time mark of the official recording:
<http://video.isilive.ca/brock/Committee%20of%20the%20Whole/Session%203%20-%20February%207,%202020.mp4.html>

16. A few days following the meeting, the Respondent placed a phone call to the Fire Chief and offered a personal apology. The Fire Chief accepted the apology.

17. Ms Miller was watching a live stream of the February 7 meeting. She did not immediately file a complaint.

18. On the evening of March 4, the Mayor and Ms Miller were both present at a meeting of the Wilfrid Hall Board of Management. Meetings are open to the public, and Ms Miller attended as she had every right to do. She was also recording the public meeting which, again, she had every right to do. A member of the public needs no particular reason to exercise the right to attend a meeting of a local board of the municipality. Nonetheless, I note that Ms Miller was formerly the Ward 4 Councillor, and during that time sat on the Wilfrid Hall Board as Council's representative.

19. The Complainant and the Respondent disagree about what words were used, but they both agree on having different opinions about the Wilfrid Hall Board's decision to go into closed session to consider a matter arising from my report in the case *Bath-Hadden v. Pettingill*, 2020 ONMIC 3 (CanLII). My report in that case had been considered by Council (sitting as Committee of the Whole) two days earlier.

20. The Wilfrid Hall Board considered a motion to go into closed session. Ms Miller felt the reason for the closed session should have appeared on the agenda. The Mayor disagreed. As the only member of the public present, Ms Miller left before the closed session began. The words spoken between her and the Mayor as she was leaving are a matter of disagreement between them; it is not necessary for me to resolve what actually was said.

21. The morning of March 6 (that is, about a day and a half after the Wilfrid Hall Board meeting), Ms Miller attended at the Township offices to swear an affidavit and submit the present complaint.

22. As is explained in the next section of this report, processing of this complaint was affected by the COVID-19 pandemic, and a Notice of Inquiry was not issued until June 28. At the first Council Meeting after the inquiry commenced, July 13, the Mayor addressed her February 7 use of the offensive term. She stated:⁴

I am very disappointed, though, that through social media, a video has popped up in an attempt to discredit myself. I am not going to give any further play on this video. I have apologized more than once for a comment that I had made during our budget discussions and I have acknowledged it was in bad taste. At no time was there any intention on administering harm towards anyone. I am no way perfect. I regret what I

⁴ The remarks start at approximately the 24:03 time mark of the recording posted on the Township website. (The meeting was called to order at the 21:46 time mark.)

said. I will continue to make mistakes, as we all will. We are only people. There is not one of us sitting here that has not made a comment that could be perceived in bad taste. From my learned mistakes, I will ask you as Council to please consider your words very carefully moving forward and learn from my error.

PROCESS FOLLOWED

23. In operating under the Code, I follow a process that ensures fairness to both the individual bringing a complaint (Complainant) and the Council Member responding to the complaint (Respondent). This fair and balanced process includes the following elements:

- The Respondent receives notice of the complaint and is given an opportunity to respond.
- The Complainant receives the Respondent's response and is given an opportunity to reply.
- More generally, the process is transparent in that the Respondent and Complainant get to see each other's communications with me.
- The Respondent is made aware of the Complainant's name. I do, however, redact personal information such as phone numbers and email addresses.
- As a further safeguard to ensure fairness, I will not help to draft a complaint and will not help to draft a response or reply.
- Where appropriate I will, however, invite a Complainant to clarify a complaint. When a complaint has been clarified the Respondent is provided with the original document and the clarification.
- When a complaint has been clarified I deem the date of final clarification to be the official date the complaint was made.

24. In this case, the complaint form was filed on March 6 and then supplemented on March 12, just prior to the declaration of the COVID-19 state of emergency.⁵

25. As Ontario was gripped by the COVID-19 pandemic and in a state of emergency, I decided to suspend further action on this file until the Province and the Township reached an appropriate state of recovery. This was not strictly permitted by Ontario

⁵ The provincial declaration of emergency was made at 7:30 a.m., Tuesday, March 17, 2020: O. Reg. 50/20, Order in Council 518/2020.

Regulation 73/20, which gave power to extend deadlines and suspend proceedings to certain statutory officials, but not integrity commissioners conducting code of conduct investigations.⁶ (In fact, the Province was specifically asked to include integrity commissioner code of conduct proceedings under the Regulation, but declined to do so.) Nonetheless, given all that the residents of the Township and Ontario were experiencing, it was the right thing to do.

26. The complaint did not immediately identify the words alleged to have contravened the Code. I needed to seek clarification (pursuant to section 2.2 of the Complaint Procedure) but waited to do so until June 25, after most of the Province had entered Stage 2 of reopening.

27. I received clarification of the allegations, June 26. The date of clarification is considered to be the official complaint date.

28. I issued a Notice of Inquiry on June 28. In it, I identified as substantive issues whether the conduct reflected in the February 1 photograph contravened section 14.0 of the Code, and whether the February 7 comment contravened section 4.0 and section 14.0.

29. I also invited the parties to address two preliminary issues. First, does the Integrity Commissioner have jurisdiction to enforce section 4.0 (Council/ Committee Meeting Conduct), or is that the responsibility of the presiding officer of the meeting? Second, does the Integrity Commissioner have jurisdiction to consider a harassment complaint made by someone who is not the individual alleged to have experienced the harassment?

30. At different points, both parties asked for extensions of time to make submissions. I granted the time extensions, which had the effect of extending the inquiry beyond the 60-day target.

31. After the parties' submissions were received, I authorized another lawyer in my office to conduct witness interviews under subsection 223.3 (3) of the *Municipal Act*. He interviewed the Fire Chief.

32. For reasons that I explain below, I find that it is unnecessary to interview any of the other individuals in the group photograph.

33. The February 7 comment and the July 13 apology are both matters of public record and the recordings are still online. There is no dispute about the fact of what was said.

⁶ Ontario Regulation 73/20 was revoked September 14, 2020.

34. The February 1 photograph is a matter of public record and, as of today, is still posted on Facebook.

35. I have carefully considered the recording of the February 7 comment, the interview of the Fire Chief, the recording of the apology, and the February 1 photo.

36. The parties have had full opportunity to address all of the allegations and issues in this proceeding. I have considered all of the information and submissions they provided.

37. I am now in a position to report to Council.

POSITIONS OF THE PARTIES

38. In this section I am summarizing the positions of both parties. This is a summary, not the entirety, of their submissions to me. Regardless of what is summarized below, I have taken every word of their submissions into account.

