



Eastern Ontario Wardens' Caucus

**Eastern Ontario Wardens' Caucus  
MINUTES  
Sunday, February 21, 2010  
2:00 pm  
Alberta Room – Royal York**

In attendance:

County	EOWC CURRENT MEMBERS	STAFF
County of Frontenac	Gary Davison- Warden	Elizabeth Savill - CAO
County of Haliburton	Dave Burton-Warden	Jim Wilson-CAO Tamara Wilbee – Support
County of Hastings	Jo-Anne Albert - Warden	Jim Pine-CAO
City of Kawartha Lakes	Ric McGee- Mayor	Jane Reynolds - CAO
County of Lanark	John Fenik- Warden	Cathy Ritchie- Acting CAO
United Counties of Leeds and Grenville	Bill Thake-Warden	Steven Silver-CAO
County of Lennox and Addington	Henry Hogg - Warden	Larry Keech-CAO
County of Northumberland	Peter Delanty - Warden	Bill Pyatt-CAO
County of Peterborough	J. Murray Jones – Warden	Gary King – CAO
County of Renfrew	Donald Rathwell – Warden	
United Counties of Prescott and Russell	Conrad Lamadeleine- Warden	Stéphane P. Parisien
County of Prince Edward	Leo Finnegan- Mayor	Dick Shannon-CAO
United Counties of Stormont, Dundas and Glengarry	Bryan McGillis-Warden	Michael Waddell-CAO
Other guests:		EOWC Broadband Team Members: Sheridan Graham –County of Peterborough Lisa Severson, EORN, David Fell-RFP Review Team Member Jim Vanden Hoek, AMO County Caucus Chair
Past Chair	Ron Emond	
Regrets:	Norm Lemke – Renfrew	
	Peter Wagland – Lanark	

**1. Call Meeting to Order/Welcome**

Chair Burton called the meeting to order and welcomed the special guests to the meeting.

**2. Additions to the Agenda**

Chair Burton asked if there were any additions to the agenda. It was noted that two additional pieces of correspondence had been circulated from Frontenac County with a revised agenda cover on Friday. Mayor Ric McGee asked to add the AMO conference to the agenda under New Business.

**3. Approval of Agenda – February 21, 2010**

**Moved by: Mayor Ric McGee**  
**Seconded by: Warden Gary Davison**

**Be it resolved that the agenda for the February 21, 2010 Session of the Eastern Ontario Wardens' Caucus be adopted as amended.**

**Carried.**

**4. Approval of Minutes**

**Moved by: Warden Bill Thake**  
**Seconded by: Warden Jo-Anne Albert**

**Be it resolved that the minutes of the January 14 and January 15, 2010 Sessions of the Eastern Ontario Wardens' Caucus be adopted as presented.**

**Carried.**

**5. Chair's Update**

Chair Burton noted that with so much important business to get through in a short window of time, that he would like to keep it brief by thanking everyone for their attendance today to hear about and discuss the priorities and objectives of the Eastern Ontario Wardens' Caucus and to provide a launching point for the ambitious goals that have been established for 2010.

**6. Eastern Ontario Regional Network – Broadband Project Team**

Chair Burton asked Jim Pine and the rest of the Broadband Project Team to speak to the Eastern Ontario Regional Network project noting that some items would be dealt with under closed session.

**OMAFRA Transfer Payment Agreement**

Jim Pine noted that considerable time has been spent developing the Request for Proposals and subsequent evaluations. The Ministry of Agriculture, Food and Rural Affairs has agreed to provide \$190,000 in funding to offset some of these costs.

**Moved by: Warden John Fenik**  
**Seconded by: Warden Jo-Anne Albert**

**That the EOWC Inc. Board of Directors ratify the actions of the Chair and the Secretary-Treasurer in signing the Transfer Payment Agreement with the Ministry of Agriculture, Food and Rural Affairs for the receipt of \$190,000 in recognition of costs incurred in the preparation of activities undertaken by the EORN Broadband team related to the final approval of the regional broadband project.**

**Carried.**

### **Incorporation of Eastern Ontario Regional Network (EORN)**

Jim Pine noted that the EORN needs to be incorporated so as to ensure it is ready to move ahead when the Contribution Agreement is signed.

