



# **REGULAR COUNCIL AGENDA**

For the Corporation of the Town of  
Espanola

Council Meeting

To Be Held On

**Tuesday, April 11, 2017**  
**Council Chambers**  
**Municipal Building**

100 Tudhope Street  
**7:30 pm**



## **Espanola Council AGENDA**

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*For the Regular Meeting of the Town of Espanola  
To Be Held On **Tuesday, April 11, 2017** at 7:30 p.m.  
In The Council Chambers, Municipal Building*

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7:30 P.M.

REGULAR MEETING OF COUNCIL  
Council Chambers, 100 Tudhope Street

**Please note this meeting will be live streamed.**

**Disclosure of Pecuniary Interest and General Nature Thereof**

**PUBLIC HEARINGS**

Notification under the Provision of Notice Bylaw, 2068/08, Notice of Public Hearing.

A public meeting is being held for the purpose to receive comments on amendments to the Vacancy Rebate and Vacant/Excess Land Subclasses as follows:

1. The vacancy rebate for 2017 will be 15% for vacant commercial and industrial space; the rebate for 2018 and thereafter will be nil;
2. The vacant & excess land property tax subclasses discount factor is 15% for commercial and/or industrial for 2017; with no reduction factor in 2018 and thereafter.

**DELEGATIONS**

None

**QUESTION PERIOD**

**PART 1 - CONSENT AGENDA**

Resolution Prepared Adopting Resolutions for  
Items **A1** to **F2** inclusive contained in the Consent Agenda

- CA-007 -17 Be It Resolved That: Items A1 to F2 inclusive contained in Part 1, Consent Agenda be adopted.

**Adoption of Minutes**

**A1 Special Meeting of Council of March 23, 2017**

**A2 Regular Meeting of Council of March 28, 2017**

**A3 Special Meeting of Council of March 28, 2017**

- 17-066 Be It Resolved That: The following Minutes are hereby accepted; Special Meeting of Council of March 23, 2017; Regular Meeting of Council of March 28, 2017; Special Meeting of Council of March 28, 2017.

**Board and Committee Reports**

**B1 Espanola Public Library Board Meeting Minutes of February 13, 2017**

- 17-067 Be It Resolved That: The following Board and Committee Reports are hereby received: Espanola Public Library Board Meeting Minutes of February 13, 2017.

**Matters arising from the "In Camera Session"**

None

**Business Arising from Board and Committees**

None

**Bylaws and Resolutions**

The following bylaws will be read and passed.

**E1 Bylaw No. 2777/17**

- 17-068 A Bylaw of the Town of Espanola to confirm the proceedings of Council at its Meeting of March 28, 2017.

**Reports**

**F1 Espanola Non Profit Housing Corporation Meeting Minutes of September 12<sup>th</sup> & November 10<sup>th</sup>, 2016**

**F2 Joint Health and Safety Committee Meeting Minutes of February 2, 2017.**

- 17-069 Be It Resolved That: The following reports are hereby received; Espanola Non Profit Housing Corporation Meeting Minutes of September 12<sup>th</sup> & November 10<sup>th</sup>, 2016; Joint Health and Safety Committee Meeting Minutes of February 2, 2017.

<b><u>PART II - REGULAR AGENDA</u></b>
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**Bylaws and Resolutions**

**G1 Recommendation regarding Tax Policy – Vacant Rebate and Reduction Programs**

- 17- 070 Be It Resolved That: The Vacancy Rebate and Vacant/Excess Land Subclasses are hereby amended as follows:
  1. The vacancy rebate for 2017 will be 15% for vacant commercial and industrial space; the rebate for 2018 and thereafter will be nil;
  2. The vacant & excess land property tax subclasses discount factor is 15% for commercial and/or industrial for 2017; with no reduction factor in 2018 and thereafter.

**G2 Recommendation regarding Hydro Steering Committee**

- 17-071 Be It Resolved That: Council for the Town of Espanola hereby appoints Doug Bois, Chairman of Holdco to the Hydro Steering Committee.

**G3 Recommendation regarding 2018 Municipal Elections**

- 17-072 Be It Resolved That:
  1. A Tabulation System be used for counting ballots in the 2018 Municipal Elections;
  2. Vote by Mail alternative voting method be used in the 2018 Municipal Election; and
  3. A bylaw to authorize the method and procedures for Vote by Mail and tabulators for counting the ballots in the 2018 Municipal Elections be prepared.

**G4 Recommendation regarding Bill 132 – Amendment to the Occupational Health and Safety Act**

- 17-073 Be It Resolved That: As Recommended by the Joint Health and Safety Committee That: The revisions to Policy H04-01645, Respect in the Workplace (Harassment and Violence) reflecting Bill 132 be adopted.

**G5 Recommendation regarding Safety Recognition for 2016**

- 17-074 Be It Resolved That: As Recommended by the Joint Health and Safety Committee That: Council approve a recognition award budget of \$15/employee for the 49 employees of the 3 departments that achieved zero recordable injuries in 2016, which include the Library, Fire and Administration departments.

**G6 Recommendation regarding Changes to the Building Code, B-08-09-03**

- 17-075 Be It Resolved That: Council for the Town of Espanola hereby supports the resolution adopted by Council for the Municipality of East Ferris regarding changes to the Building Code, B-08-09-03, requesting mandatory five year septic tank pump out and records retention.

**G7 Recommendation regarding Fair Hydro Plan**

- 17-076 WHEREAS **ALL** Ontario Hydro customers are paying exorbitant delivery fees charged by Ontario Hydro;  
AND WHEREAS these exorbitant delivery fees have left many families in all of Ontario to struggle with their financial commitments;  
AND WHEREAS the Premier announced Ontario's Fair Hydro Plan, in which Ontario Hydro will be waiving delivery fees for customers who reside on First Nations reserves and settlements in Ontario;  
AND WHEREAS if this was truly a Fair Hydro Plan for Ontario; the Province of Ontario would treat all Ontario Hydro customers equally and provide a common relief to all Ontarian's who are burdened with the cost of hydro delivery fees;  
NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Espanola calls upon the Province to ensure a fairness and equality to

all Ontario hydro customers through a truly Fair Hydro Plan for Ontario;

AND FURTHER BE IT RESOLVED THAT: in the interest of transparency, Ontario Hydro explain to the municipalities which cost costing measures or alternative revenue sources will be put in place to replace the revenue losses it experiences from the elimination of the delivery charge to its customers.

AND FURTHER that a copy of this resolution be sent to Premier Wynne, Minister Thibeault and all municipalities in the Province of Ontario for their support.

### **Correspondence For Information Only**

**None**

### **Information**

**This information was previously circulated to Council. If required a copy of the information is available at the Municipal Office.**

Premier Wynne Correspondence re: AED

Stewardship Ontario Correspondence re: Industry Funding for Blue Box Recycling

Municipality of Port Hope resolution re: incineration

### **Conference and Conventions**

FONOM, Wednesday May 10<sup>th</sup> – Friday May 12<sup>th</sup>, 2017  
North Bay, Ontario

### **Mayor and Councillor Reports and Announcements**

Verbal

### **Future Council/Committee Meetings**

Community Services Committee Meeting of April 18<sup>th</sup> @ 4:00 pm  
Regular Meeting of Council of April 25<sup>th</sup> @ 7:30 pm

### **Adjournment**

### **Closed Meeting (if required)**

**SPECIAL MEETING OF COUNCIL  
OF THE TOWN OF ESPANOLA**

**Council Chambers  
Municipal Office**

**Thursday, March 23, 2017  
1:00 pm**

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**Deputy Mayor B. Foster presided over the meeting.**

**Disclosure of pecuniary interest and general nature thereof.**

**Present:** Mayor Piche, Councillors R. Dufour, K. Duplessis, R. Duplessis, B. Yocom

Staff: C. Townsend, CAO, Treasurer, P. Roque, Clerk, T. Denault-Roque, Recording Secretary

**Absent:** Councillor Melkleham

**2017 Budget 2<sup>nd</sup>  
Draft**

Ms. Townsend provided a summary of changes to the budget.

A discussion took place regarding the reduction to the Library Board's budget. It was stated that money from reserves would be used for the HVAC unit.

Council reviewed the budget once more to discuss any further recommendations. A brief discussion took place.

The 2<sup>nd</sup> draft of the budget shows a 1.07% increase for the municipal portion.

**Police Services  
2017 Budget**

**1. R. Dufour – R. Duplessis**

Be It Resolved That: The 2017 budget as submitted by the police Service Board is approved.

**Library Board  
Budget**

**2. R. Duplessis – K. Duplessis**

Be It Resolved That: The 2017 budget as submitted by the Library Board is approved.

**Adjournment**

**R. Dufour – R. Duplessis**

Be It Resolved That: The Budget Meeting of Council is hereby adjourned.

Time: 1:43 pm

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B. Foster  
Chair

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Cynthia Townsend  
CAO/Treasurer



**DRAFT**

**THE PUBLIC MEETING OF COUNCIL  
OF THE TOWN OF ESPANOLA**

**Council Chambers  
Municipal Office**

**March 28, 2017  
7:30pm**

**His Worship Mayor Pichepresided over the meeting.**

**Present:** Councillor R. Dufour, K. Duplessis, R. Duplessis R. Yocom

**Absent:** Councillor B. Foster, S. Meikleham

Staff: P. Roque, Clerk, C. Townsend, CAO/Treasurer, T.  
Denault-Roque, Recording Secretary

**The Mayor advised that this meeting is being live streamed.**

**Disclosure of pecuniary interest and the general nature thereof.**

**Public Hearing** None

**Delegations/Petitions** None

**Question Period** None

**CONSENT AGENDA** **CA-005-17 R. Yocom – R. Dufour**  
Be It Resolved That: Items A1 to F5, contained in Part 1 Consent  
Agenda be adopted.

**Carried**

**Items A1-A2** **17-057R. Dufour – R. Yocom**  
**Minutes** Be It Resolved That: The following Minutes are hereby  
accepted; Special Meeting of Council of March 10, 2017;  
Regular Meeting of Council of March 14, 2017.

**Carried**

**Board and Committee Reports**

**None**

**Matters arising from the "In Camera Session"**

None

**Business Arising from Board and Committees**

None

**Bylaws and Resolutions**

**Item E1**

**Confirmatory Bylaw**

**17-058 R. Yocom – R. Dufour**

Be It Resolved That: Bylaw No 2775/17 be adopted, being a Bylaw of the Town of Espanola to confirm the proceedings of Council at its Meeting of March 14, 2017.

**Carried**

**Item E2**

**Bylaw for Purchase of Property**

**17-059 R. Dufour – R. Yocom**

Be It Resolved That: Bylaw No 2776/17 be adopted, being a Bylaw of the Town of Espanola to Authorize Specific Complaints to the Assessment Review Board.

**Carried**

**Item E3**

**Ministry of Transportation for Specialized Transit**

**17-060 R. Yocom – R. Dufour**

Be It Resolved That: Bylaw No 2773/17 be adopted, being a Bylaw of the Town of Espanola to Execute an Agreement Between the Town of Espanola and the Ministry of Transportation for Specialized Transit.

**Carried**

**Item E4**

**Agreement for Joint Transit Procurements with Metrolinx**

**17-061 K. Duplessis – R. Dufour**

Be It Resolved That: Bylaw No 2774/17 be adopted, being a Bylaw of the Town of Espanola to Execute a Multi-Year Governance Agreement for Joint Transit Procurements with Metrolinx.

**Carried**

**Reports**

**Items F1 – F5**

**17-062 R. Yocom – K. Duplessis**

Be It Resolved That: The following reports are hereby received; Fire Department Departmental Report for February 2017; Building Department Departmental Report for February 2017; Leisure Services Department Departmental Report for February 2017; Espanola Police Services Board Meeting Minutes of February 16, 2017; Manitoulin Sudbury District Social Services Board Meeting Minutes of February 23, 2017.

**Carried**

**PART II**

**REGULAR AGENDA**

**Bylaws and Resolutions**

**Item G1**  
**Building Upgrades**

**17-063R. Duplessis – K. Duplessis**

Be It Resolved That: JN Construction be awarded Project 1617: Building Upgrades at 100 Tudhope Street with a bid price of \$152,500.00 + HST.

**Carried**

A discussion ensued.

It was confirmed that all items on the list of upgrades were tendered.

Councillor Dufour stated that he would like a copy of the tender breakdowns to see the difference in quotes. He further asked if the list could be cut back in order for it to not affect the levy and to save money. The Clerk advised that staff has identified these issues as a priority for two years, however it was the decision of Council on how to move forward.

Councillor Yocom reminded Council of the history of this Project and advised that delaying this contract will cost more, moving forward now will help to address the infrastructure deficit we have.