POSITIONS OF PARTIES ON PRELIMINARY ISSUE OF MEETING CONDUCT

39. The Complainant takes the position that the Integrity Commissioner has jurisdiction to enforce section 4.0. She notes that it was the presiding officer who used offensive words or unparliamentary words or expressions. She relies on sections 2.0, 3.0, and 16.0 to support the position that section 4.0 is meant to be enforceable.

40. The Respondent states the Integrity Commissioner can consider any section of the Code as the Integrity Commissioner sees fit. She notes, however, that no Council Member in attendance challenged the presiding officer's conduct, and it would be difficult for the Integrity Commissioner after the fact to rule on compliance with the Procedure By-law (which is what section 4.0 requires).

POSITIONS OF PARTIES ON PRELIMINARY ISSUE OF HARASSMENT COMPLAINT BY SOMEONE WHO DID NOT EXPERIENCE IT

41. The Complainant provides several reasons to support her position that an integrity commissioner has jurisdiction to consider a harassment complaint submitted by someone other than the individual alleged to have experienced it. She points out the public interest in having elected officials act in a manner that promotes public confidence. She feels that the photo shows conduct inappropriate "in the public eye and in a public forum." She also notes that many victims of sexual harassment do not come forward for reasons that include fear of retaliation, embarrassment, and career jeopardy.

42. The Complainant says a matter should not be overlooked simply because neither of two involved individuals files a complaint. In support of this observation, she cites the City of London case (*Re Brown and Cassidy* (June 21, 2016)), in which Integrity Commissioner Gregory F. Stewart took jurisdiction in response to concerns raised by Council, employees, and members of the public regarding the conduct of London's Mayor and Deputy Mayor. She also notes that there is no restriction on who may submit a complaint, and relies on Code sections 2.0, 3.0 and 16.0.

43. The Respondent submits that only the individual alleged to have experienced harassment should be able to file a complaint. She explains: "If not, we are moving towards interpretation by any individual."

POSITION OF THE COMPLAINANT (THERESE MILLER)

44. The Ms Miller alleges that the Mayor contravened section 4.0 and section 14.0 of the Code of Conduct. These provisions state, in part, as follows:

4.0 Council/Committee Meeting Conduct

Members of Council shall have regard and follow the rules of conduct contained within the municipality's procedural by-law and specifically, members of Council shall not ... Use offensive words or unparliamentary words or expressions ...

...

14.0 Interpersonal Behaviours

Ontario Human Rights Code

Members of Council shall abide by the provisions of the *Human Rights Code* and, in doing so, shall treat every person, including other members of Council, corporate employees, individuals providing services on a contract for service, students on placements, and the public with dignity, understanding, and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.

Discrimination

No member of Council shall discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.

Harassment & Violence in the Workplace Policy

Members of Council shall abide by the Township's Violence and Harassment in the Workplace policies formally adopted by Council under the *Occupational Health [and] Safety Act*.

...

45. The Complainant observes that the term “Indian giver” is a racist expression that is part of a long Canadian history of racial slurs toward Indigenous Peoples. She finds the Mayor’s use of the language, “appalling, disgraceful, inappropriate and extremely hurtful.”

46. The Complainant says that the Mayor made no attempt to apologize during the February 7 meeting.

47. The Complainant says the February 1 photograph shows the Mayor engaged in “totally inappropriate” behaviour in an official capacity. She refers to the “Me Too” movement and says the conduct of elected officials is always under scrutiny.

POSITION OF THE RESPONDENT (MAYOR BATH-HADDEN)

48. The Respondent acknowledges the February 7 comment and agrees it should not have been made. She says she apologized publicly, and will continue to apologize. She cannot take back the words, and so is taking ownership of her error. She is remorseful.

49. She wants her mistake to be a lesson for everyone on Council, and asks that moving forward all make a greater effort to avoid inappropriate labels.

50. The Mayor says she reached out to the Fire Chief after the meeting with a personal phone call of apology. She says (and the Fire Chief confirms) that he accepted the apology and realized that the comment was said in error.

51. In relation to the February 1 photograph, the Mayor states that she was not sitting on the Regional Chair’s lap. She says all five elected officials gathered close, to fit into the shot, and she placed her arm around the Regional Chair. She adds that if anything inappropriate occurred then an individual in the group photo, and not someone else looking at the photo, would have the right to complain.

POSITION OF THE COMPLAINANT IN REPLY

52. The Complainant states that the Fire Chief does not have the capacity to accept the Mayor’s apology on behalf of Indigenous Peoples.

53. The Complainant feels that the Respondent’s apology is inadequate. She notes that the apology was unspecific and never identified the offensive language used. She feels that an apology should be made in a public Council meeting, and also communicated in writing to local Indigenous communities and the local news media, and on the Mayor’s Facebook page.

54. The Complainant cites *Calls to Action*, the report of the Truth and Reconciliation Commission, and in particular the following recommendation:

Professional Development and Training for Public Servants

57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.⁷

FINDINGS OF FACT

55. The facts giving rise to the complaint are not in dispute. The Respondent acknowledges using the term “Indian giver” during the Fire Department budget discussions at the February 7 Committee of the Whole meeting.

56. The Respondent’s comment was not subject to discipline or sanction by the person presiding over the meeting or by other Members of Council.

57. The Respondent subsequently apologized directly to the individual to whom her comment was directed.

58. The Respondent also publicly acknowledged during a July 13 Council meeting that her comments were unacceptable and should serve as a learning opportunity for herself, the rest of Council, and the broader community.

ISSUES AND ANALYSIS

59. In the Notice of Inquiry, I invited the parties to address the following issues:

Preliminary Issues

A. Does the Integrity Commissioner have jurisdiction to enforce section 4.0 (Council/ Committee Meeting Conduct), or is that the responsibility of the presiding officer of the meeting?

⁷ Truth and Reconciliation Commission of Canada, *Calls to Action* (2015), at 7.

- B. Does the Integrity Commissioner have jurisdiction to consider a harassment complaint made by someone who is not the individual alleged to have experienced the harassment?

Allegations related to February 7 language

- C. Did the language contravene section 4.0 by using “offensive words”?
- D. Did the language contravene section 14.0, specifically the Ontario *Human Rights Code* section, by failing to “treat every person, including other members of Council, corporate employees, individuals providing services on a contract for service, students on placements, and the public with dignity, understanding, and respect for the right to equality ...”?

Allegation related to February 1 photograph

- E. Did the conduct depicted in the photo contravened section 14.0, specifically the Harassment & Violence in the Workplace Policy section?