**Moved by: Warden Henry Hogg**  
**Seconded by: Warden Peter Delanty**

**Whereas substantial progress has been realized in the due diligence review by the Federal and the Provincial Governments, and whereas the letter of authorization and contribution agreements from the government are forthcoming;**

**Now therefore, the EOWC Inc. directs staff to proceed with the incorporation of the Eastern Ontario Regional Network (EORN) as a not-for-profit wholly owned subsidiary of EOWC Inc.**

**Carried.**

### **Selection of EOWC Inc. Members to EORN Board**

Mayor Ric McGee asked why the group didn't consider the Vice-Chair as a member of the EORN Board, so that person could be groomed for the Chair's position next year. It was also noted that in 2012, there will be a shift where only three members of the Caucus are represented on a 9 person board. He urged that the Caucus always maintain a majority member count on the EORN Board.

Gary King responded that the Caucus had previously agreed that in the third year, the Caucus members on the Board would be reduced to three. However, in the third year weighted voting on financial matters would be introduced. This would allow the Caucus to maintain a majority vote and effective control over the project. Jim Pine reiterated that the recommendation for weighted voting was based on the feeling that the financial part of the operation would make or break any project decision and further that in the Articles of Incorporation, the overall strategy decisions remain with the EOWC Inc. Gary King suggested that upon incorporation, there would be five members and when this issue is revisited in three years, the Caucus could decide to keep the same composition or

change it to suit current needs. Mayor McGee asked for a friendly amendment to the proposed resolution specifying that there would always be five members of the EOWC Inc. on the EORN Board. The Caucus agreed with that suggestion.

The Chair then asked for nominations to sit on the EORN Board. Wardens Gary Davison, J. Murray Jones and John Fenik put their names forward for consideration by the Caucus. It was:

**Moved by: Mayor Ric McGee**  
**Seconded by: Warden Don Rathwell**

**Whereas EORN will be incorporated for the purpose of overseeing the creation of a high speed state of the art broadband network for Eastern Ontario (purpose from draft articles of incorporation);**

**And whereas it is proposed that the EORN Board be established and populated in part from the Board of Directors of the EOWC Inc.**

**And whereas it is essential to ensure, particularly through the major build portions of the Project that the appropriate assistance is provided through the appointment of EOWC Inc. members to the EORN Board;**

**Now therefore be it resolved that the Chair and the Past Chair of the EOWC Inc. Board of Directors be appointed to serve on the EORN Board of Directors;**

**And, further that there will always be five members on the EORN Board from EOWC Inc;**

**And that three other members of the EOWC Inc. Board of Directors also be appointed to the new EORN Board;**

**And that Warden Dave Burton Chair of the EOWC and Warden of Haliburton County, Ron Emond Past Chair of the EOWC, Warden Gary Davison, Warden J. Murray Jones and Warden John Fenik be appointed to the EORN Board of Directors;**

**And that all five members serve until January 14, 2011 as long as they continue to be members of the Board of Directors of the EOWC Inc. in good standing.**

**Carried.**

#### **Execution of Contribution Agreement**

Jim Pine explained the requirement to complete the Contribution Agreement with both the Federal and the Provincial Governments.

**Moved by: Warden Jo-Anne Albert**  
**Seconded by: Mayor Leo Finnegan**

**Whereas the Federal and the Provincial Governments have committed \$110 million of funding towards the creation of an Eastern Ontario Regional Broadband Network (EORN) under the major infrastructure component of the Build Canada fund;**

**And whereas the EOWC Inc. is in the process of negotiating contracts for project completion with the Preferred Proponents for the Fibre Transport Ring and for Satellite capacity;**

**And whereas it is necessary for the EOWC Inc. to enter into a Contribution Agreement with the Federal and the Provincial Governments to complete this agreement;**

**And whereas the Board of Directors of the EOWC Inc. only meets on a bi-monthly basis;**

**Now therefore, the EOWC Inc. Board of Directors authorizes and directs the Chair and the Secretary Treasurer to execute the Contribution Agreement upon the advice of the Interim CEO and Broadband Team.**

**Carried.**

#### **EOWC Member Financial Contributions**

Jim Pine outlined that once the broadband project is under construction, cash flow will be required from the participating Counties

From a staff perspective, it was felt that March 31<sup>st</sup> is integral to the entire process as the fiscal year end for the major contributor's falls on that date. Warden Fenik asked if the March 31<sup>st</sup> deadline was too soon if the Contribution Agreement hasn't been signed yet. Gary King indicated that the federal money is already authorized for their share of the contribution and also that a letter has been received by the Provincial ADM validating the contribution amount. Mayor McGee asked that the proposed resolution clarify the actual payment dates and frequencies.