**Carried**

**Item G2**  
**FIT Program**

**17-064 K. Duplessis – R. Duplessis**

Be It Resolved That: WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Contract, Version 3.1;

AND WHEREAS the Province's FIT Program encourages the construction and operation of ground mount solar PV, generation projects;

AND WHEREAS one or more Projects may be subject to FIT Contracts and may be constructed and operated in the Town of Espanola;

AND WHEREAS in accordance with the FIT Rules, Version 3.0, the Council of the Local Municipality had previously indicated, by a resolution, its support for Projects in the Local Municipality;

AND WHEREAS Council now indicates, by a resolution dated no earlier than March 28, 2017, Council's continued support for the construction and operation of the Projects anywhere suitable in the Local Municipality;

AND WHEREAS, pursuant to the FIT Contract, where a New Resolution is received in respect of the Projects in the Local Municipality, Suppliers will be recognized as fulfilling the requirements under Section 2.4(d)(vii) of the FIT Contract, which may result in Suppliers being offered Notice to Proceed in accordance with the terms of their respective FIT Contract(s);

NOW THEREFORE BE IT RESOLVED THAT: Council of the Town of Espanola supports the construction and operation of the Projects where suitable in the Town of Espanola. This resolution's sole purpose is to enable Suppliers to achieve Notice to Proceed under their FIT Contracts and may not be

used for the purpose of any other form of municipal approval in relation to a FIT Contract or Project or for any other purpose. This resolution shall expire twelve (12) months after its adoption by Council.

**Carried**

**Item G3**  
**Waiving Ontario**  
**Delivery Fees**

**17-065 R. Duplessis – K. Duplessis**

Be It Resolved That: Council for the Town of Espanola hereby supports the resolution adopted by Council for NEMI, regarding the costing measures Hydro One will put into place to replace the lost revenues from eliminating delivery charges to customers.

**Carried**

A discussion ensued.

Councillor Yocom advised that he could not support the resolution for one reason. He stated the resolution asks for the Province of Ontario to treat all of Ontario Hydro customers equally, the resolution calls for the elimination of delivery fees for the residents of NEMI.

Further discussion ensued and it was agreed that this resolution will receive support with an additional resolution to be brought to Council advising for the same treatment to all municipalities in Ontario.

**Correspondence For Information Only**

**H1 Year End Statistical Report for the Information and Privacy  
Commissioner of Ontario**

**Information**

**This information was previously circulated to Council. If required a copy of the information is available at the Municipal Office.**

OAFC 2017 Trade Show Invitation  
FONOM correspondence re: call of nominations

**Conference and Conventions**

FONOM, Wednesday May 10<sup>th</sup> – Friday May 12<sup>th</sup>, 2017  
North Bay, Ontario

**Mayor and Councillors Reports and Announcements**

**100<sup>th</sup> Birthday  
Celebration  
Stoop and Scoop**

Mayor Piche advised that he attended the 100<sup>th</sup> birthday celebration for Mr. Bright.  
Councillor R. Duplessis advised residents that fines have been issued for not picking up dog excrement.

**Future Council Meetings**

Corporate Services Committee Meeting of April 4<sup>th</sup> @ 3:00 pm  
Regular Meeting of Council of April 11<sup>th</sup> @ 7:30 pm

**Adjournment**

**K. Duplessis – R. Dufour**

Be It Resolved That: The Regular Meeting of Council is hereby  
adjourned. Time: 7:54pm

**Carried**

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Ron Piche  
Mayor

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Paula Roque  
Clerk

**SPECIAL MEETING OF COUNCIL  
OF THE TOWN OF ESPANOLA**

**Council Chambers  
Municipal Office**

**March 28, 2017  
7:55 pm**

**Mayor Piche presided over the meeting.**

**Present:** Councillors: R. Dufour, K. Duplessis, R. Duplessis, B. Yocom

**Absent:** Councillors B. Foster, S. Meikleham

Staff: P. Roque, Clerk; C. Townsend, CAO/Treasurer; T. Denault-Roque, Recording Secretary

**In Camera**

**1. R. Duplessis – R. Dufour**

Under authority of Section 26.1.3 of Bylaw No. 2062/08, Committee goes into an "in camera" session for the purpose stated in Section 239.2 of the Municipal Act.

- ☒ The security of the property of the municipality or local board;
- ☐ personal matters about an identifiable individual, including municipal or local board employees;
- ☐ a proposed or pending acquisition or disposition of land by the municipality or local board;
- ☐ labour relations or employee negotiations;
- ☐ litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- ☐ advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- ☐ a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act, 2001, c. 25, s. 239 (2).

Time: 8:55 pm

**Carried**

**Resume Special  
Meeting**

**2. K. Duplessis – R. Yocom**

Be It Resolved That: The Special Meeting of Council hereby resumes. Time: 8:05pm

**Carried**

A discussion ensued.

Councillors R. Duplessis, Yocom and Dufour were nominated to sit on the steering committee.

Councillor Dufour declined the nomination, Councillors Yocom and R. Duplessis let their names stand.

**Steering  
Committee  
Appointment**

**3. R. Dufour – R. Yocom**

Be It Resolved That:

Council for the Town of Espanola agrees to offer for sale the shares of Espanola Regional Hydro.

Councillors Ron Duplessis and Robert Yocom be appointed to sit on a joint steering committee of the shareholders of Espanola Regional Hydro.

**Carried**

**Adjournment**

**R. Duplessis – K. Duplessis**

Be It Resolved That: The Special Meeting of Council is hereby adjourned. Time: 8:10 pm

**Carried**

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Ron Piche  
Mayor

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Paula Roque  
Clerk

**Espanola Public Library Board**  
**MINUTES OF THE REGULAR MEETING**  
**Held on February 13, 2017, at the Library**

Present: Brian Riche (Chair)  
Marilyn Orford (Vice-Chair)  
Heather Wilson  
Ken Duplessis  
Richard Lalonde  
Robert Yocom

Also present: Rosemary Rae (CEO)

Guests: Presenter – Steven Kraus – OLS-North  
Ned Martin, Board Chair, NEMI Public Library  
Jake Marion, CEO, Sables-Spanish River Public Library

Regrets: Robert Sinclair

The Espanola Library Board meeting begins at 5:40 pm

Delegations, presentations  
Steven Kraus – Refresher / Orientation / Discussion / Q & A

Code of Conduct package handout  
/ acknowledgement of receipt signed - at meeting

Announcements

Next meeting – March 13, 2017

Adjournment

The Espanola Library Board adjourns at 8:20 pm.

Approval

Date Mar 13, 2017  
Chair [Signature]  
Secretary [Signature]



THE CORPORATION OF THE TOWN OF ESPANOLA

**BYLAW NO. 2777/17**

**Being a bylaw of the Town of Espanola to Adopt  
the Minutes of Council for the Term Commencing  
December 1<sup>st</sup>, 2014, and Authorizing  
Taking of any Action Authorized Therein and Thereby**

WHEREAS Section 101 of the Municipal Act, R.S.O. 1990, C. M45, as amended, requires a municipal council to exercise its powers by bylaw, except where otherwise provided;

AND WHEREAS in many cases, action which is taken or authorized to be taken by a Council or a Committee of Council does not lend itself to an individual bylaw;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ESPANOLA ENACTS AS FOLLOWS:

1. That the Minutes of the meetings of the Council of the Town of Espanola for the term commencing December 1<sup>st</sup>, 2014, held on: March 28, 2017 and the same are hereby adopted.
2. That the taking of any action authorized in or by the Minutes mentioned in Section 1 hereof and the exercise of any powers by the Council or Committees by the said minutes be and the same are hereby ratified, authorized and confirmed.
3. That where no individual bylaw has been or is passed with respect to the taking of any action authorized in or by the Minutes mentioned in Section 1 hereof or with respect to the exercise of any powers by the Council or Committees in the above mentioned Minutes, then this bylaw shall be deemed for all purposes to be the bylaw required for approving and authorizing the taking of any action authorized therein or thereby or required for the exercise of any power therein by the Council or Committees.
4. That the Mayor and proper officers of the Corporation of the Town of Espanola are hereby authorized and directed to do all things necessary to give effect to the recommendations, motions, resolutions, reports, action and other decisions of the Council or Committees as evidenced by the above mentioned Minutes in Section 1 and the Mayor and Clerk are hereby authorized and directed to execute all necessary documents in the name of the Corporation of the Town of Espanola and to affix the seal of the Corporation thereto.

Read a First, Second and Third Time and Passed this 11<sup>th</sup> day of April 2017.

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Ron Piche  
Mayor

\_\_\_\_\_  
Paula Roque  
Clerk



**TOWN OF ESPANOLA  
NON PROFIT HOUSING CORPORATION  
Board of Directors - Meeting Minutes  
September 12, 2016**

PRESENT: J. Whissell R. Yocom R. MacKenzie R. Duplessis  
M. VanAlstine K. Roy A. Renaud

REGRETS: N. Gallagher

RECORDING SECRETARY: T. Tallon

**1. CALL TO ORDER:**

J. Whissell called the meeting to order at 4:35p.m and introduced Alain Renaud as the new Maintenance Manager.

**2. AGENDA - APPROVAL/AMENDMENT(S):**

K. Roy added 5.4 Tenant Insurance

**MOTION**

Resolved that: The Board approves the agenda as amended for September 12, 2016.

Moved/Seconded by: R. MacKenzie / M. VanAlstine

Carried.

**3. PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:**

None reported.

**4. MINUTES - REVIEW**

**MOTION**

Resolved that: The Board approves the minutes of June 6, 2016 as circulated.

Moved/Seconded by: R. Yocom / R. MacKenzie

Carried.

**5. BUSINESS ARISING:**

**5.1 Repairs**

**Roofing**

- K. Roy reviewed the emails circulated over the summer to obtain Board approval for roofing repairs
- A. Renaud reviewed the repairs made and the damage they rectified, explaining that he anticipates that the damage has extended to the masonry work and will require repair in the spring
- A. Renaud responded to various questions on the repairs
- K. Roy noted that the total cost of repair work amounted to \$13,068. The duct work repairs were not required.
- Approval for the required funds for these two repairs has been obtained from DSB.

**MOTION**

Resolved that: The Board confirms the email approvals obtained to make the necessary roof repairs.

Moved/Seconded by: M. VanAlstine / R. Yocom

Carried.

**Curbs/Sidewalks at Queensway Place**

- A. Renaud described current condition of sidewalks and curbs at Queensway place emphasizing the liability issues because of condition and not meeting current building codes.
- A quote for \$5290 + taxes has been obtained to repair the damage at the secondary entrance and A. Renaud is recommending that this work be done as soon as possible.
  - He will obtain additional quotes prior to awarding contract.

- A quote of \$11,000 was also obtained for required work for the remaining sidewalk and curbing running along the front of the building and main entrance, however, A. Renaud indicated that this could wait until spring and he will obtain further quotes

**MOTION**

**Resolved that:** The Board approves the recommended curb replacements/enhancements at an estimated cost of \$5290 + applicable taxes.

**Moved/Seconded by:** R. MacKenzie / R. Yocom  
Carried.

**5.2 Replacement of Complex Sign**

- K. Roy received several quotes for two-sided sign with the lowest coming in at \$8,000 and will circulate the draft design once received.
- Installation should be complete by the end of September.

**MOTION**

**Resolved that:** The Board approves the purchase of the new sign at a cost of \$8,000.

**Moved/Seconded by:** R. Yocom / R. MacKenzie  
Carried.

**5.3 Social Housing Market Rent/Operating Agreement**

- K. Roy and N. Haley met over the summer with F. Dominelli and C. Morphet from MSDSB to review these items
- The error K. Roy noted in the budget approved by DSB was corrected
- Prior to MSDSB revising the budget with regards to the market rent revenues, they have requested the NPH Board share the legal opinion obtained based on the rationale that the MSDSB has already paid for the opinion as they provide the funding to the NPH.
- The sample letter from the lawyer to be shared with MSDSB was contained in members' meeting packages and will be sent to the MSDSB at their next meeting.
  - It was noted that the letter from the lawyer was at an additional cost of \$2,000 which the Board requested K. Roy approach MSDSB to fund a portion of this expense.
- It is recognized that the existing operating agreement will only delay the inevitable increase to be imposed by the MSDSB, however, it will provide some relief to the market rent tenants and adequate notice of the imposed rates

**5.4 Tenant Insurance**

- During the last review of RGI tenants it was determined that 63% of these tenants currently carry tenant insurance
- After some discussion on the financial impact and liability to both the tenants and the NPH Corporation it was agreed that tenant insurance will be a mandatory requirement for all new tenants and that existing tenants would be provided notice that tenant insurance will be mandatory at the time of their next rent review in August 2017 and provided with information pamphlets on available tenant insurance.

**MOTION**

**Resolved that:** The Board approve mandatory tenant insurance for all new tenants and that existing tenants will be put on notice that they will be required to provide proof of insurance at their next rent review.

**Moved/Seconded by:** R. Duplessis / R. Yocom  
Carried.

**6. FINANCIAL STATEMENTS:**

**6.1 Unaudited Financial Statements as at July 31, 2016**

- K. Roy reviewed the statements for the period ending July 31, 2016 noting the identified deficit of \$9,000 is mostly a result of utilities.