A. PRELIMINARY ISSUE: JURISDICTION OF INTEGRITY COMMISSIONER TO ENFORCE SECTION 4.0 (COUNCIL/ COMMITTEE MEETING CONDUCT)

60. Many municipal codes of conduct have a provision similar to section 4.0, which obliges Members to observe the rules of conduct in the Township’s Procedure By-law.⁸ While the section’s underlying sentiment is understandable, the Integrity Commissioner’s role and responsibility are uncertain. The Procedure By-law and the *Municipal Act* give the presiding officer of a meeting the responsibility and authority to enforce the Procedure By-law. Is a provision such as section 4.0 meant to give the Integrity Commissioner jurisdiction over enforcement of a procedural by-law?

61. My view is that I do not have jurisdiction to enforce procedural by-laws, unless a Council, in the clearest of language, gives me that authority: *Moore v. Maika*, 2018 ONMIC 7 (CanLII), at paras. 64-73; *Dhillon v. Moore*, 2018 ONMIC 15 (CanLII), at paras. 73-82. Section 4.0 of the Code does not clearly state that the Integrity Commissioner is supposed to enforce the Procedure By-law and I do not interpret that it does.

62. As explained by Professor David Mullan, the first municipal integrity commissioner ever appointed in Canada, “Absent a resolution of Council requesting the Integrity Commissioner to become involved, this self-policing is part of the statutory rights and privileges of Council.”⁹

⁸ Township of Brock Procedure By-law, By-law 2890-2019,

⁹ City of Toronto, Report on Complaint (April 6, 2005), Integrity Commissioner David Mullan, at 4.

63. Under the Procedure By-law it is the Mayor's duty to maintain order and preserve decorum during meetings of Council. Perhaps because the speaker of the comment was also presiding over the meeting, the comment was not ruled out of order at the time, or subject to any immediate objection by the chair of the meeting.

64. Given the particular disposition of this case, the issue of jurisdiction over section 4.0 is academic. In future, however, I will not entertain a complaint alleging a contravention of the Procedure By-law unless Council adopts a resolution that expressly directs me to do so.

B. PRELIMINARY ISSUE: JURISDICTION OF INTEGRITY COMMISSIONER TO CONSIDER A HARASSMENT COMPLAINT MADE BY SOMEONE WHO IS NOT THE INDIVIDUAL ALLEGED TO HAVE EXPERIENCED THE HARASSMENT

65. After considering the parties' submissions on this point, I have decided to discontinue consideration of the allegation related to the February 1 photograph. I do not believe that I should consider a harassment complaint made by someone who is not the individual alleged to have experienced the harassment.

66. Harassment is a serious matter, and I accept the Complainant's submission that sometimes a victim of harassment may be reluctant to complain. I do not, however, agree that an integrity commissioner should investigate harassment, on the basis of nothing but a group photograph, at the behest of an uninvolved person, when nobody who was present and involved saw fit to complain.

67. The Complainant says that if I interview other individuals in the group photograph then I will find that the Respondent's physical contact (arm around shoulder) was unwelcome. I decline to do so. Everyone in the photograph is an experienced politician. Each one has the capacity to submit an integrity commissioner complaint. (I am the Integrity Commissioner also of Durham Region, and four of the five people photographed sit on Durham Regional Council.) Chasing people for their reactions would be tantamount to fishing for a complaint, something that an integrity commissioner should not do.

68. Part V.1 of the *Municipal Act* makes clear that the role of an integrity commissioner is request driven. This means, in the case of an alleged Code of Conduct contravention, a proper complaint. I am aware of the 2016 City of London precedent cited by the Complainant, and the approach of Integrity Commissioner Stewart is not one that I would follow. An integrity commissioner inquiry must be properly predicated.

69. A closer parallel to the approach advocated by the Complainant is City of Brampton Integrity Commissioner Report 2020-03. In that case, Integrity Commissioner Muneeza Sheikh launched what she called a "preliminary investigation" of an allegation

against a councillor, following a phone call from the Mayor of Brampton, approximately four months before the alleged victim actually filed a code of conduct complaint.

70. I am not inclined to follow this 2020 Brampton precedent. First, the allegation in that case involves violent criminal conduct – distinguishable based on severity from the Beaverton Lions Club Winter Carnival group photo. Second, I do not agree with Integrity Commissioner Sheikh that the Divisional Court decision in *Di Biase v. Vaughan (City)*, 2016 ONSC 5620 (CanLII), stands for the proposition that an integrity commissioner may start to investigate allegations before receiving a complaint. On the contrary, *Di Biase* confirms that an investigation must be predicated on a complaint.

71. Finally, I note that integrity commissioner investigations are financed entirely by municipal property taxpayers. The Province has mandated municipal integrity commissioners and codes of conduct investigations but has provided no additional funding. Further, the shutdown in response to the COVID-19 pandemic has placed great strain on municipalities and taxpayers alike. I have taken this factor into account in determining that I will not investigate an allegation of harassment based entirely on someone's interpretation of a still photograph, when nobody present during the photo-taking alleges that anything occurred.

***C. DID THE FEB. 7 LANGUAGE CONTRAVENE SECTION 4.0 BY USING
“OFFENSIVE WORDS”?***

72. The Respondent acknowledges that she was wrong to use the offensive term. She accepts responsibility for what happened, she has apologized (and says she is willing to apologize again), and she regrets her mistake.

73. I accept the Respondent's position that it was wrong to use the term.

***D. DID THE FEB. 7 LANGUAGE CONTRAVENE SECTION 14.0, SPECIFICALLY
THE ONTARIO HUMAN RIGHTS CODE SECTION?***

74. Section 14.0 of the Code requires Council Members, among other things, to abide by the *Human Rights Code* and avoid discriminatory conduct.

75. I accept the Respondent's position that use of the offensive term was wrong and should not have occurred.

76. While the Fire Chief personally accepted the Respondent's apology, the term is offensive to all Indigenous Peoples. The Fire Chief never claimed to speak for the Indigenous residents of the Township¹⁰ or elsewhere, nor could he.

¹⁰ 3.5 per cent of Brock's population, according to the 2016 Census, which is based on self-identification.

77. In responding to the complaint, the Respondent shows awareness that it is unacceptable and hurtful to use racially insensitive language. She says she is genuinely remorseful about her error.

E. DID THE CONDUCT DEPICTED IN THE FEB. 1 PHOTO CONTRAVENE SECTION 14.0, SPECIFICALLY THE HARASSMENT & VIOLENCE IN THE WORKPLACE POLICY SECTION?

78. For the reasons explained above, I decline to inquire further into the photograph, since nobody in the photograph complained of harassment, or of anything else.

RECOMMENDATIONS

79. The Mayor and Ms Miller both agree that the February 7 remark was inappropriate.

80. I recommend that Council accept this report, which includes the finding that use of the expression “Indian giver” is inappropriate.

81. The Mayor has apologized and says she is willing to apologize again. Ms Miller argues that an apology must identify what the apology is for, and be brought to the attention of the communities affected. While I share the Complainant’s view of what an apology should contain and accomplish, the *Municipal Act* and the Code of Conduct give me no authority to dictate the form and content of an apology, or even to require that an apology be issued. I can only recommend.

82. I recommend that Council provide an opportunity for making and communicating a sincere apology for the use of the expression. The opportunity might include (virtual) attendance by representatives of Indigenous Peoples.

83. The Mayor advocates making this a learning experience. Ms Miller reminds us that the Truth and Reconciliation Commission of Canada called on municipal governments to deliver professional development and training to their officials. I agree with both parties.

84. I recommend that Council consider Call to Action No. 57 of the Truth and Reconciliation Commission in the context of this report, and schedule appropriate education for Council Members on the topics, including anti-racism, described in that Call to Action.

CONTENT

85. Subsection 223.6 (2) of the *Municipal Act* states that I may disclose in this report such matters as in my opinion are necessary for the purposes of the report. All the content of this report is, in my opinion, necessary.

Respectfully submitted,



Guy Glorno
Integrity Commissioner
Township of Brock

October 13, 2020

APPENDIX

February 1 photo posted on Beaverton Lions Club Ontario Facebook page



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MEMORANDUM

To: Council
Township of Brock

From: Guy Giorno
Integrity Commissioner

Date: October 13, 2020

Re: Transparency: Code of Conduct File CC-2020-02

Date:	16/10/2020
Refer to:	Council
Meeting Date:	October 26, 2020
Action:	null
Notes:	Correspondence
Copies to:	

In relation to the decision and reasons issued today:

File CC-2020-02
Miller v. Bath-Hadden
2020 ONMIC 12

Cost of Inquiry

The total cost to the Township of the Code of Conduct inquiry, decision and reasons, not including HST, is as follows:

Hours (Jan.-Sep. 2020):	4.6 @ \$239/hour	(previously invoiced)
Hours (Oct. 2020):	16.3 @ \$239/hour	
Total:	\$4932.40	

Date:	19/10/2020
Refer to:	Council
Meeting Date:	October 26, 2020
Action:	null
Notes:	Correspondence
Copies to:	

Mayor and Members of Council
Township of Brock
1 Cameron Street East, PO Box 10
Cannington, Ontario L0E 1E0

October 14, 2020

Dear Mayor Debbie Bath-Hadden and Members of Council,

As the Board of Trustees of the Durham District School Board, we are writing to you today with respect to the important role that school crossing guards play in our communities and our appreciation for the work of municipalities in ensuring this important safety measure continues.

With an increased emphasis on healthy choices and activities for students such as walking or biking to school, the importance of school crossing guards is as important as ever before. They also serve as a visual reminder for drivers of the presence of pedestrians and help reassure parents/guardians about children walking or biking to their local school.

As you may be aware, the function of school crossing guards is governed by the *Highway Traffic Act*, with responsibility falling under municipalities in Ontario. The *Highway Traffic Act* specifically states that school crossing guards are either employed by a municipality or employed by a corporation under contract with a municipality to provide the services of a school crossing guard.

While the responsibility of school crossing guards does not fall under the Board, as Trustees we have a strong interest in the safety of students travelling to and from schools. As elected representatives, we believe there is a strong mutual interest to maintain student safety with consultation and discussion between municipalities and school boards in Durham Region.

The Durham District School Board would like to express our appreciation for the efforts of your Council for prioritizing the importance of student safety and crossing guards in our community. We also kindly request to continue to be consulted on matters relating to school crossing guards. We look forward to continuing to work together in the future.

Sincerely,

Trustees of the Durham District School Board -

Chris Braney, Chair and Trustee, City of Pickering
Niki Lundquist, Vice-Chair and Trustee, Town of Whitby
Patrice Barnes, Trustee, Town of Ajax, Wards 1 & 2
Michael Barrett, Trustee, City of Oshawa
Paul Crawford, Trustee, City of Pickering
Donna Edwards, Trustee, Town of Ajax, Ward 3
Darlene Forbes, Trustee, City of Oshawa
Carolyn Morton, Trustee, Townships of Brock, Scugog & Uxbridge
Ashley Noble, Trustee, City of Oshawa
Scott Templeton, Trustee, Town of Whitby
Christine Thatcher, Trustee, Town of Whitby



Reports of Committees

The Corporation of the Township of Brock
Committee of the Whole Electronic Meeting Minutes - Draft
Electronically

Session Eight **Monday, October 5, 2020**

The Eighth Meeting of the Committee of the Whole of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, October 5, 2020, electronically.

Members present:	Regional Councillor:	W.E. Ted Smith
	Councillors:	Michael Jubb
		Claire Doble
		Walter Schummer
		Cria Pettingill
		Lynn Campbell
Members absent:	Mayor	Debbie Bath-Hadden (regrets - illness)
Staff members present:	Municipal Clerk Becky Jamieson (recording the minutes) Deputy Clerk Deena Hunt Acting CAO Ralph Walton Treasurer Laura Barta Fire Chief Rick Harrison Chief Building Official Richard Ferguson Director of Public Works Paul Lagrandeur	

- 1. **Call to Order and Moment of Silence**

Deputy Mayor Smith called the meeting to order at 9:30 a.m.
Committee paused for a moment of meditation and personal reflection.
- 2. **Disclosure of Pecuniary Interest and Nature Thereof**

None
- 3. **Adoption of Minutes**

(1) 7th Committee of the Whole meeting – September 21, 2020
(2) 7th Committee of the Whole meeting, In Camera Session – September 21, 2020

Resolution Number 1-8

MOVED BY Cria Pettingill that the minutes of the 7th Committee of the Whole meeting and In Camera session as held on September 21st, be adopted as typed and circulated.

MOTION CARRIED

- 4. **Announcements from Council and Staff**

None
- 5. **Presentations**

None
- 6. **Hearing of Delegations**

(1) Tracy Greig, Durham Region Non-Profit Housing Corporation – Update on Allan’s Place, Cannington

Ms. Tracy Greig, Chief Executive Officer, Durham Region Non-Profit Housing Corporation (DRNPHC), advised that the organization has been established for 35 years and there are 20 properties within Durham Region ranging from

townhouses to apartments. She advised that the mix is 50% rent-geared-to-income, and 50% affordable housing units.

Ms. Greig provided the DRNPHC mission:

“to meet the housing needs of the Region’s diverse population through the provision of practical well-maintained and affordable housing portfolios integrated within the community, and the corporation assists with related services to support residents in their housing.”