**MOTION**

**Resolved that:** The Board approves the unaudited financial statements dated July 31, 2016.

**Moved/Seconded by:** R. MacKenzie / R. Duplessis  
Carried.

## **7. NEW BUSINESS:**

### **7.1 DSB Policy Changes**

- K. Roy noted that policy changes were included in members meeting packages
- Of note is that the wait list for RGI tenants will now be based on need rather than date of application which will ensure that the most needy are the first to obtain housing
- DSB will continue to manage the RGI waitlist and NPH the market rent listing

### **7.2 Request from Developer**

- K. Roy noted that G. Wade has approached J. Whissell, as the Board Chair and herself regarding available funding for social housing development on land he currently owns
- K. Roy explained to him that currently there is no funding available
- At this time he has not asked to make a presentation to the Board

## **8. INFORMATION**

### **8.1 Social Infrastructure Fund**

- Information on the funding awarded to the MSDSB was contained in members meeting packages
- MSDSB has received requests totaling over \$700,000 from the \$369,000 available
- K. Roy has submitted requests for \$11,000 for the additional curbing and sidewalk repairs not included in the approved work, \$30,000 for telephone cabling relocation and \$32,000 for replacement of window caulking at Queensway Place
- The original roofing repair amount of \$16,341 and the sidewalk repair amount of \$5,290 was also submitted for consideration from this fund
- K. Roy explained that the warranty period has expired on the window caulking and original contractor has refused to rectify the problem
  - Because of the high cost of the required work, should MSDSB not approve funding for the project under the SIF, consideration is being given to training in house staff to complete the work

### **8.2 Policy Statement for Service Manager Housing and Homelessness Plans**

- This information was contained in members meeting packages for their information

### **8.3 Fire Inspection and Tenant Fire Drill**

- A fire inspection was conducted on August 30<sup>th</sup> and a number of housekeeping items identified which P. Mitroff will ensure are corrected
  - As part of these items is the replacement of 4 smoke detectors which no longer meet building codes, one of which will need to be a strobe light for a hearing impaired tenant
- 19 tenants participated in a fire drill on September 8<sup>th</sup> which went very well
  - Questions arose over responsibility for clearing snow from patios/verandas and P. Mitroff obtained clarification from the Fire Chief who stated that the responsibility is not with the landlord

### **8.4 Tenant Meeting**

- The next meeting is scheduled for September 21<sup>st</sup> at 1pm and a reminder for the meeting will be sent to board members the week prior

## **9. NEXT MEETING:**

- The next meeting is rescheduled for Thursday November 10<sup>th</sup> at 4:30pm
- The January meeting is rescheduled for Thursday January 5<sup>th</sup> at 4:30pm

## **10. ADJOURNMENT:**

Motion to adjourn by R. Yocom and seconded by R. MacKenzie at 5:45pm.



**TOWN OF ESPANOLA  
NON PROFIT HOUSING CORPORATION  
Board of Directors - Meeting Minutes  
November 10, 2016**

PRESENT: J. Whissell R. Yocom N. Gallagher R. Duplessis  
M. VanAlstine K. Roy A. Renaud

REGRETS: R. MacKenzie

RECORDING SECRETARY: T. Tallon

**1. CALL TO ORDER:**

J. Whissell called the meeting to order at 4:30p.m.

**2. AGENDA APPROVAL/AMENDMENT(S):**

**MOTION**

Resolved that: The Board approves the agenda as circulated for November 10, 2016.

Moved/Seconded by: N. Gallagher / R. Duplessis

Carried.

**3. PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:**

None reported.

**4. MINUTES – REVIEW**

**MOTION**

Resolved that: The Board approves the minutes of September 12, 2016 as circulated.

Moved/Seconded by: M. VanAlstine / R. Yocom

Carried.

**5. BUSINESS ARISING:**

**5.1 Repairs**

***Curbs/Sidewalks at Queensway Place***

- A. Renaud noted that work at the secondary entrance to the Queensway Place has been completed at a slightly increased cost to remove a tripping hazard not previously included in the pricing
  - The entrance is now completely accessible with no safety issues
- A quote of \$11,000 was also obtained for required work for the remaining sidewalk and curbing running along the front of the building and main entrance, however, A. Renaud indicated that this could wait until spring and he will obtain further quotes
- K. Roy noted that grant funding was being used to pay for these repairs
- A. Renaud explained that in review of the interlocking stone at the apartment entrance he has determined that it will also require repair/replacement soon and is considering replacing the interlocking stone with concrete

**8. INFORMATION:**

**8.1 Drop in Centre Dishwasher Request**

- The Seniors group has requested installation of a dishwasher they have purchased
- K. Roy has advised the group that installation would be considered a lease hold improvement and as such if the Seniors group were to vacate the space the dishwasher would remain with the building
- The Seniors group will be paying for the installation and their fees for the lease will increase to account for the additional hydro costs

**8.2 Update on Tenants' Meeting September 21, 2016**

- There was good representation from the NPH Board, staff and the tenants

- The new requirement for tenant insurance generated some conversation
- The maintenance request process was again explained
- K. Roy reviewed discussions on items/issues brought forward
  - Fire Inspection report
  - Responsibility for snow removal on individual balconies
  - New RGI rules
  - NPH Board continues to advocate on tenants' behalf in regards to market rent
  - New complex sign has been installed
  - Exterior light replacement has been completed
  - Maintenance staff will now provide annual range hood cleaning
  - Census letters not being sent to tenants
  - Safety concerns with individuals using slope to road for bike ramps
- A. Renaud was thanked for his time and excused himself from the meeting

## 5. BUSINESS ARISING: continued

### 5.2 Social Housing Market Rent/Operating Agreement

- K. Roy addressed the most recent correspondence from F. Dominelli contained in members' meeting packages advising that the MSDSB is maintaining their stated increase in market rents effective July 1, 2016
- She reviewed her teleconference with the Ministry of Housing earlier in the day
- She then reviewed the draft letter offering a compromise to MSDSB requesting they forgive the funding shortfall for 2016 as a result of the market rents not being increased to the levels directed and that the NPH would introduce a blended market rent effective January 1<sup>st</sup> which would bring the market rents in line with the MSDSB directive for 2017
- The new housing policy which will determine placement on the wait list based on need rather than chronological order does alleviate some of the NPH Board's concerns with the new market rent

#### **MOTION**

**Resolved that:** The Board approve offering a compromise on the market rent increase which would have the MSDSB restore the 2016 funding shortfall as a result of not implementing market rent increases until 2017.

**Moved/Seconded by:** R. Duplessis / R. Yocom  
Carried.

### 5.3 Social Infrastructure Application Approval

- K. Roy reviewed the agreement approving funding application in the amount of \$35,443 for roofing repairs and repairs and replacement of sidewalks.

#### **MOTION**

**Resolved that:** The Board approve proceeding with the repairs to be funded with this grant.

**Moved/Seconded by:** M. VanAlstine / N. Gallagher  
Carried.

### 5.4 Fire Inspection Violations Correction Notice Received

- K. Roy advised that all cited violations have been corrected.

### 5.5 Complex Sign Installed

- Installation of the new sign is complete

## 6. FINANCIAL STATEMENTS:

### 6.1 Unaudited Financial Statements as at September 30, 2016

- K. Roy reviewed the statements for the period ending September 30, 2016 identifying and explaining variances.

#### **MOTION**

**Resolved that:** The Board approves the unaudited financial statements dated September 30, 2016.

**Moved/Seconded by:** N. Gallagher / R. Duplessis  
Carried.

## **7. NEW BUSINESS:**

### **7.1 Insurance Renewal**

- K. Roy reviewed the renewal noting a reasonable increase of 1%

### **7.2 CIBC Wood Gundy Corporate Resolution**

- K. Roy explained that this is a standard annual resolution required for investment accounts

#### **MOTION**

**Resolved that:**

1. The corporation will:

Open and operate the following accounts, which may be margin accounts:

- CIBC Wood Gundy Investment Account  
WG Investment 487-01372

2. the signing authorities are authorized to open and operate the accounts on the corporation's behalf, and to:

For all accounts

- Buy, sell, trade in or exercise any right with respect to securities (including short sales and options), and carry out other transactions in the accounts
- Request payments to be made or securities to be endorsed by the corporation, or delivered or transferred to the corporation by another or from the corporation to another
- Borrow funds from or through CIBC Wood Gundy, and pledge collateral
- Sign binding agreements and obligate the corporation to carry out arrangements with CIBC Wood Gundy, and sign all releases, powers of attorney and other documents on the corporation's behalf
- Pay sums and take any other action necessary in connection with the accounts.

**Moved/Seconded by:** N. Gallagher / R. Yocom

**Carried.**

## **9. NEXT MEETING:**

- The next meeting is scheduled for Thursday January 5<sup>th</sup> at 4:30pm
- M. VanAlstine provided her regrets
- R. Duplessis will be replaced beginning in January by S. Meikleham
- R. Duplessis was thanked for his time and efforts over the past year on behalf of the NPH Corporation

## **10. ADJOURNMENT:**

**Motion** to adjourn by N. Gallagher and seconded by R. Yocom at 5:25pm.

APR 07 2017

## JOINT HEALTH & SAFETY MEETING MINUTES

**Thursday, February 2<sup>nd</sup>, 2017**

**9:00 a.m.**

**Upstairs – Fire Hall**

**Present:**

D. Parker	Manager Rep.
D. Massicotte	Manager Rep.
W. Ashton	Worker Rep.
B. Stewart	Worker Rep.
W. Pollard	Alt. Worker Rep.
T. Smith	Other - Guest

**Recording Secretary:** A. Duguay

**Co-Chair Dave Parker presided over the meeting. The meeting was called to order at 8:56 A.M.**

**Acceptance of Minutes:**

**1. B. Stewart – W. Pollard**

**THAT:** The Joint Health & Safety Committee hereby approves the minutes of the January 5<sup>th</sup>, 2017 meeting.

Motion carried.

**Inspections:**

January inspections were completed by the Public Works Department with the Fire Department Alternate training.

Department	Date Inspected	# of Hazards	Date Repaired
Fire	23-Jan-17	0	N/A
Admin.	24-Jan-17	0	N/A
Recreation	24-Jan-17	3	25-Jan-17
Library	24-Jan-17	1	Not repaired yet
PWD	23-Jan-17	1	24-Jan-17

February inspections are to be completed by the Public Works Department.

**Other Reports:** 2016 Employee Accident & Injury Summaries reviewed.  
Investigation Reports PWD03-16 and PWD01-17 were reviewed.

**Outstanding Issues:** Drug & Alcohol Use policy – The Chair advised that it is being created by the HR consultants.

**Any Other Business:**

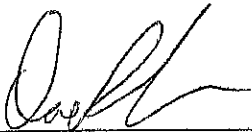
**Recognition Sub-Committee:** Now that the 2016 Injury and Accident summaries are completed, the Recognition Committee can meet to review Department recognitions. Town-wide recognition was not achieved.

**New Business:** None.

**Next Meeting:** Thursday March 2<sup>nd</sup>, 2017 @ 9:00 A.M. – Fire Hall

**Adjournment:** 2. W. Ashton

**THAT:** The Joint Health & Safety Committee is hereby adjourned. Time: 9:18 A.M. Motion carried.



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D. Parker, Co-Chair

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W. Ashton, Co-Chair

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

# STAFF REPORT

**DEPARTMENT:**Administration

**DATE:**March 22, 2017

**ITEM:**Tax Policy – Vacant Rebate and Reduction Programs

**RECOMMENDATION: Be It Resolved That: The Vacancy Rebate and Vacant/Excess Land Subclasses are hereby amended as follows:**

- The Vacancy Rebate for 2017 will be 15% for vacant commercial and Industrial space; the rebate for 2018 and thereafter will be nil;
- The Vacant & Excess Land Property Tax Subclasses discount factor is 15% for commercial and/or Industrial properties for 2017, with no reduction factor in 2018 and thereafter

## **BACKGROUND:**

See the attached background from the Minister of Finance. As previously circulated.

## **ANALYSIS:**

A press release was Issued to advise commercial and industrial land owners of the proposed changes.

Letters informing businesses that received the vacancy rebate in 2015 were also mailed.

We have received 2 objections to these changes. One was an email addressed to councillors cautioning the tax and the impact to businesses. As the vacant land subclasses relate to commercial and industrial lands only

The tax rate for each of these classes is as follows:

### **Commercial Excess/Vacant Land**

2016 – 1.834378%  
2015 – 2.019726%  
2014 – 2.241583%  
2013 – 2.501153%

### **Industrial Excess/Vacant Land**

2016 – 2.024812%  
2015 – 2.229402%  
2014 – 2.474292%  
2013 – 2.760809%

This represents a **26.6%** decrease over 4 year period, and is 30% & 35% less than other commercial and industrial properties.

The number of properties and their assessed values which are affected by the potential increase to the vacant land rate increase is indicated with a square box in the attachment.