Ms. Greig advised that the Durham District School Board provided the land for Allan’s Place in 2016. A decision was made to remove the school at the location and build a new building which was completed in May 2020. She advised that they received \$7.5 million in government funding and, together with their \$6.4 million, were able to build a place for residents which includes common spaces, outdoor space, and upgraded units with air conditioning and all accessibility requirements met. She advised that they have engaged the following partners in Cannington: Nourish and Develop Foundation; Brock Community Health Centre; Durham Mental Health; Cornerstone; and North House. She advised that Durham Region Social Services are establishing a new hub in the building 2 days per week (Durham Social Services and VHA Home Healthcare) which is available for tenants and the community at large.

Resolution Number 2-8

MOVED BY Lynn Campbell that the rules of procedure with respect to the length of the deputation be waived.

MOTION CARRIED

Ms. Greig advised that Allan’s Place houses people with disabilities as well as seniors noting that 84% of the 49 tenants are over 50 years of age, and 76% are over 60 years of age. She advised that 27 tenants are from Durham Region, 15 are from North Durham, 3 from York Region, and the remainder from various points in Ontario. She advised that efforts to create a community have been challenged during the pandemic.

Ms. Greig advised, with respect to complaints received, that 1 was from the community, and 24 were from within the residence with respect to pets, behaviour, and smoking. She advised that there is a complaint procedure in place, all complaints are addressed, and confidentiality is maintained. She advised that the police have interacted at Allan’s Place on 12 occasions between June and September 2020, with respect to suspicious vehicles, assault, mental health, and disturbances, noting that there were 2 arrests on sight. She advised that DRNPHC pursues eviction with any known arrests of tenants on sight. She advised that there was a temporary superintendent in place, and a permanent superintendent arrived on September 30.

Ms. Greig advised that DRNPHC have an open door policy whereby people can express their concerns or complaints and that they wish to build the community through engaging with the local Horticultural Society, Historical Society, and the Accessibility Committee. She noted that 6 gardens were planted, the common rooms have been named for local towns, and more activities for tenants are anticipated once the pandemic has been lifted.

Councillors enquired as to the difference between support services in Durham Region Non-Profit Housing and the proposed Beaverton supportive housing to which Ms. Greig advised that the tenants of DRNPH are required to live independently with some external support while supportive housing tenants require permanent staff support.

Councillors enquired as to the housing application process for DRNPH to which Ms. Greig advised that there is a wait list, parameters for asset limits, and Durham Region Social Housing assists with the rentals. She advised that the process is transparent and well published.

Councillors enquired with respect to security at Allan's Place and were advised that a security company was engaged prior to the arrival of the permanent building superintendent.

Councillors enquired as to DRNPH coordinated tenant meetings and were advised that a meeting was held in August and subsequent meetings would be scheduled when safe to do so. Ms. Greig noted that complaints would be addressed through the complaint process and ongoing communication to the tenants includes postings within the building as well as 'door drops'.

Councillors enquired with respect to tenants having guests visit and were advised that guests can stay for 2 weeks per policy/tenant handbook and longer stays would require approval by staff.

Councillors enquired with respect to the eviction process and were advised that appropriate actions are taken when required and the Landlord and Tenant Act process is complied with. Councillors enquired with respect to indoor smoking concerns and were advised that Allan's Place is smoke-free and an outdoor area has been assigned for smoking noting that smoking complaints are dealt with on a case by case basis and escalated when required.

Councillors enquired as to complaints with respect to tenants trespassing on neighbouring properties and were advised that the last complaint for trespassing was received in June and people are encouraged to call DRNPHC or email concerns to drnphc@durham-housing.com.

Councillors enquired as to including Brock representatives on the DRNPHC Board to which Ms. Greig advised that this has been previously acknowledged and could be considered for the next term of Council.

Councillors enquired with respect to the rental pricing and were advised that units are rented through Durham Access to Social Housing (DASH) with three pricing scenarios: units which are rent-geared-to-income; affordable market rent units at a rate increased each year by an index from government directives; and, affordable housing units rented at 80% of CMHC's average annual market rent. Ms. Greig advised that all three types of rent could occur within one building.

Councillors enquired whether placeholders for Brock seniors/disabled people could be secured at Allan's Place through policy and were advised not, as DRNP housing is open to all Durham residents on the wait list who meet the criteria (income, etc.) on a first come, first served basis. Councillors expressed concern for seniors not being able to remain in the area they have lived to which Ms. Greig advised that most people do obtain housing in their areas noting that there is an internal transfer wait list.

Councillors requested confirmation with respect to rental pricing at Allan's Place and were advised that all units are priced at 80% of CMHC's average annual market rent.

(2) Christopher Norris, Durham Region Transit – DRT Overview of the Phase A Service Plan (ridership recovery framework)

Mr. Christopher Norris, Acting Deputy General Manager, DRT, provided a presentation with respect to the change in ridership due to the pandemic and the plans to recover ridership to pre-covid levels. His presentation included an explanation of On Demand Service, which is available in all areas of Durham including rural, as well as trip planning and e-ticketing (Presto card).

Councillors enquired whether regular bus routes were converted to On Demand Service during the pandemic to which Mr. Norris advised in the affirmative, via Phase A, launched on September 28, 2020, noting that the ridership is continuing to grow.

Councillors enquired as to post pandemic plans for transit routes/On Demand Service and were advised that current monitoring of ridership could result in future schedule changes.

Councillors enquired with respect to booking return trips and were advised that the two hour booking window has been reduced to a minimum of 15 minutes during the pandemic which may be booked by phone or using the app.

Councillors advised that the system does recognize all rural addresses to which Mr. Norris advised that he would apprise his team and people can call 1-866-247-0055 for assistance.

There was discussion with respect to increasing media coverage in North Durham of On Demand Service as well as improving the accessibility of the app.

Resolution Number 3-8

MOVED by Cria Pettingill that the Committee of the Whole break for a recess at 11:05 a.m.

MOTION CARRIED

Deputy Mayor Smith reconvened the meeting at 11:15 a.m. with the same members of Committee and staff in attendance.

Councillor Schummer assumed the Chair for the Finance Committee.

7. **Sub-Committee**

Finance Committee

(a) Consent Agenda

None

(b) Items Extracted from Consent Agenda

(c) Other Business

Chair/Councillor Schummer enquired as to the issuance of Brock COVID-19 Community Grants for Non Profit businesses and were advised that they were mailed out Friday and today.

Councillor Pettingill assumed the Chair for the Public Works, Facilities & Parks Committee.

Public Works, Facilities & Parks Committee

(a) Consent Agenda

Resolution Number 4-8

MOVED BY Lynn Campbell that items listed under Section 7, Public Works, Facilities & Parks Consent Agenda, be approved, save and except communication number 1288, 1309, and 1255.

MOTION CARRIED

1284 Paul Lagrandeur – Report: 2020-PWF-09, Tender No. B2020-PW-12 – One (1) Tandem Truck

Resolution Number 5-8

That Report Number 2020-PWF-09 be received for information, and further, that the Committee accept the bid submitted by Currie Truck Centre.

(b) Items Extracted from Consent Agenda

1255 Ryan Lloyd, Beaverton Lions – Santa Claus Parade/Winter decorations

Councillors enquired whether staff had any objections to the request and were advised not.

Resolution Number 6-8

MOVED BY W.E. Ted Smith that communication number 1255 be received for information and that Committee have no objection to the request; and further, that Committee direct staff to work with the Beaverton Lions Club regarding the installation and removal of the decorations.

MOTION CARRIED

1288 Joan Down, Chairperson, Sunderland Santa Claus Parade Committee

Resolution Number 7-8

MOVED BY Lynn Campbell that communication number 1288 from Joan Down be deferred until the October 19 COW meeting to give organizers an opportunity to provide another letter outlining their plans for safe COVID 19 protocols at the 2020 Sunderland Santa Claus parade; furthermore, that the free skate be denied.

Councillors advised that the parade organizers have developed significant COVID-19 protocols that they would like to provide to Council and the free skate is not typically well attended.

Councillors enquired whether the outdoor event regulations would apply to which the Acting CAO advised that he would follow up with the Health Department.

Councillor Campbell recommended an amendment to the motion which would remove the reference to denying the free skate.

The Clerk advised that staff would make an effort to address this at the October 19 COW meeting noting that it could also be addressed at Council on October 26, 2020.

Resolution Number 7-8

MOVED BY Lynn Campbell that communication number 1288 from Joan Down be deferred until the October 19 COW meeting to give organizers an opportunity to provide another letter outlining their plans for safe COVID 19 protocols at the 2020 Sunderland Santa Claus parade.

MOTION CARRIED

1309 Paul Lagrandeur – Report: 2020-PWF-10, Tender Number B2020-PW-11 – Grader Tender

There was discussion with respect to the increase in cost for the grader, the future cost of the excavator, and the costs that are included within the external machine rentals.

Resolution Number 8-8

MOVED BY Michael Jubb that Report: 2020-PWF-10 be received for information and further that the Committee accept the bid submitted by Brandt Tractor Ltd. for the supply of a new grader.

MOTION CARRIED

(c) Other Business

Regional Councillor Smith expressed concern for the customer counter renovations within the Clerk's department and was advised that it meets AODA requirements.

Councillor Campbell enquired as to the status of Ridge Road and was advised that double surface treatment is scheduled for this week and next week.

Regional Councillor Smith assumed the Chair for the Building, Planning & Economic Development Committee.

Building, Planning & Economic Development Committee

(a) Consent Agenda

Resolution Number 9-8

MOVED BY Claire Doble that items listed under Section 7, Building, Planning & Economic Development Consent Agenda, be approved, save and except communication numbers

MOTION CARRIED

1266 The Regional Municipality of Durham, Planning Division – 2019 Annual Building Activity Review

Resolution Number 10-8

That communication number 1266 be received for information and filed.

1286 The Town of Ajax – Resolution: Limiting Cash Advance “Payday Loan” stores in the Town of Ajax

Resolution Number 11-8

That communication number 1286 be received for information and filed.

(c) Other Business

Chair/Regional Councillor Smith advised that an Environmental Assessment (EA) has been approved by the Region for the extension of municipal services to Beaver Avenue, Beaverton, tentatively from Concession 5 with a possible connection to Madill Street. He noted that a firm timeline would be determined following the completion of the EA which could take a year.

Councillor Jubb assumed the Chair for the Tourism, Heritage & Recreation Committee.

Tourism, Heritage & Recreation Committee

(a) Consent Agenda

None

(b) Items Extracted from Consent Agenda

(c) Other Business

Councillor Schummer requested an update as to the timeline for a report on the roof repair to the Rick MacLeish Memorial Centre and was advised that staff would follow up.

Councillor Campbell assumed the Chair for the Protection Services Committee.

Protection Services Committee

(a) Consent Agenda

Resolution Number 12-8

MOVED BY Michael Jubb that items listed under Section 7, Protection Services Consent Agenda, be approved, save and except communication numbers 1228 and 1238.

MOTION CARRIED

1227 Christeen Thornton – Concerns re: Proposed Development by the Region of Durham

Resolution Number 13-8

That communication number 1227 be received for information and filed.

1246 Catherine Frank – Supportive Housing Project, Beaverton

Resolution Number 14-8

That communication number 1246 be received for information and filed.

1269 Brock Accessibility Advisory Committee – Minutes – January 21, 2020

Resolution Number 15-8

That the Brock Accessibility Advisory Committee meeting minutes dated January 21, 2019 be approved.

1275 Municipality of Clarington – Resolution: Call to Action (Public Enquiry) – Second Request

Resolution Number 16-8

That communication number 1275 be received for information and filed.

1276 Municipality of Clarington – Resolution: Mental Health for Police Services

Resolution Number 17-8

That communication number 1276 be received for information and filed.

1285 Town of Ajax – Resolution: Durham Regional Police Body-Worn Camera Project

Resolution Number 18-8

That communication number 1285 be received for information and filed.

1308 Lesley Donnelly – Interoffice Memorandum: 2020 Township of Brock Accessibility Award and 2020 Durham Region Accessibility Award

Resolution Number 19-8

That communication number 1308 be received for information; and further, that Committee have no objection to the recommendations contained within communication number 1308.

(b) Items Extracted from Consent Agenda

1228 Debbie France – Stop Illicit Cannabis Grow Operations

Resolution Number 20-8

MOVED BY Michael Jubb that communication number 1228 be received for information; and further, that it be referred to staff to possibly be included in the upcoming Cannabis By-law.

Councillors enquired as to a report on the Interim Control By-law and were advised that it would be forthcoming at the end of October.

Councillors expressed concern for the enforcement of this By-law to which the Chief Building Official advised that various Health Canada licenses are issued without consultation of the municipality and, therefore, make it difficult to enforce the by-law.

There was discussion with respect to staff forwarding Councillor Schummer's ideas to staff to be included in the upcoming report.

Councillor's enquired whether cannabis licenses could be identified through staff and were advised in the affirmative, noting that staff must engage DRPS who have access to the licensing records.

Resolution Number 20-8

MOVED BY Michael Jubb that communication number 1228 be received for information; and further, that it be referred to staff to possibly be included in the upcoming Cannabis By-law.