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

**EXISTING POLICY:** n/a

**STRATEGIC GOAL:**

- ☐ 1) Improve and Maintain our Infrastructure
- ☐ 2) Sustainable Economic Growth & Prosperity
- ☒ 3) Excellence in Government
- ☐ 4) Safe and Healthy Community

**FINANCIAL COMMITMENT:** N/A

**IMPLEMENTATION:**

**Prepared By:** Cynthia Townsend

**Department Manager:** \_\_\_\_\_

**Clerk Treasurer/Administrator:** Cynthia Townsend

**Approval of Recommendation:** Yes ☒ No ☐

**Comments:** \_\_\_\_\_

## CVA BASE YEAR CHANGE REPORT - ROLL EDITION

AO 30 5226 ESPANOLA TOWN

November, 2016

Total Assessed Value by Realty Tax Class and Qualifier				
Realty Tax Class & Qualifier	Frequency	2012 Value Estimate	2016 Value Estimate	% Change in Value Estimate
CF Commercial PIL: Full	6	3,375,200	3,073,000	-8.95
CG Commercial PIL: General	4	874,000	1,246,600	42.63
CH Commercial: Full, Shared PIL	3	274,600	310,500	13.11
CT Commercial: Full	123	34,322,853	31,159,787	-9.21
CU Commercial: Excess Land	6	307,870	244,100	-20.58
CX Commercial: Vacant Land	14	1,257,600	1,244,500	-1.03
E Exempt	147	44,965,748	52,624,000	16.81
FT Farm: Full	2	118,200	280,000	136.89
IH Industrial: Full, Shared PIL	1	49,000	58,000	14.29
IT Industrial: Full	11	2,897,900	2,409,100	-10.70
IU Industrial: Excess Land	1	20,500	14,000	-31.71
IX Industrial: Vacant Land	2	375,000	278,000	-25.87
JT New Construction Industrial: Full	1	214,000	159,900	-26.68
LT Large Industrial: Full	1	16,202,014	8,307,013	-48.73
MT Multi-Residential: Full	17	6,458,000	6,185,200	-4.50
PT Pipeline: Full	1	1,830,000	1,807,000	10.86
RG Residential PIL: General	9	233,600	270,200	13.24
RP Residential PIL: Full, Taxable Tenant of Province	5	14,600	14,800	1.37
RT Residential: Full	2,241	309,345,825	324,733,400	4.97
ST Shopping Ctr: Full	1	3,616,190	3,698,600	2.28
TT Managed Forest: Full	25	702,600	1,036,600	47.82
XT New Construction Commercial: Full	6	1,805,000	1,930,700	6.96
<b>Total</b>	<b>2,627</b>	<b>428,861,900</b>	<b>440,962,300</b>	<b>2.82</b>



## MPAC 2016 MUNICIPAL CHANGE PROFILE

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Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

# STAFF REPORT

DEPARTMENT: Administration	DATE: February 28, 2017
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ITEM: Tax Policy – Vacant Rebate and Reduction Programs
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**RECOMMENDATION:** As recommended by Corporate Services: Be It resolved that:

Council proceed with a review to the Vacancy Rebate and Reduction Programs.

## BACKGROUND:

See the attached background from the Minister of Finance.

## ANALYSIS:

### VACANT UNIT REBATES:

The municipality has refunded municipal taxes in the past 4 years as follows:

2013 - \$13,271

2014 - \$16,856

2015 - \$15,291

2016 - \$15,750

This has averaged \$15,000 with an additional \$5,000 in education tax also being refunded.

The Ministry has provided broad flexibility in this rate moving forward. The current rebate is 30% for commercial space and 35% for vacant industrial space.

Several municipalities have already indicated that they will be eliminating this rebate in its entirety moving forward, citing:

- "the program contributes to buildings remaining vacant for long periods of time.....disincentive to address the vacancies inhibits potential development and results in an overall negative impact on the community."
- It was also noted that it increases the work load to administer this program
- "revitalization efforts are also hampered..."
- "Economic burden is witnessed through increased costs for insurance, ...increased costs for enforcement of property standards, fire and health regulations."

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

"Ontario is the only Canadian province where commercial and industrial ratepayers are eligible for a vacant unit tax rebate."

To the benefit of the program, it does assist struggling business owners who struggle with vacancies and not realizing the full potential of their commercial/industrial space.

Over the years, we have also seen a significant change in assessment values with "current value" being refined more and more each passing assessment cycle and commercial and industrial values continuously being eroded.

When commercial and industrial properties are assessed based upon the income approach method, they are benefitting with a vacancy factor built into their assessment, so this rebate can almost be seen as a double benefit, although a small one. Any vacancy is most likely reflected in the CVA reflected under the cost basis of valuation as well, through accelerated discount factors, obsolescence, etc.

In 2015, there were 8 properties that claimed the vacancy rebate and in 2014, there were 7, 6 were on both lists.

#### VACANT & EXCESS LAND PROPERTY TAX SUBCLASSES:

The reduction for these tax classes are 30% for commercial and 35% for industrial.

For 2016, the taxation revenue in these classes amounted to \$28,718 for commercial and \$2663 in industrial, meaning without the reduction we could have realized approximately \$8,615 + \$932 or \$9,547 in additional revenues.

Neither of these changes will create substantial additional revenues however it will assist with shifting some of the tax burden back to the commercial class from the residential class.

To proceed with a review to the Vacancy Rebate and Reduction Programs, Council will have to seek Business Community Engagement and outline the program details. It is proposed that a press release be issued with council's intent on reviewing the program and seeking input to be considered at the March 28<sup>th</sup> council meeting, with a copy of the resolution provided to the Ministry by the April 1<sup>st</sup> deadline.

Administration is recommending the reduction of the commercial vacancy rebate, over a 2 year period, with reductions of 15% per year.

In addition, the reduction to these vacant & excess commercial and vacant & excess

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

Industrial tax classes be phased out, bringing the levels of taxation to 85% for both the commercial and Industrial classes for 2017 and eliminating the reduction in 2018.

The 2016 Vacancy rebate will not be affected.

**EXISTING POLICY:** n/a

**STRATEGIC GOAL:**

- ☐ 1) Improve and Maintain our Infrastructure
- ☐ 2) Sustainable Economic Growth & Prosperity
- ☒ 3) Excellence in Government
- ☐ 4) Safe and Healthy Community

**FINANCIAL COMMITMENT:** N/A

**IMPLEMENTATION:**

**Prepared By:** Cynthia Townsend

**Department Manager:** \_\_\_\_\_

**Clerk Treasurer/Administrator:** Cynthia Townsend

**Approval of Recommendation:** Yes ✓ No    

**Comments:** \_\_\_\_\_

## VACANT UNIT REBATE AND VACANT/EXCESS LAND SUBCLASSES

January 2017

Since 1998, the Vacant Unit Rebate and Vacant/Excess Land Subclasses have provided tax rebates and reductions to property owners who have vacancies in commercial and industrial buildings or land.

- **Vacant Unit Rebates:** The Vacant Unit Rebate provides a tax rebate to property owners who have vacancies in commercial and industrial buildings. This application-based program is administered by municipalities. The current rebate is 30% of the property tax for vacant commercial space and 35% for vacant industrial space.
- **Vacant and Excess Land Property Tax Subclass:** Commercial and industrial properties or portions of these properties in the Vacant and Excess Land Property Tax Subclasses are taxed at a fixed percentage rate below the tax rate of the broad class. These properties are discounted at 30% to 35% of the full Commercial and/or Industrial rate.

Currently, upper- and single-tier municipalities may choose to apply the same percentage of relief (between 30% - 35%) to both the commercial and industrial property classes.

### NEW MUNICIPAL FLEXIBILITY FOR 2017 AND FUTURE YEARS

The Province has reviewed the Vacant Unit Rebate and the Vacant/Excess Land Subclasses in consultation with municipal and business stakeholders.

In response to municipal and other stakeholders' requests, the Province is now moving forward with providing municipalities broad flexibility for 2017 and future years. This change, announced in November 2016, is intended to allow municipalities to tailor the vacant rebate and reduction programs to reflect community needs and circumstances, while considering the interests of local businesses.

In order to provide the most flexibility for municipalities, changes to the rebate and reduction programs will be implemented through regulation. Upper- and single-tier municipalities that have decided to change the programs can notify the Minister of their intent to utilize this flexibility and provide details of the proposed changes along with a council resolution.

To support implementation of changes to the vacant rebate and reduction programs, municipalities should review the attached checklist prior to submitting a request for changes to the Minister.

## IMPLEMENTATION

Municipalities wishing to utilize the flexibility available to them must submit details of proposed changes to the Minister along with a council resolution by one of the following dates to ensure amendments are included in a regulation as soon as possible.

- March 1, 2017
- April 1, 2017
- July 1, 2017

Municipalities will be notified when the regulation implementing the requested changes has been enacted.

Note that in two-tiered municipalities, any program changes to be implemented will be an upper-tier municipal decision, consistent with the flexibility currently available to upper-tier municipalities, to determine the rebate and reduction percentage between 30% and 35%.

The Province has an interest in continuing to ensure tax competitiveness and consistency for taxpayers and as such, the Minister will consider proposed program changes within this context.

## FURTHER INFORMATION

For general information about the vacant rebate and reduction programs, please contact the Ministry of Finance at [info.propertytax@ontario.ca](mailto:info.propertytax@ontario.ca).

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**VACANCY REBATE AND REDUCTION PROGRAM CHANGES  
CHECKLIST  
January 2017**

**BUSINESS COMMUNITY ENGAGEMENT**

- ✓ Have you engaged the local business community?
- ✓ Can you provide details on how and when you have engaged the local business community?
- ✓ Have you considered the potential impacts the proposed changes may have on local businesses?
- ✓ Have you communicated potential impacts of proposed changes to the business community?
- ✓ Has Council been made aware of the potential impacts on the business community?

**PROGRAM DETAILS**

- ✓ Have you outlined details of program changes in your submission?
- ✓ For municipalities in a two-tiered system, have you discussed proposed changes with lower-tier municipalities?
- ✓ Have you considered how you will implement or administer any potential changes to the vacancy programs?
- ✓ Have you considered these changes as part of a multi-year strategy?
- ✓ Has Council passed a resolution indicating approval of these changes?

**FURTHER INFORMATION**

If you have any questions about implementation of changes to the vacant rebate and reduction programs, please contact the Ministry of Finance at [info.propertytax@ontario.ca](mailto:info.propertytax@ontario.ca).

## Traci Denault-Roque

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**To:** Cynthia Townsend  
**Subject:** RE: HOLDCO MOTION- Request to add Subject to next Town Council Meeting

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**From:** Nancy Hembruff [mailto:[nhembruff@erhydro.com](mailto:nhembruff@erhydro.com)]  
**Sent:** April-06-17 1:57 PM  
**To:** Traci Denault-Roque  
**Cc:** ron.duplessis@hotmail.com; 'Doug'; Cynthia Townsend  
**Subject:** HOLDCO MOTION- Request to add Subject to next Town Council Meeting

Traci, the HOLDCO Board the parent of Espanola Regional Hydro Distribution passed a motion that they will request that the Corporation of the Town of Espanola appoint the Chairman of HOLDCO to sit on the Steering committee that will be established to evaluate the potential sale of Espanola Regional Hydro.

Please forward to the appropriate individual.

Thanks

Nancy Hembruff, CPA,CMA  
Chief Financial Officer  
Espanola Regional Hydro Distribution Corporation  
Tel: 705-869-0378 x210  
Fax: 705-869-2433  
Email: [nhembruff@erhydro.com](mailto:nhembruff@erhydro.com)

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ESPANOLA REGIONAL HYDRO HOLDINGS CORPORATION

MOTION #:17-

DATE: April 4, 2017

MOVED BY:

SECONDED BY:

*W. N. 103*  
*[Signature]*  
*[Signature]*

BE IT RESOLVED THAT: *The Board of Hondo request that the Corporation of the town of Espanola appoint the Chairmen of Hondo to sit on the steering Committee established to evaluate a potential sale Espanola Regional Hydro. In the absence of the Chairmen the Vice Chairmen would attend. & Also Sablos Spanish.*  
CARRIED ✓ DEFEATED        CHAIRMAN *Cowan*

RECORDED VOTE:

DECLARATION OF CONFLICT

FOR AGAINST

D. Bois

\_\_\_\_

L. Gamble

\_\_\_\_

R. Duplessiss

\_\_\_\_

R. Piche

\_\_\_\_

T. Petrus

\_\_\_\_

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

# STAFF REPORT

**DEPARTMENT:** Administration

**DATE:** March 28, 2017

**ITEM:** 2018 Municipal Elections

**RECOMMENDATION:** Be It Resolved That:

- 1) A Tabulation System be used for counting ballots in the 2018 Municipal Election;
- 2) Vote by Mail alternative voting method be used in the 2018 Municipal Election; and
- 3) A Bylaw to authorize the method and procedures for Vote by Mail and tabulators for counting the ballots in the 2018 Municipal Elections be prepared.

**BACKGROUND:** In preparation of the municipal and school board election scheduled for Monday, October 22, 2018, Council must consider the type of voting method that will be used in the upcoming elections.

Pursuant to Section 42(1)(b) of the Municipal Elections Act, a bylaw authorizing an alternative voting method must be passed by May 1<sup>st</sup>, 2017.

Bill 181 (NEW)

- *The deadline to pass bylaws authorizing the use of alternative voting, such as by mail or by internet, and vote counting equipment will be May 1<sup>st</sup> in the year before the election*
- *The Clerk will need to have procedures and forms related to alternative voting in and vote counting equipment in place by December 31<sup>st</sup> in the year before the election.*

Under the *Municipal Elections Act* Clerks of local municipalities are responsible for preparing for and conducting elections. One component is to ensure that all members of the electorate are given every opportunity to vote and that the voting process is as accessible and accountable as possible. Since the *Municipal Elections Act* was enacted, a variety of alternative voting methods have been implemented by municipalities within Ontario. Three common benefits for investigating such methods include: (1) improved convenience for voters, (2) enhanced accessibility; and (3) the opportunity for increased voter turnout.

Alternate remote methods of voting are not new to Ontario municipalities. Vote by mail and telephone voting have been used in a variety of municipalities for decades and, more recently, voting via the Internet has been increasingly growing in popularity.

**ANALYSIS:** The Town of Espanola used the Vote by Mail method of voting for the first time in the 2014 municipal election and Staff continues to support this method of election for inclusion of all residents.

**Vote-by-Mail**

**Traditional Paper Ballot**

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

Please see attached Staff Report from 2013; this report has an analysis based on 2010 figures.

### **Cost Comparison**

#### **Projection of Election Costs for 2018**

\*Based on CPI increases from estimates for 2014 Election & wage increase for contracted election workers

\*\*Tabulator rental is locked in at 2014 rates

\*\*\*Staff Report from 2013 recommending Vote By Mail is attached

	<b>Projected Traditional - Paper Ballot</b>	<b>Traditional w/Tabulators</b>	<b>Vote By Mail w/Tabulators</b>	<b>Internet /Phone</b>
<b>Total</b>	<b>\$30,000*</b>	<b>\$37,510</b>	<b>\$33,200</b>	<b>\$23,000</b> (could be as low as \$14,000)

*Based on postage @ 2017 rates*

1. Staff overtime hours preparing and conducting 2010 Municipal Elections (conducted by Traditional method)(includes advance poll) not accounted for in the figures above is over 135 hrs
  - moving to traditional method w/tabulators may decrease this number just below 100 hrs of additional staff time
2. In 2010 Staff had a difficult time recruiting election workers, we had one spare worker only and had to call on that person at the last minute to work on election day.
3. With manual ballot count, election results were not available until after midnight. With Vote by Mail w / tabulators results were released by 9:30 pm. With Internet / Phone voting results are ready within 30 minutes of the close of polls.
4. Voter List Management services are provided by Datafix @ a cost of \$1,000+tax/year.
5. In 2017 election reserve fund is \$29,819.

### **Internet / Telephone Voting**

Staff would ideally prefer to conduct the election by internet / telephone voting however recognizes that there may be a lack of support from Council and the public for the implementation of a new voting system (there was a learning curve in 2014 with the change to vote-by-mail, which was received very well but another change in 2018 may be met with resistance) and although there are provisions in place, there may be reluctance to modernize by those who lack internet/phone access in their

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

home or in their possession. Elections Canada is considering providing Internet voting for the next election so perhaps that will make a transition in the 2022 Municipal Election easier.

Staff attended 2 webinars put on by 2 different suppliers for e-voting methods in Ontario. The e-voting method of voting serves several categories of voters including; the disabled, seasonal residents, snowbirds, business travellers, students away at school and absentee voters in addition to our permanent residents. The ability to cast your ballot using the telephone as an alternate to the internet, addresses other important social-economic issues. Typically, everyone has access to phone service whether it be a land line or cell phone and this presents an equal opportunity to all voters.

Voter turnout increased from 56.91% in 2010 to 61.76% in 2014. Residents and Businesses were asked in the 2016 Oracle Poll Survey if they were satisfied with the 2014 Municipal Election Voting Method which was Vote-by-Mail; 66% were satisfied, 29% were not and 6% didn't know or had no experience. Of the 29% who said they were not satisfied, 27% would prefer to vote by Internet and 8% by telephone.

**EXISTING POLICY:**Bylaw

**STRATEGIC GOAL:**Excellence in Government / Safe and Healthy Community

**FINANCIAL COMMITMENT:**

**BUDGETED:**\$10,000 in 2018      Yes      No

**IMPLEMENTATION:**Clerk's Office

**Prepared By:** Paula Roque

**CAO / Treasurer:** Cynthia Townsend

**Approval of Recommendation:** Yes      ☒ No      ☐

**Comments:**

## 1 Step Registration Process

The final list of electors will be provided to Dominion Voting Systems by the Town of Espanola from the voter list management system (Datafix). Voter information letters will be sent to all voters appearing on the final list of electors. This voter information letter will contain instructions on how to vote, a personalized voter PIN, a description of any other voter credentials which may be required in order to access the voting system, a list of races to be voted based upon the voters profile, as well as additional information such as the voter help line number.

Once the voter has received their voter information letter, they are ready to retrieve, mark, and cast their Internet or Telephone Ballot. The Dominion Voting solution will allow access to the IV and IVR voting application based upon a set of voter credentials as mutually agreed upon by the Town's election officials and Dominion Voting. Each voter uses their voter credentials (PIN), and if required other personal data, to login to Dominion's Internet Ballot Server and access their ballot. Voters are able to use a variety of standard browsers including those designed for smart phone and tablet based internet access.

## 2 Step Voter Registration

Voter Notification cards are sent all voters appearing on the Town of Espanola final list of electors prior to the start of the Registration period. The Voter Notification Cards provide instructions to the voter on how they can register and receive their voter credentials in order to use the Internet or Telephone voting system.

Using the information contained on the Voter Information card the voter accesses the secure registration system. The information card will detail what information is required in order to register for Internet/Telephone voting. During the registration process the voter provides personal information such as name and date of birth and answers a selectable secret question. The voter provides their email address and completes the registration process.

Once approved by the Town of Espanola, the voter receives an email notification with a secure link used to retrieve the voter's Personal Identification Number. Accessing the email link will direct the voter to the Dominion PIN retrieval system and provide them with their PIN number.

After retrieving their PIN, the voter is now ready to access the IV/IVR voting system in order to cast their ballot.

## System Login

Once the voter has received their voter instruction letter, or retrieved their PIN, they are ready to retrieve, mark, and cast their Internet or Telephone Ballot. Each voter uses their voter credentials (PIN) and any other voter credentials, as mutually agreed upon by Town election officials and Dominion, to login to Dominion's Internet Ballot Server and access their ballot.

Voters are able to use a variety of standard browsers including those designed for smart phone and tablet based internet access. The Dominion solution provides the ability to use standard desktop, laptop or table based devices which are internet enabled.

Town of Espanola  
2018 Municipal Election Quote



City of Internet Voting 2018 Municipal Election  
October 16th-24th, 2016

## VOTE

[Login](#) [Declaration](#) [Vote](#) [Review](#) [Eject](#)

### Voter Login

Please log in in order to vote.

**Voter ID:** The Voter ID can be found on your Voter Notification Card.

**PIN:** The PIN that you entered when you signed up via e-mail or by telephone.

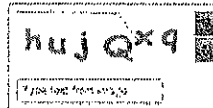
**Verification Text:** Enter the characters that you can see in the image. The text is not case-sensitive. If you cannot read the characters in the image, press the "reload" button to load a new image.

**NOTE:** All fields are mandatory.

Personal ID:

PIN:

Verification Text:



After completing the Verification Text, click on the Submit button to continue.

Town of Espanola  
2018 Municipal Election Quote

Oath of Qualification

Once a voter has accessed the Voting system they are presented with an Oath of Qualification. The oath details voter qualifications as well as provides the Notice of Corrupt practices.



City of Internet Voting 2016 Municipal Election  
October 16th-24th, 2016

Cancel Session

**Oath of Qualification**

1 Login 2 Declaration 3 Yes 4 Review 5 Print

**OATH OF QUALIFICATION**

Please read carefully. You must click the "Accept" button to see the ballot.

I solemnly affirm that I am on the Voters' List and that I have not already voted in the election now being held in the Town of Internet Voting. I am a Canadian citizen, at least 18 years old, and a resident of the Town of Internet Voting, or a non-resident owner or tenant of land in the Town of Internet Voting, or the spouse or same-sex partner of such an owner or tenant, and I am not prohibited from voting under any law.

**Notice of Offence**

**Notice of Corrupt Practice**

Section 82 of the Municipal Election Act, 1990 provides that a person is guilty of an offence and liable, on conviction, to a fine of not more than \$5000, if he or she, (a) votes without being entitled to do so; (b) votes more times than the Act allows; (c) votes in a voting place in which he or she is not entitled to vote; (d) induces or procures a person to vote when that person is not entitled to do so; (e) having appointed a voting proxy that remains in force, votes otherwise than by the proxy; (f) being appointed a voting proxy, votes under the authority of the proxy when the elector has cancelled the proxy, is no longer entitled to vote, or has died; (g) before or during an election, publishes a false statement of a candidate's withdrawal; (h) furnishes false or misleading information to a person whom that person authorizes to obtain information; (i) without authority, supplies a ballot to anyone; (j) delivers to the deputy returning officer to be placed in a ballot box a paper other than the ballot the deputy returning officer gives him or her; (k) takes a ballot away from the voting place; (l) at an election, takes, opens or otherwise deals with a ballot, a ballot box, or a book or package of ballots without having the authority to do so; (m) attempts to do something described in clauses (a) to (l). Section 83 of the said Act provides that if, when a person is convicted of an offence under Section 82, the presiding judge finds that the offence was committed knowingly, the offence also constitutes a corrupt practice and the person is liable, in addition to any other penalty, for imprisonment for a term of not more than six months.

I confirm the above information by clicking "Accept", to proceed to the ballot.

Accept

Decline

Town of Espanola  
2018 Municipal Election Quote

## Marking a Ballot

The Internet ballot has the same look and feel as a paper ballot, but includes some additional accessibility features. Internet ballots are designed for easy navigation within each contest being voted, indicating clearly how to electronically mark the ballot as well how to navigate from one ballot contest to another. At any time the voter is allowed to change their ballot selections and is free to navigate between races.



City of Internet Voting 2018 Municipal Election  
October 16th-24th, 2018

Cancel Session

Please mark your ballot

[1]

☐ Back
 ☐ Instructions
 ☒ Mark
 ☐ Review
 ☐ Finish

### Instructions

To make a selection, click on the box containing your choice.

To change through the races click on the "Next Contest" or "Previous Contest" buttons.

Review Ballot

2018 Town of Espanola Voting

### MAYOR

Vote for One (1) candidate only.

Megan Agosto
Chris Backlund-Turner
Jennifer Bowers
Maria Aurora Flores
Michael Gomez
Paul Kanya
Christina Loomis
Paul Neri
Stephanie Rodriguez
Vivian Rodriguez
Jeff Skinner
Andrew Spooner
John De Young

Town of Espanola  
2018 Municipal Election Quote

Ballot Confirmation

Once the voter has completed all races on the ballot they are presented with a confirmation screen. At this time, warning or error messages are displayed to the voter indicating any undervoted, non-voted or overvoted races and providing them the opportunity to update their selection by returning to the races.



City of Internet Voting 2016 Municipal Election  
October 16th-24th, 2016

Cancel Session

**Ballot Confirmation**

[1]

1 Login 2 Declaration 3 Ballot 4 Review 5 Finish

**Review Your Ballot**

Please review your ballot and ensure you vote everyone you intend. If you would like to change your vote selections click Go Back to the bottom left-hand corner of your screen. If you are ready to download and print your ballot click Download Ballot at the bottom right-hand corner of your screen.

Mayor Councillor Trustee REP

Review Ballot

Office: 1 of 4: City of Internet Voting

**MAYOR**

Vote for ONE (1) candidate only.

You have selected the voter:

FRANK KARYO

Office: 2 of 4: Ward 2 - 3001

**COUNCILLOR**

Vote for ONE (1) candidate only.

You have selected the voter:

KENNEDY HARRIS

Office: 3 of 4: District School Board, English Public

**TRUSTEE**

Vote for TWO (2) candidates only.

You have selected the following 2 voters:

FREDERICK BAUMING

MARY BRINT

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

# STAFF REPORT

**DEPARTMENT:** Administration

**DATE:** October 3, 2013

**ITEM:** 2014 Municipal Elections

**RECOMMENDATION:** Be It Resolved That: As Recommended By The Corporate Services Committee That:

- 1) A Tabulation System be used for counting ballots in the 2014 Municipal Election;
- 2) Vote by Mail alternative voting method be used in the 2014 Municipal Election; and
- 3) A Bylaw to authorize the method and procedures for Vote by Mail and tabulators for counting the ballots in the 2014 Municipal Elections be prepared.
- 4) 2014 Budget include \$14,000 for the 2014 Municipal Election

**BACKGROUND:** In accordance with the Ontario *Municipal Act, 2001*, as amended, the next municipal election will be held on October 27, 2014. The proposed time frame for the 2014 Municipal Election is outlined in Attachment #1 though these dates and times may be subject to change should amendments be made to the *Municipal Elections Act, 1996*, as amended.

Under the *Municipal Elections Act*, Clerks of local municipalities are responsible for preparing and conducting elections. Therefore, under the Act, it is the Clerk's responsibility to ensure that all members of the electorate are given every opportunity to vote and that the voting process is as accessible and accountable as possible.

Since the *Municipal Act* was enacted, a variety of alternative voting methods have been implemented by municipalities within Ontario. Three common benefits for investigating such methods include: (1) improved convenience for voters; (2) enhanced accessibility; and (3) the opportunity for increased voter turnout. Methods of voting are discussed in detail below for the 2014 Municipal Election. Three alternative methods of voting are discussed including: (1) vote-by-mail; (2) telephone; and (3) on-line voting. Two methods of counting ballots: (1) a manual count; and (2) by an optical scan tabulator are also discussed. Attachment #2 contains a table of pros and cons for the alternative voting methods and methods for counting of ballots.

Under Section 42(1) of the *Municipal Elections Act*, the Council of a local municipality is required to pass a bylaw authorizing the method of voting and the use of vote-counting equipment and for electors to use an alternative voting method. The bylaw must be passed typically on or before June 1 in the year of the regular election. The Clerk shall also establish procedures and forms for the use of the methods of voting and vote counting and to make this available to each candidate. The Ministry of Municipal Affairs and Housing recommends having 2014 Election Bylaws and Policies in place by January 2014 as the Nomination Period opens the first business day in

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

January 2014.