MOTION CARRIED

1238 Peter Frank – Beaverton Modular Housing Project

Resolution Number 21-8

MOVED BY Cria Pettingill that communication number 1238 be received for information and filed.

Councillors enquired whether this correspondence would be forwarded to Durham Region and were advised only through means of a Committee or Council resolution.

Resolution Number 21-8

MOVED BY Cria Pettingill that communication number 1238 be received for information and filed.

MOTION WITHDRAWN

Resolution Number 22-8

MOVED BY Cria Pettingill that communication number 1238 be received for information and filed, and forwarded to the Region of Durham.

There was discussion with respect to the timeline involved for communications forwarded to the Region.

Councillor Jubb advised that he has forwarded communication 1238, and other similar communications, to the Region via email to save staff time.

Resolution Number 22-8

MOVED BY Cria Pettingill that communication number 1238 be received for information and filed, and forwarded to the Region of Durham.

MOTION WITHDRAWN

Resolution Number 23-8

MOVED BY Cria Pettingill that communication number 1238 be received for information and filed.

MOTION CARRIED

(c) Other Business

There was discussion with respect to receiving an update from the DRPS on issues affecting the municipality as they pertain to police services.

Resolution Number 24-8

MOVED BY W.E. Ted Smith that staff reach out to DRPS Inspector Bodden for a deputation to Committee of the Whole or Council at her earliest convenience.

MOTION CARRIED

Chair/Councillor Campbell advised that as a resident, she is partnering with someone to set up a neighbourhood watch in Sunderland.

Councillor Doble assumed the Chair for Corporate Services Committee.

Corporate Services Committee

Resolution Number 25-8

MOVED BY Walter Schummer that items listed under Section 7, Corporate Services Consent Agenda, be approved, save and except communication numbers

MOTION CARRIED

(a) Consent Agenda

1281 City of Oshawa – Resolution: Municipal Challenges Regarding On-line Home-sharing Platforms

Resolution Number 26-8

That communication number 1281 be received for information and filed.

1300 Justin Kouba – Request to Continue to Lease for Beaver River Bait

Resolution Number 27-8

That communication number 1300 be received for information and filed; and that Committee have no objection to the request.

(b) Items Extracted from Consent Agenda

None

(b) Other Business

None

8. Other Business

(a) Allan's Place, Cannington

Resolution Number 28-8

MOVED by Walter Schummer

Be it resolved that The Council of The Township of Brock is hereby asking Durham Non-Profit Housing Corporation to immediately address the many concerns of the residents of Cannington and especially the residents of Allan's Place so that all residents can feel safe and comfortable in their homes and community.

Councillors expressed concern for the issues raised by the residents of Allan's Place and, while there is a permanent superintendent on sight now and DRNPHC has answered many questions, advised that it would be prudent to have an official resolution in place.

Councillor Schummer requested a recorded vote.

Resolution Number 28-8

MOVED by Walter Schummer

Be it resolved that The Council of The Township of Brock is hereby asking Durham Non-Profit Housing Corporation to immediately address the many concerns of the residents of Cannington and especially the residents of Allan's Place so that all residents can feel safe and comfortable in their homes and community.

Recorded Vote

Yeas

W.E. Ted Smith
Claire Doble
Michael Jubb
Cria Pettingill
Walter Schummer

Nays

Lynn Campbell

MOTION CARRIED

(b) Public Questions and Clarifications on the agenda.

Councillors enquired as to the public questions and clarification section of the agenda and were advised that staff are continuing to investigate chat options in this regard and that currently the public can email their questions to the Clerk's Department for a response.

The Clerk noted that having the public join the meeting is not feasible with the current complement of staff. She noted that the Procedural By-law includes the provision for the public to request a delegation on any matter on the agenda, up to 12:30 p.m. on the Friday prior to the scheduled meeting, after reviewing the agenda online.

(c) Dual Responsibility for Regional Clerk/Acting CAO – Municipal Act

Regional Councillor Smith advised that he received an email with respect to the provisions in the Municipal Act for the Regional Clerk to act as CAO and was advised to forward the communication to the Municipal Clerk.

9. **Public Questions and Clarifications**

None

10. **Closed Session**

None

11. **Adjournment**

Resolution Number 29-8

MOVED by Cria Pettingill that we do now adjourn at 12:50 p.m.

MOTION CARRIED

CHAIR

SECRETARY

Motions

Motion – One Year Extension of deadlines in O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure

WHEREAS the COVID-19 pandemic has had significant financial and operational impacts on Ontario municipalities;

AND WHEREAS municipalities have had to divert resources towards addressing the immediate needs of the pandemic and maintaining service delivery standards despite evolving restrictions and limited funds;

AND WHEREAS the Government of Ontario has regulated municipal asset management through O. Reg 588/17: Asset Management Planning for Municipal Infrastructure under the *Infrastructure for Jobs and Prosperity Act, 2015*;

AND WHEREAS O. Reg. 588/17 mandates that every municipality shall prepare an asset management plan in respect of its core municipal infrastructure assets by July 1, 2021, and in respect of all of its other municipal infrastructure assets by July 1, 2023;

AND WHEREAS the key components of an asset management plan as required by the regulation are:

1. Infrastructure
2. Levels of service
3. Lifecycle management and financial strategy

AND WHEREAS there is concern amongst Municipal Finance Officers' Association of Ontario (MFOA) members and their municipalities that current capacity challenges (redeployment of staff, and lack of available resources) will result in limitations for purposeful asset management planning.

AND WHEREAS Ontario municipalities do not anticipate the current capacity challenges to be resolved in the short-term;

NOW THEREFORE BE IT RESOLVED that The Township of Brock supports MFOA's letter to the Ministry of Infrastructure requesting a one-year extension of deadlines in O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure under the *Infrastructure for Jobs and Prosperity Act, 2015*; so that all municipalities can focus on the immediate needs of the pandemic and engage in municipal asset management planning when capacity challenges are resolved.

Notice of Motion

Lesley Donnelly

From: Gerry Green <greenmeadows@xplornet.ca>
Sent: June 26, 2020 5:12 PM
To: Brock Clerks
Subject: lilac hedge damage

Date:	29/06/2020
Refer to:	Council
Meeting Date:	July 13, 2020
Action:	null
Notes:	Correspondence
Copies to:	Paul

Dr. Gerry Green D.V.M.

C20405, Sideroad 17

Brock Township

Tel. (705)437-1262

Email greenmeadows@xplornet.ca

Brock Township Council and

C.A.O. Robert Lamb

On Friday, March 6th a township employee driving a tractor driven brush cutter removed approximately 1/3 of my 35 year old French Lilac Hedge. I immediately phoned Mayor Bath with no response so asked Regional Councillor Ted Smith and Councillor Cria Pettingil to view the damage. They were kind enough to come on Saturday, March 7th.