## **ANALYSIS:**

### **Traditional Poll Voting**

For many years, the traditional poll only voting had been used as the means for voting in municipal elections. This method consists of voters casting their vote at designated poll locations on Election Day and/or during an advance poll period. Though some consider this voting method to be the most secure, there have been signs that this may not be the most convenient or accessible way to vote especially in attracting the next generation of voters and in maintaining enhanced accessibility for all voters. Many municipalities, have experienced low voter turnout with poll-only voting for the following reasons:

- It is a challenge to provide accessible poll locations in areas convenient in large, rural municipalities;
- Election results associated with the traditional, poll only voting generally are not received in a timely fashion with results usually being received in the late evening on Voting Day; and,
- Voter apathy.

### **Alternative Voting Methods**

In the past few elections, Clerks across the province have been looking to alternative voting methods, in order to increase voter turnout and to make the voting method more flexible and accessible to the needs of the electorate. These alternative voting methods are permitted under the *Municipal Elections Act*. A table of Pros and Cons of all types of voting is attached.

The AMCTO (Association of Municipal Clerks and Treasurers of Ontario) completed a Post-Election Survey of the 2010 Ontario Municipal Elections in May 2011, 218 of 415 municipalities participated. Of those who participated 39% responded that they conducted a manual count, 34% used tabulators to count ballots, and 27% used a voting method with built in counting mechanisms (internet voting, telephone voting etc). It was reported that the highest level of satisfaction with vote counting methods was with tabulators and internet systems. The highest level of dissatisfaction was reported with manual count.

Of those that responded 18% had a population less than 2,000, 35% 2,000 to 10,000, 21% 10,000 to 25,000, the remainder had populations over 25,000.

In speaking with fellow municipal employees involved in elections it would seem that many municipalities plan to and have used some type of alternative voting method. Few plan to conduct the election with traditional voting methods or manual ballot counting.

There are a number of reasons for this, the most common being to meet the requirements of the AODA – Accessibility for Ontarians with Disabilities Act and to increase voter turnout.

33% of the eligible voters in Espanola are over 60 yrs old

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

9% of the eligible voters in Espanola are 18-25 (college/university age)  
7% are non-residents (own property in the municipality but do not live here)  
An alternative voting method can improve convenience for non-resident electors by reaching non-residents, students away at college/university and those that have difficulty leaving their homes.

### **Proposed Election Model – 2014 Election**

The foregoing is intended to provide Council with balanced information on possible voting methods, outlining the pros and cons of each reviewed method. In the past, the Town of Espanola has implemented the traditional voting place model. The last decade with technology advancements has brought opportunities to make the election process smoother for both the public as well as administration.

Having attended a full day workshop in early 2013 on alternative methods, conversations with experienced municipal clerks on the subject, as well as having reviewed a number of different reports written by Clerks who are experienced in their chosen alternative, I feel that I have gained insight into the strengths and weaknesses of the alternative options.

**It is my recommendation that the Town of Espanola implement for the 2014 municipal election, vote by mail with tabulators.**

I have chosen this combination method for the following reasons:

1. Considering the demographic in the Town of Espanola consists of both individuals who are receptive to new technology (increased use of the internet and Facebook) as well as individuals who value tradition, the proposed voting methods would allow for both of these groups options to choose a method that suits their principles. Individuals who prefer to vote by mail could do so at their convenience. Individuals who prefer a more traditional method could come to a prescribed location on Election Day and "place" their vote in a ballot box. This way, the principle of "going to vote" is still satisfied.
2. I have confidence that both of these procedures are capable of providing services to the standards the Town of Espanola would expect.
3. I believe that the Town of Espanola should move toward meeting the Accessibility needs of the community and making all efforts to reach the greatest number of electorates possible.

If Council decides to approve the recommendation in this report to proceed with vote by mail with tabulators, combined with one voting place on election day, a bylaw for alternative voting method will be prepared, procedures for vote by mail and vote tabulators will be developed.

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

Staff will make every attempt to lessen the challenges that a change to the voting method may create. Staff will develop a plan to provide training, instruction and further information on vote by mail through an election webpage, media, Facebook, newsletters and frontline staff.

#### Cost

	2006	2010
Advertising/Promotion		\$ 1,452
Election Staffing (not incl. municipal staff)		\$10,039
Materials & Supplies		\$ 7,205
<b>Total</b>	<b>\$15,524</b>	<b>\$18,696</b>

#### Projection of Election Costs for 2014

	Traditional no changes	Traditional w/Tabulators	Vote By Mail w/Tabulators
Advertising/Promotion		\$ 1,535	\$ 1,535
Tabulators		\$18,400**	\$17,200**
Optional Accessible Voting Means		\$ 2,400	\$ 2,400
Election Staffing (39- not incl. municipal staff)		\$10,610	\$ 0
Materials & Supplies		\$ 2,750	\$10,305***
<b>Total</b>	<b>\$24,760*</b>	<b>\$35,695</b>	<b>\$30,060</b>

\*Based on CPI increases from last election to present, costs to meet accessibility requirements.

\*\*Tabulator Information attached

\*\*\*Vote By Mail Information attached

1. Staff overtime hours preparing and conducting 2010 Municipal Elections (includes advance poll) not accounted for in the figures above is over 135 hrs
  - moving to traditional method w/tabulators should decrease this number just below 100 hrs of additional staff time
  - moving to vote by mail w/tabulators should decrease this number to less than 50 hrs of additional staff time (on election day only)
2. In 2010 Staff had a difficult time recruiting election workers, we had one spare worker only and had to call on that person at the last minute to work on election day.

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

### 3. Currently have \$17,304 in reserves for the 2014 Municipal Elections

**EXISTING POLICY:** Council Resolution/Bylaw, Comply with the *Municipal Elections Act*.

**STRATEGIC GOAL:** Excellence in Government

**FINANCIAL COMMITMENT:** For 2014 - \$14,000 (cost plus 10% contingency, if \$\$ are not spent would be placed in the election reserve fund for 2018)

**IMPLEMENTATION:** Clerk's Office

**Prepared By:** Paula Roque

**Clerk Treasurer/Administrator:** Cynthia Townsend

**Approval of Recommendation:** Yes ☒ No ☐

**Comments:**

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

# STAFF REPORT

**DEPARTMENT:**Administration

**DATE:**November 3, 2014

**ITEM:**Post 2014 Municipal Election Report

**RECOMMENDATION:**Be It Resolved That: The Post 2014 Municipal Election Report dated November 3, 2014 be received.

**BACKGROUND:**A municipal election was held in 2014 in accordance with the provisions of the *Municipal Elections Act*, 1996 S.O. 1996 c. 32. The Act makes the Clerk responsible for conducting an election and requires that the Clerk have regard to the needs of the electors and candidates with disabilities. The Municipal Elections Act subsection 12.1 (2) provides: "Within 90 days after voting day in a regular election, the Clerk shall submit a report to Council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities."

Additionally, this report will provide Council with an overall review of the 2014 municipal election.

## ANALYSIS:

It was the goal of the Town of Espanola Election Officials to ensure that electors with a disability were provided with the opportunity to vote as independently as possible in the 2014 Municipal Election.

The 2014 Municipal Election in the Town of Espanola was conducted by the use of the alternate voting method of Vote by Mail.

On or about October 1, 2014, the Town of Espanola electors on the Voters' List were mailed a Vote by Mail Kit which included:

- A Voter Declaration Form that included an information sheet on the back side
- A Ballot
- A Ballot Secrecy Envelope (white); and
- A postage paid Return Envelope (yellow)

An elector was to complete the Ballot, voting for the candidates of their choice, place the ballot in the Ballot Secrecy Envelope and seal the envelope. The elector was then to sign the Voter Declaration Form and place it, along with the sealed Ballot Secrecy Envelope, in the postage paid Return Envelope. The Return Envelope could be:

- Mailed; or
- Deposited in the Ballot Drop Box at the Municipal Office until October 24; or
- Deposited in the Ballot Drop Box at the Espanola Regional Recreation Complete on October 27 from 10 am - 8 pm

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

#### Identification of Barriers

To aid in the Identification of barriers the Accessibility for Ontarians' with Disabilities Act, 2005 (AODA) was referenced. The AODA defines 'barrier' and 'disabilities' as follows:

"Barrier" means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

"Disability" means,

- (a) Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- (b) A condition of mental impairment or a developmental disability
- (c) A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- (d) A mental disorder, or
- (e) An injury or disability for which benefits were claimed or received under the insurance plan established under the **Workplace Safety and Insurance Act, 1997**

The Town's accessible Customer Service Policy and Procedures were reviewed and incorporated in to the Procedures for Vote by Mail and Counting Tabulators in the Town of Espanola.

The Town's Policy and the AODA include the following:

- Allow for the use of service animals and support persons,
- Provide notice of temporary disruptions of service,
- Provide accessibility customer service training for all election staff,
- Establish procedures for responding to feedback,
- Provide documents in alternate format that take into account a person's disability; and provide notice of availability of the above documents when requested.

Additionally, the 'Clerk's Guide to conducting Accessible Elections' produced by the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Province was reviewed and acted as a reference tool to ensure compliance with the Act and the AODA.

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

#### Communication and Information

Communication initiatives and information for candidates, as well as electors was posted to the Town's website, published in local newspapers, advertised on the local Channel 10 Community Channel and on the local radio station, Moose FM. A detailed tutorial of how to properly process the Vote By Mail Package was available on the municipal website to assist those who are visual learners. The information was available in large print format when requested to assist the visually impaired.

Timely and relevant information on the Vote by Mail process was delivered through the channels mentioned above and through numerous information sessions hosted by Election Officials. As schedule of these sessions is attached.

All candidates were provided a copy of the 'Candidates Guide to Accessible Elections' in their Campaign Package when nomination forms were filed; this document was produced jointly by the AMCTO and the Province. A link to this Guide was also made available on the Town's website, together with other related election information material.

The Town's website provides a page dedicated to providing accessibility initiatives and a means to provide feedback.

#### Voting By Mail

This voting method facilitates the opportunity for electors to cast their ballots from a 'vote anywhere, anytime' perspective (during the voting period). However, electors could return their ballot kits in person at the Municipal Office. Electors could attend the Municipal Office to obtain a Voters' Kit or replacement Voters' Kit, be added to the Voters' List or vote. The Espanola Regional Recreation Complex was the Drop Off Station for this on Election Day.

Accordingly, an inspection of the Espanola Regional Recreation Complex was undertaken to ensure this venue addressed any identified potential barriers and risks

- The name and address of the building is clearly identified and visible from the street
- Condition of the parking lot is clear, level and in good condition
- Lighting is provided for the parking lot and building
- Designated parking is provided for persons with disabilities
- Accessible push buttons on the entrance doors are available
- Elevator on location
- The voting area is easily accessed; and
- There are accessible washroom facilities.

Appropriate signage was posted at the Complex to visibly and noticeably direct electors to the designated drop off location and election officials.

The Town of Espanola operates the Espanola Care Van. It is a special transit service

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

for residents over 55 yrs of age, physically or mentally challenged. Required support persons may accompany riders at no cost. The Care Van was another accessible tool available to assist those in dropping off their ballots packages.

The designated voting area and voting booths table height enabled those in a wheelchair or using a scooter to vote independently and securely. Voting stations were equipped with large print voting instructions and a magnifying sheet to aid persons with low vision.

On October 6, 2014 two Election Officials, accompanied by Nursing Home Ward Staff went room to room verifying residents were on the Voters' List and completing the appropriate forms if they were not, to ensure residents would receive their Vote by Mail Kits. The Kits were delivered in person by Election Officials.

The Espanola Nursing Home was designated as a Drop Off Location for residents on Monday, October 20, 2014 at 10 am. Two Election Officials, accompanied by Nursing Home Ward Staff went room to room with a Ballot Drop Box to collect Return Ballot Packages..

#### Staff Training

Town Staff served as Election Officials throughout the voting period. All Staff members are trained on the Town's Accessible Customer Service Standards, as well as the purpose of the AODA and the requirements of the customer service regulation.

There were 4,027 eligible electors in the Town of Espanola for the 2014 Municipal Election. Following is an analysis of ballot received.

Initial Vote by Mail Kit mail out	4075
Number of completed ballots returned by mail	1571
63% of those who voted (2487), returned their VBM Kits by mail	
Total completed ballots returned	2502
Number of completed ballots rejected upon receipt	11
Number of completed ballots rejected on election day	4
Total number of ballots rejected	15
Total number of ballots counted	2487

The 11 ballots rejected upon receipt were for the following reasons:

- The declaration was not signed. Any ballot kits that were received that did not have a declaration signed were kept in a separate holding area. Municipal staff made contact with the elector advising them their declaration was not signed and they could come into the office and sign. The only ballots that were rejected in the end were as a result of not being able to contact the elector or Staff did make contact but they did not come in and sign the declaration by October 27<sup>th</sup> at 8 pm.
- The ballot was returned without a declaration form. These were automatically rejected as the elector could not be identified and removed from the voters' list.

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

The 4 rejected on election day, upon opening the secrecy envelope either because of ambiguous marks on the ballot or the secrecy envelope was empty.

Of those ballots returned by Canada Post marked as moved or undeliverable. Staff attempted to confirm where they had moved and mailed the Vote by Mail Kit to the proper mailing address, or the elector picked it up. If Electors came in to the Election Office or Drop off Location on Election Day and advised they did not receive a Vote by Mail Package and they were on the Voters' List, the returned mail was checked to ensure the Package had not been returned as undeliverable.

The election team was comprised of Traci Denault-Roque, Administrative Assistant and myself; the Deputy Clerk.

#### Voter Turn Out

The Town of Espanola continued to enjoy a higher than average Voter Turnout in this election. The Voter Turnout for the 2010 election was 56.91% and in 2014 61.75% of the eligible electors cast a ballot. In the 2010 Municipal Election, the average voter turnout in Ontario was 46.7%, according to 2011 study conducted by the Association of Municipal Clerks and Treasurers.

Age of Electors	% of those voted were from these age groups	Voted / Total # in age group	% of age group that voted
Unknown	1.21%	30 / 114	26.3%
18-30	7.28%	181 / 575	31.5%
31-40	7.56%	188 / 445	42.2%
41-50	13.75%	342 / 590	58.0%
51-60	26.02%	647 / 923	70.1%
61-70	24.81%	617 / 762	81.0%
71-80	13.11%	326 / 400	81.5%
81-90	5.63%	140 / 191	73.3%
91+	0.64%	16 / 27	59.3%

#### Vote Tabulators

This was the first year the Town of Espanola used vote counting tabulators. The tabulators worked very well and enabled the results to be turned in much earlier than with a manual vote. The counting centre was sequestered and staff began processing ballots at 4:00 pm. There were a number of scrutineers in the room at all times to watch the process. We were able to use municipal staff for the count, the room was set up in stations that were set and described in the Election Procedures, which was provided to all candidates and posted on the municipal website. While the ballot

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

had clear detailed instructions, some electors marked their selection with an X or √ which the tabulator had trouble picking up if they were too light or too large. In order to ensure that every vote was counted, a remark station was set up. Ballots rejected by the tabulators as a result of ripped, marks not dark enough, ambiguous marks were remarked. There were 92 remarks.

**EXISTING POLICY:** Municipal Elections Act subsection 12.1 (2)

**STRATEGIC GOAL:** Excellence in Government / Safe and Healthy Community

**FINANCIAL COMMITMENT:** Elections Budget - \$40,000 - final costs not available at the time of this report

**BUDGETED:** Yes ☐ X ☒ No ☐

**IMPLEMENTATION:** Clerk's Office

**Prepared By:** Paula Roque

**Department Manager:** \_\_\_\_\_

**Clerk Treasurer/Administrator:** Cynthia Townsend

**Approval of Recommendation:** Yes ☐ ☒ No ☐

**Comments:** \_\_\_\_\_

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

# STAFF REPORT

**DEPARTMENT:** Administration / JH & Safety

**DATE:** March 28, 2017

**ITEM:** Bill 132 – Amendment to the *Occupational Health and Safety Act*

**RECOMMENDATION:** Be It Resolved that as recommended by the Joint Health and Safety Committee That: the Revisions to Policy H04-01615 Respect in the Workplace (Harassment and Violence) reflecting Bill 132 be adopted.

## BACKGROUND:

As part of the Ontario Government's ongoing efforts related to "It's Never Okay: An Action Plan to Stop Sexual Violence and Harassment", it has passed Bill 132 (*Sexual Violence and Harassment Action Plan Act*).

**ANALYSIS:** Bill 132 amends several pieces of legislation to extend protections to individuals who experience sexual violence, sexual harassment and domestic violence. For employers, Bill 132 imposes additional obligation with respect to the *Occupational Health and Safety Act* ("OHS") and the policies and programs already required under OHS concerning workplace harassment which were implemented with Policy H04-01615 Respect in the Workplace in response to Bill 168 in 2010. These changes came into effect on September 8, 2016.

Bill 132 expands OHS's definition of "workplace harassment" to include "**workplace sexual harassment**", which is defined as:

1. engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or
2. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

The Bill requires an employer, in consultation with a joint health and safety committee or a health and safety representative, to develop a written program that implements the employer's workplace harassment policy. This program must then be reviewed at least annually.

The written program must describe, among other requirements: (1) measures and procedures for employees to report incidents of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser; (2) how incidents or complaints of workplace harassment will be investigated and dealt with; (3) confidentiality assurances, unless the disclosure is

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

necessary for investigating or taking corrective action, or by law; and (4) the manner in which the complainant and the alleged harasser (if s/he is an employee of the employer) will be informed of the results of the investigation and of any corrective action that has been, or will be, taken.

Employers must also provide employees with appropriate information and instruction on the contents of their workplace harassment policies and program.

Further, Bill 132 imposes a statutory obligation on employers to ensure that an investigation is conducted into incidents and complaints of workplace harassment that is "appropriate in the circumstances." In conjunction with this, a new authority has been given to OHSIA Inspectors to order an employer to conduct an investigation by an impartial third party at the employer's expense.

Bill 132 requires employers to inform not only the alleged harasser (if s/he is an employee of the employer) of the results and of any corrective action that has been or will be taken, but the complainant as well. This obligation will result in a change in practice for many employers, who have been reluctant to share disciplinary action with the complainant due to concerns about privacy.

Training on this Policy will be provided to all employees, Council, Board and Committee Members and Volunteers via online / video training over the next coming months.

**EXISTING POLICY:** H04-01615 Respect in the Workplace

**STRATEGIC GOAL:** Excellence in Government

**FINANCIAL COMMITMENT:** \$0

**BUDGETED:** NA

Yes

No

**IMPLEMENTATION:** Clerk's Office

**Prepared By:**

Paula Roque

**Joint Health & Safety Meeting**

Moved By: Christopher Gernir

Date: April 6, 2017

Seconded By: Wayne Ashton

Motion: \_\_\_\_\_

**THAT:** Be it Resolved that as recommended by the  
Joint Health & Safety Committee that:  
the Revisions to Policy H04-0161S Respect  
in the Workplace (Harassment & Violence)  
reflecting Bill 132 be adopted.

CARRIED ✓

DEFEATED \_\_\_\_\_

  
Chair

Department:	Human Resources	Policy Number:	H04-01615
Subject:	Respect in the Workplace	Effective Date:	14/09/10
Bylaw No:		Revision Date:	11/04/17
		Version #:	3

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## Respect in the Workplace

**Purpose** ..... 2

**Policy** ..... 2

**Definitions** ..... 2

*Discrimination* ..... 2

*Sexual Harassment* ..... 2

*Discriminatory Harassment* ..... 3

*Workplace Harassment and Bullying* ..... 3

*Workplace Violence and Domestic Violence* ..... 5

*Workplace Violence* ..... 5

*Domestic Violence* ..... 6

Deleted: 6

Deleted: 5

**Preventing Harassment and Violence** ..... 6

**The Corporation of the Town of Espanola's Commitment** ..... 6

*Duties of Supervisors* ..... 6

*Duties of All Employees* ..... 7

*Duties of Supervisors* ..... 7

Deleted: 7

Deleted: 6

Deleted: 7

Deleted: 6

**Procedure for Resolving and Investigating** ..... 7

**Harassment Complaints** ..... 7

*Informal Procedure* ..... 7

*Formal Procedure* ..... 8

*Investigation Procedure* ..... 8

*Corrective Action* ..... 9

Deleted: 9

Deleted: 8

**Procedure for Resolving and Investigating** ..... 9

**Workplace Violence** ..... 9

*Investigation Procedure* ..... 10

*Corrective Action* ..... 10

Deleted: 10

Deleted: 9

Deleted: 11

Deleted: 10

**Procedure for Addressing Domestic Violence** ..... 11

**Schedule 'A' Workplace Violence Hazard Assessment Form** ..... 12

**Schedule 'B' Respect in the Workplace Complaint Form** ..... 15

## **Purpose**

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

## **Policy**

This policy applies to all employees, contractors, consultants and members of Council. It applies in any location in which you are engaged in work-related activities. This includes but is not limited to:

- The workplace;
- During work-related travel;
- At restaurants, hotels or meeting facilities that are being used for business purposes;
- In company-owned or leased facilities;
- During telephone, e-mail or other communications;
- At any work-related social event, whether or not it is company sponsored.

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

## **Definitions**

### **Discrimination**

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

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

### **Sexual Harassment**

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

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

Some examples of sexual harassment include:

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

### **Discriminatory Harassment**

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

Some examples of discriminatory harassment include:

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

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

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

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

### **Workplace Harassment**

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

The following definitions are taken from the Occupational Health and Safety Act:

Workplace Harassment -

1. Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known as unwelcome; or
2. Workplace sexual harassment.

Workplace Sexual Harassment -

3. *Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or*
4. *Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.*

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

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

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

Some examples of workplace harassment include:

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

*Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment:*

- Measures to correct performance deficiencies, such as placing someone on a performance improvement plan;

- Imposing discipline for workplace infractions;
- Requesting medical documents in support of an absence from work.

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

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

Although it is commonly the case, the harasser does not necessarily have to have power or authority over the victim. Harassment can occur from co-worker to co-worker, supervisor to employee and employee to supervisor.

### **Workplace Violence and Domestic Violence**

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

#### **Workplace Violence**

Workplace violence is defined under the Ontario Occupational Health and Safety Act as:

- (a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- (b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and
- (c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

It is defined broadly enough to include acts that may be considered criminal.

Workplace violence includes:

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

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

## **Domestic Violence**

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

- Creating a safety plan;
- Contacting the police ;
- Establishing enhanced security measures, such as a panic button, code words, and door and access security measures;
- Screening calls and blocking certain e-mail addresses;
- Setting up priority parking or providing escorts to your vehicle or to public transportation
- Adjusting your working hours and location so that they are not predictable;
- Facilitating our access to counselling through the Employee Assistance Program or other community programs.

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

## **Preventing Harassment and Violence**

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

## **The Corporation of the Town of Espanola's Commitment**

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

## **Duties of Supervisors**

Supervisors are expected to assist in creating a harassment-free workplace and to immediately contact the CAO / Treasurer if they receive a complaint of workplace harassment or violence, or witness or are aware of violent behaviour. Supervisors must take every reasonable precaution to protect employees from workplace violence, including evaluating a person's history of violent behaviour to determine whether and to whom this employee poses a risk. In making this evaluation supervisors should consider:

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

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

release as much personal information about the person with a history of violent behaviour as is reasonable necessary to protect the employee from physical injury.

#### **Duties of All Employees**

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

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

#### **Duties of Supervisors**

The role of the supervisor is to:

- Act as a resource and answer inquiries with respect to this policy;
- Discuss complaints on a confidential basis, unless the supervisor is required to release information by law, or where there is a risk of harm to you or another individual;
- Assist individuals who may be experiencing domestic violence that may expose them to a risk of physical injury in the workplace;
- Assist in the informal resolution of complaints through counselling;
- Engage in discussions with the respondent to see if the matter can be resolved informally.

To avoid any potential conflicts of interests, the supervisors are not involved in conducting formal investigations.

Supervisors are impartial and may provide assistance in facilitating a solution between two or more affected parties or assisting a complainant, respondent or witness during an investigation.

Supervisors are advocates for a respectful workplace – they are not advocates for a particular individual. Supervisors maintain confidentiality to the extent practicable and appropriate under the circumstances. They are not investigators under the policy, nor are they decision-makers.

In carrying out their duties under this policy, supervisors will be directly responsible to their Department Manager or in the case of a Department Manager to the CAO / Treasurer.

#### **Procedure for Resolving and Investigating *All Types of Harassment Complaints***

##### **Informal Procedure**

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

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

- "I don't want you to do that."
- "Please stop doing or saying..."
- "It makes me uncomfortable when you..."
- "I don't find it funny when you..."

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

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

If you believe that someone who is not a member of your organization; e.g., a customer, supplier, etc., has harassed or discriminated against you, please report the harassment to your supervisor. Although the Town of Espanola has limited control over third parties, we will do our best to address the issue and prevent further problems from arising.

### **Formal Procedure**

If the complaint cannot be resolved Informally or if it is too serious to handle on an informal basis, you may bring a formal complaint to your Supervisor or Department Manager who in turn will forward to the CAO / Treasurer or his/her designate for investigation.

*If a Supervisor or Department Manager is the person engaging in the workplace harassment, contact the CAO/Treasurer or his/her designate. If the CAO/Treasurer or his/her designate is the person engaging in the workplace harassment, contact the Mayor and he/she will contact the Town's third party Human Resource Consultant to investigate.*

If you bring forward a formal complaint, provide as much written information as possible, including the name of the person who you believe is harassing you, the place, date and time of the incident(s), and the names of any possible witnesses. A copy of the Workplace Respect Complaint Form is available from your supervisor or on the server at 'Common on toe':\Departmental Files\Forms and Templates\H99 Human Resources\H99-01614.

It is important that your complaint is received as soon as possible so that the problem does not escalate or happen again. Once a complaint is received, a formal investigation will be initiated if it is necessary and appropriate to do so.

Discrimination and harassment are serious matters. Therefore, if you decide not to make a formal complaint, the matter may still require an investigation. Steps may have to be taken to prevent further harassment. For example, an investigation may need to be continued if the allegations are serious or if there have been previous complaints or incidents involving the respondent.

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

*All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.*

### **Investigation Procedure**

An Investigation will commence as quickly as possible. An Internal or external Investigator may be chosen, depending on the nature of the Incident.

The Investigation will Include:

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

Once the investigation is complete a summary of the finding(s) will also be provided to the complainant and respondent.

It is our goal where possible; to complete any investigation and communicate the results to the complainant and respondent within 30 days after a complaint is received.