The township employee told me his instructions were to cut brush back to the lot line. Measurements from the middle of the road to the centre of the hedge indicate the hedge is on my property 3 ½ feet from the road allowance. No part of it is growing on road allowance property. I was disappointed that nobody from the Works Department contacted me ahead of time regarding what they were going to do. Ontario Hydro, 35 years ago, before removing the fence row after it shorted out the hydro line, discussed it with me and we agreed on a lower growing Lilac Hedge to protect the Hydro line. Also, they always contact me before doing any brush trimming under the hydro line south of the house. I hope this personal contact with property owners is a policy followed rigidly in the future.

I had to hire M.C. Tree Service from Woodville to drastically prune the entire hedge. His invoice is included with this letter. I would appreciate your reimbursing me for the entire expense. This expense to me was entirely unnecessary.

Signed: __Gerald J. Green



M.C. Tree Service Ltd.
1018 Riverside Road
Woodville ON L3M 1T0

Office: 705 439 4100
Email: info@mctreeserviceltd.ca
Web: www.mctreeserviceltd.ca

HST T2421 3095 RT0001



wsib



☒ Invoice ☐ Quote ☐ Proposal

To: GERARD GREEN
20405 CON 17
CANNINGTON
At: 705 437 1262

No. _____

Date: _____

Terms: Payable on completion
Payment Type: e-transfer, cheque,
cash, credit card (3.5% service charge)

Performed according to ANSI A300 industry standards for tree care, unless noted otherwise.

Job description

See back for definitions, terms, and conditions.

- REPAIR LILAC HEDGE ALONG ROAD
- CHIP ALL BRUSH, CLEAN UP ALL DEBRIS

Paid in Full APR. 23rd 2020

[Signature]

Provision for a 10% discount on all work done after getting competitive quotes.

On: 2020-04-23

Mike Cartledge

Date

This proposal is valid for 10 days

Work authorization: All prices, specifications and terms of this proposal are subject to change without notice and without liability.

Subtotal

1500

HST 13%

195

TOTAL

1695

Signature

Date

Dr. Gerry Green D.V.M.
 C20405, Sideroad 17
 Brock Township
 Tel. (705)437-1262
 Email greenmeadows@xplornet.ca

Date:	22/09/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	CII
Copies to:	

Brock Township Council and
 C.A.O. Robert Lamb

The decision made at the July 13 council meeting regarding my Lilac Hedge was very unfair. The decision was unfair because it was based on misinformation and assumptions – not true facts. The basic premise of the entire item discussed was incorrect. I wasn't requesting replacement of the hedge – just reimbursement for the MC Tree service fee I paid to repair the damage done to the Hedge (on private property).

A short history on this hedge. When we built the house there was a typical fencerow at the road, filled with various tree species. One evening, during a storm, one of the tall trees shorted out the hydro line and cut off power right back into Cannington. Ontario Hydro came and discussed replacing the fencerow with a Lilac Hedge because it is a low growing shrub and wouldn't interfere with the hydro line in the future **AND WOULDN'T SPREAD**. I agreed to this idea and they planted the hedge. Do you think Ontario Hydro would plant this hedge on Township property? **NO, NOT LIKELY**. It was planted 3.5 feet away from the road allowance boundary. Also, this hedge didn't spread. Yes, some branches bent and **TOUCHED** the adjacent road allowance but no part of the hedge grew on the road allowance. A Lilac Hedge isn't like a mature tree with branches 15 feet long growing horizontally. It grows vertically and spreads approximately 6 feet wide with no underground rhizome spread.

I got the impression from the council meeting video that my hedge had spread and was growing on the road allowance blocking the “line of site” as expressed by Mayor Bath Hadden. The only deterrent to line of site was, and is, the brush and tallgrass to the north and the south of this hedge. This brush and tall grass is growing to the edge of the road. When Ontario Hydro planted this hedge they also graded the road allowance and I planted grass which I mow a couple times each week. There is **NOTHING** growing on the road allowance except mowed grass. One might say that I’m helping alleviate the Township’s strained budget for brush control by planting grass on Township property and cutting it.

As stated in my first letter there is an Ontario Hydro pole on the edge of the road allowance. Also, there is a Bell Canada junction box south of the hydro pole. This junction box is also near the edge of the road allowance. Judging by the position of my hedge, the hydro pole and the junction box both Ontario Hydro and Bell Canada responsibly determine the edge of the road allowance before doing any work. It’s disappointing to learn that the Works Department doesn’t. The procedure isn’t time consuming and gives accurate guidance to employees out on the road doing the work.

Last fall we had telephone trouble. The Bell Canada technician came out, took the junction box apart to find a mouse nest inside. He never complained about or had to cut hedge branches covering the junction box yet the Township employee cut the hedge back about 2 feet behind this junction box **on my property**. The brushing to the South of the Hedge is 16 feet from the edge of the road. Brushing was done recently north of the Hedge and it is also 16 feet from the edge of the road. I also visited a couple other brushing jobs done in the Township and all were also 16 feet from the road edge. A new ditching project near Sonya extended 16 feet from the road edge. Why did the brushing of my hedge extend over 23 feet from the road edge?

The Invoice attached to my first letter was the cost to me to radically prune the mature damaged wood from the hedge. This mature Lilac Hedge would never have repaired the damage done with the Brush Machine. As a result of the pruning the hedge is looking healthy once again and will possibly bloom again in a couple years. I must say that I didn't ask MC Tree Service to **"charge me whatever he wanted because Brock Township would be paying the bill"**. That was a very unfair statement by Mr. Lagrandeur. I asked MC Tree Service for a fair price and it was. It was a 2 day job for two men with chainsaws, 2 trucks and a wood chipper.

The final decision voted on was the Council **"didn't want to set a precedent"**. To arrive at that very unfair decision you compared my hedge to a Cedar Hedge **GROWING ON THE ROAD ALLOWANCE**. My hedge is definitely not growing on road allowance, as described above, so the comparison is unfounded. I agree that you have the right to cut any overhanging foliage but is it necessary to cut a hedge back almost to it's centre when it's growing 3 ½ feet away from the road allowance on private property.

An interesting observation on the July 13 meeting. The two councillors who were kind enough to come out and observe the damage voted in my favour. I'm assuming they did so because they had the facts. I urge the other council members to come out (and talk to me) and also observe the facts so they can make an informed decision. My telephone number is (705)437-1262. Also, with this information, maybe some new guidelines can be put in place to prevent further recurrences like this again in the Township.

Thank you for your consideration.

Gerry Green