### Corrective Action

The CAO / Treasurer or his designate will determine what action should be taken as a result of the investigation. The current Employee Discipline Policy H05-01374 will be applied to determine proper disciplinary measures. The complainant and respondent (if s/he is a worker of the employer) will be informed of the results of the investigation and of any corrective action that has been, or will be taken.

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Deleted: (but not necessarily what) corrective measures were taken, if any were necessary.

If a finding of harassment is made, the Corporation will take appropriate corrective measures, regardless of the respondent's seniority or position within the organization.

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

If a finding of harassment is made against a member of Council, the member shall be suspended without pay for a minimum period of three months or any other more severe action that Council may choose to impose by resolution.

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

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

### Procedure for Resolving and Investigating Workplace Violence

You have the right to refuse work if workplace violence is likely to endanger you. In that instance, please immediately contact your supervisor, at which point appropriate measures will be taken to protect you and investigate the situation. You will be moved to a safe place as near as reasonably possible to your normal workstation and will need to be available for the

purposes of investigating the incident. In some circumstances, subject to the provisions of the collective agreement you may be provided with reasonable alternative work during normal working hours.

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

- Equipment to summon assistance, such as fixed or personal alarms, locator or tracking systems, phones, cell phones, etc.;
- Emergency telephone number and/or e-mail addresses; and/or
- Emergency procedures

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

### **Investigation Procedure**

You are required to report the existence of any workplace violence or threat of workplace violence to your supervisor, in a situation where a supervisor is involved, the report should be made to the Department Manager or directly to the CAO / Treasurer. *If the CAO/Treasurer or his/her designate is the person engaging in the workplace harassment, contact the Mayor and he/she will contact the Town's third party Human Resource Consultant to investigate.* An investigation will commence as quickly as possible. We may choose to use either an internal or an external investigator, depending on the nature of the incident.

The investigation will include:

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

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

### **Corrective Action**

The CAO / Treasurer will determine what action should be taken as a result of the investigation, in the case where the CAO / Treasurer is involved a recommendation to Council by the Town's Human Resource Consultant will be made.

If a finding of workplace violence is made, The Town of Espanola will take appropriate corrective measures, regardless of the respondent's seniority or position in the organization.

Corrective measures may include one or more of the following:

- Discipline, such as a verbal warning, written warning or suspension without pay;
- Termination with or without cause;
- Referral for counselling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect;
- A demotion or denial of a promotion;
- Reassignment or transfer;

- Financial penalties, such as the denial of a bonus or performance related salary increase; and/or
- Any other disciplinary action deemed appropriate under the circumstances.

If a finding of workplace violence is made against a member of Council, the member shall be suspended without pay for a minimum period of three months or any other more severe action that Council may choose to impose by resolution.

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

#### **Procedure for Addressing Domestic Violence**

If you are experiencing domestic violence that would expose you to physical injury in the workplace, or if you are experiencing workplace violence or believe that workplace violence is likely to occur, you may seek immediate assistance by contacting your Supervisor. Your Supervisor will assist in preventing and responding to the situation.

#### **Confidentiality of Complaints and Investigations**

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

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

#### **Protection from Retaliation**

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



## WORKPLACE VIOLENCE HAZARD ASSESSMENT FORM

*This form is designed to help managers and employees conduct an assessment of the potential risk of violence associated with the activities carried out in their departments or areas, and to respond to any identified risks.*

### Part 1: Work Department/Area

Please describe your department/area and the types of activities/functions performed by employees in the department.

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### Part 2: History

1. Have there been incidents when employees in your department have experienced or been threatened with physical violence? ☐ NO, ☐ YES, please describe incidents.

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2. Have there been incidents when employees in your department have experienced verbal abuse i.e. shouted at, obscene language, threats, or obscene phone calls? ☐ NO, ☐ YES, please describe incidents.

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### Part 3: Activities Which Might Expose Employees to Risk of Violence

3. Do employees in your department work with money or other valuables? ☐ NO, ☐ YES

4. Do employees in your department deliver or collect items of value? ☐ NO, ☐ YES, please describe

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5. Do employees in your department deal with people who may be under the influence of drugs or alcohol? ☐ NO, ☐ YES

6. Do employees in your department deal with people who are deeply troubled or distressed?  
☐ NO, ☐ YES

7. Do employees in your department monitor or regulate the activity of others or carry out procedures or make decisions which adversely affect others? ☐ NO, ☐ YES, please describe

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8. Are employees in your department involved with activities that may elicit a negative or confrontational response? ☐ NO, ☐ YES, please describe

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9. Are there other aspects of the work in your department that might spark a violent response? ☐ NO, ☐ YES, please describe

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#### **Part 4: Factors Which Increase the Risk of Violence**

Definition: A person works alone when they work in a situation where they are out of sight and out of hearing of other employees.

10. Do any of your employees work alone during normal working hours? ☐ NO, ☐ YES,  
please describe

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11. Do any of your employees work alone after normal working hours? ☐ NO, ☐ YES,  
please describe

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12. Please describe any precautions already taken to safeguard employees of your  
department who work alone.

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13. Please describe other factors which you feel might increase the risk of violence.

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**Part 5: Reducing the Risk of Violence**

14. Please describe policies or procedures already in place to reduce the risk of  
violence in your department.

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Schedule 'B'



## RESPECT IN THE WORKPLACE COMPLAINT FORM

Employee  
Name: \_\_\_\_\_

Position: \_\_\_\_\_

Department: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Who initiated the Incident:

\_\_\_\_\_  
\_\_\_\_\_

Where and when did the Incident take place *(provide specific details)*:

\_\_\_\_\_  
\_\_\_\_\_

Description of Incident *(provide specific details)*:

\_\_\_\_\_  
\_\_\_\_\_

Did anyone witness the Incident *(provide names/details)*:

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Employee's  
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor's  
Signature: \_\_\_\_\_

\_\_\_\_\_  
CAO / Treasurer

Form # H99-01614

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

# STAFF REPORT

<b>DEPARTMENT:</b> Public Works Dept.	<b>DATE:</b> March 9, 2017
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<b>ITEM:</b> Safety Recognition Budget for 2016
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**RECOMMENDATION:** That Council approve a recognition award budget of \$15/employee for the 49 employees of the 3 departments that achieved zero recordable injuries in 2016, which include the Library, Fire and Administration departments.

**BACKGROUND:** The Recognition Program provides the framework for employee, departmental and corporate-wide recognition for the achievement of zero recordable injuries each calendar year. Individual employee recognition is by 5-year intervals. The first eligibility for individual recognition will be 2020.

In 2016 the Library, Fire and Administration departments all achieved the goal of zero recordable injuries throughout the year for all of their employees. This totals 49 employees. Departmental recognition is due to these employee for their achievement. According to the program, Council sets the budget for a recognition token/award.

As there were recordable injuries in the other departments in 2016, corporate-wide recognition was not achieved nor was departmental recognition for those departments.

**ANALYSIS:** At \$15/person the total cost would be \$735. The Joint Health and Safety Committee budget will cover this cost.

In 2016 the Town of Espanola received a NEER cost rebate from WSIB in the amount of \$4,891.15 for our good safety performance in 2015.

**EXISTING POLICY:** Health & Safety Policy and Recognition Program H04-01716. Council recognizes safe work achievements each year and sets the recognition award budget.

**STRATEGIC GOAL:**

- ☐ 1) Improve and Maintain our Infrastructure
- ☐ 2) Sustainable Economic Growth & Prosperity
- ☒ 3) Excellence in Government
- ☒ 4) Safe and Healthy Community

Department:	General Administration	Form Number:	A99-01370
Subject:	Staff Report	Effective Date:	06/05/17
Policy No:		Revision Date:	13/05/29
Bylaw No:		Version #:	2

**FINANCIAL COMMITMENT:** \$735.00

**IMPLEMENTATION:** 2017

**Prepared By:** Dave Parker

**Department Manager:** \_\_\_\_\_

**Clerk Treasurer/Administrator:** \_\_\_\_\_

**Approval of Recommendation:** Yes ☐ No ☐

**Comments:** \_\_\_\_\_

**Joint Health & Safety Meeting**

Moved By: Christopher Gerasimos

Date: April 16, 2017

Seconded By: Dan Massicotte

Motion: \_\_\_\_\_

**THAT:** Be it resolve that the Joint Health & Safety Committee recommends a recognition award budget of \$15/employee for the 49 employees of the 3 Departments that achieved zero recordable injuries in 2016, which include the Library, Fire & Administration departments.

CARRIED ✓

DEFEATED \_\_\_\_\_

  
Chair

## Traci Denault-Roque

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**From:** Bill Foster [wpfosterespanola@gmail.com]  
**Sent:** Thursday, March 30, 2017 11:58 AM  
**To:** Traci Denault-Roque  
**Cc:** Bob Yocom; kenduplessis1@gmail.com (kenduplessis1@gmail.com); Ray Dufour; Ron Duplessis; rpiche45@gmail.com; Stewart Meikleham (smeikleham@yahoo.com); Cynthia Townsend; Paula Roque  
**Subject:** Re: FW: Building Code Changes - B-08-09-03

I would vote for a similar resolution. Please put on agenda for a council mtg.

Bill

On Thu, Mar 30, 2017 at 11:54 AM, Traci Denault-Roque <[TDenault@espanola.ca](mailto:TDenault@espanola.ca)> wrote:

For circulation.

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**From:** Monica Hawkins [<mailto:monica.hawkins@eastferris.ca>]  
**Sent:** Wednesday, March 29, 2017 11:36 AM  
**Subject:** Building Code Changes - B-08-09-03

Please be advised that the Council for the Municipality of East Ferris passed the attach resolution at its Regular Meeting of Council held March 28<sup>th</sup>, 2017.

*Monica L. Hawkins, AMCT*

*Clerk,*

*Municipality of East Ferris,*

*390 Hwy #94,*

*Corbeil, ON POH 1K0*

*Office: 705-752-2740*

*Fax: 705-752-2452*

MUNICIPALITÉ · EAST FERRIS · MUNICIPALITY



390 HIGHWAY 94, CORBEIL, ONTARIO P0H 1K0  
TEL.: (705) 752-2740 FAX.: (705) 752-2452  
Email: municipality@eastferris.ca

REGULAR COUNCIL MEETING

HELD

March 28<sup>th</sup>, 2017

No. 2017-78

Moved by Councillor Voyer

Seconded by Councillor Kelly

WHEREAS the Ministry of Municipal Affairs and Housing has proposed a change to the Building Code, B-08-09-03, requesting mandatory five year septic tank pump out and records retention by the owner;

AND WHEREAS that same change requires Municipalities to administer and enforce this change;

AND WHEREAS the change document fails to identify and acknowledge the administrative costs that will be added to Municipalities;

AND WHEREAS the change document fails to identify any transfer of Provincial funding to offset these downloaded costs;

AND WHEREAS many Municipalities already have By-laws to regulate septic systems especially near waterways;

AND WHEREAS the majority of homeowners pump out their septic tanks on a regular basis whether regulated to or not;

AND WHEREAS the Province and Municipalities can better ensure that septic systems are maintained through a low cost educational program;

AND WHEREAS there are many more important issues on which to spend taxpayer's money than "enhancing" maintenance on existing functioning system;


AND WHEREAS Premier Wynne stated on Monday, January 30<sup>th</sup>, 2017 at the ROMA Conference that the Province recognizes that "one size fits all" solutions do not always work in rural Ontario;

THEREFORE BE IT RESOLVED that the Council for the Municipality of East Ferris does hereby request that the Honourable Bill Mauro, Minister of Municipal Affairs not move forward with proposed Building Code Change B-08-09-03;

AND FURTHER that a copy of this resolution be sent to Honourable Kathleen Wynne, Premier of Ontario, the Honourable Bill Mauro, Minister of Municipal Affairs, Mr. Patrick Brown, Leader of the Progressive Conservative Party, Ms. Andrea Horwath, Leader of the New Democratic Party, AMO, ROMA and FONOM and all Ontario Municipalities.

Carried Mayor Vrebosch

CERTIFIED to be a true copy of  
Resolution No. 2017-78 passed by the  
Council of the Municipality of East Ferris  
on the 28<sup>th</sup> day of March, 2017.

  
Monica L. Hawkins, AMCT  
Clerk

WHEREAS **ALL** Ontario Hydro customers are paying exorbitant delivery fees charged by Ontario Hydro;  
AND WHEREAS these exorbitant delivery fees have left many families in all of Ontario to struggle with their financial commitments;  
AND WHEREAS the Premier announced Ontario's Fair Hydro Plan, in which Ontario Hydro will be waiving delivery fees for customers who reside on First Nations reserves and settlements in Ontario;  
AND WHEREAS if this was truly a Fair Hydro Plan for Ontario; the Province of Ontario would treat all Ontario Hydro customers equally and provide a common relief to all Ontarian's who are burdened with the cost of hydro delivery fees;  
NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Espanola calls upon the Province to ensure a fairness and equality to all Ontario hydro customers through a truly Fair Hydro Plan for Ontario;  
AND FURTHER BE IT RESOLVED THAT: In the interest of transparency, Ontario Hydro explain to the municipalities which cost costing measures or alternative revenue sources will be put in place to replace the revenue losses it experiences from the elimination of the delivery charge to its customers.  
AND FURTHER that a copy of this resolution be sent to Premier Wynne, Minister Thibeault and all municipalities in the Province of Ontario for their support.