Mayor Finnegan asked about the status of contribution agreements from the separated municipalities. Mike Waddell suggested that this issue is best left with the County containing the separated municipality to handle in terms of seeking contributions. It was:

**Moved by: Mayor Ric McGee**  
**Seconded by: Warden Henry Hogg**

**Whereas the members of the EOWC Inc. have committed to the contribution of \$10 million dollars to the establishment of the Eastern Ontario Regional Network;**

**And whereas construction of the new network will commence in 2010;**

**And whereas payments for construction of the network will be required to be made in 2010 based upon submitted invoices;**

**Now therefore be it resolved that the Caucus members be requested to remit one-sixth of their overall project contribution semi-annually over the projected time frame of the project (next three years) starting on March 31, 2010 and October 1, 2010.**

**Carried.**

It was noted that Lanark County Warden John Fenik voted against this resolution.

Mayor Finnegan asked that a round of applause be provided to the EORN Project Team. Gary King and Jim Pine shared this thanks with the rest of the project team.

**7. MMAH Update**

Warren Sleeth and Vince Fabilli were in attendance, but had no report for the Caucus.

**8. EOWC Insurance**

Jim Wilson provided an overview of the process used to evaluate the insurance quotation submissions. The proposed premium includes coverage for general liability, errors and omissions, legal expense and property coverage. It was noted that Errors and Omissions represents approximately 75% of the cost. It was noted that at the direction of the Caucus in 2009, Hastings County requested quotes for this coverage.

**Moved by: Warden Henry Hogg**  
**Seconded by: Warden J. Murray Jones**

**That the EOWC Inc. approves the January 14, 2010 quotation provided by the Frank Cowan Company Ltd for insurance coverage with a premium of \$14,286.00.**

**Carried.**

**9. EOWC Appointment to the Knowledge Impact on Society Project Committee**

Jim Wilson reported that this was a new EOWC appointment last year. The EOWC is currently looking for another Caucus member to volunteer to sit on this project committee for the upcoming year.

**Moved by: Mayor Rick McGee**  
**Seconded by: Warden Bill Thake**

**Be it resolved that the EOWC Inc. approves the appointment of Gary Davison as the EOWC representative on the Knowledge Impact on Society Project Committee.**

**Carried.**

**10. 2010 EOWC Budget**

Jim Wilson reported that a proposed 2010 budget has been circulated for review. The main activities this year include an update the Future Directions report, an update to the

regional data set and the hosting of an economic development summit similar to the digital summit that was coordinated last year.

**Moved by: Warden Gary Davison**  
**Seconded by: Warden Henry Hogg**

**That the draft 2010 EOWC Inc. Budget be approved as presented.**

**Carried.**

**11. Economic Development Subcommittee Report**

Bill Pyatt reported that the Subcommittee is attempting to set up a meeting with FedDev Ontario and is working on establishing an economic development summit for later this year.

**12. Joint Meeting WOWC**

Jim Wilson reported that the Joint Meeting with the Western Ontario Wardens' Caucus would be held following the EOWC meeting at 3:30 p.m. He outlined the draft agenda for the benefit of those in attendance. The WOWC has asked that the EOWC provide a list of priorities for 2010.

**13. OGRA/ROMA Conference**

Jim Wilson provided briefing notes based on the presentations to the various Ministries during the ROMA/OGRA Conference. Copies of all the presentations were copied to members of the EOWC. It was noted that the presentations have been reviewed by the CAOs. The Chair asked if anyone would like to participate in making the presentations at the various Ministry delegations. Mayor McGee committed to doing a portion of the presentation to the Multi-Ministerial delegation. Warden Rathwell will speak to the Minister of Natural Resources regarding Crown Land and Warden Davison agreed to address the Ministry of Health on long term care and ambulance dispatch issues.

**14. New Business**

Mayor Ric McGee suggested that members take a passenger train to Windsor in August to attend the AMO conference. He further suggested holding the EOWC business meeting on the train.

**15. Correspondence**

Incoming Correspondence was received from:

**Debbie Zimmerman Chair MPAC Board of Directors.** Re: Response to County of Peterborough on Residential-Farmland Property Tax Concerns dated January 11, 2010.

**The Honourable John Gerretsen Minister of the Environment.** Re: Dead stock collection and disposal dated – January 21, 2010.

**The County of Frontenac** Re: Bill 140 dated February 19, 2010

**The County of Frontenac** Re: Federal and Provincial Influence in Local Municipal Decisions dated January 25, 2010.

Outgoing Correspondence was sent to:

**Chair Burton to the Honourable Leona Dombrowsky** Re: EOWC Inc. Broadband Project (EORN) – Request for Additional Resources dated January 19, 2010

**Chair Burton to the Honourable Dwight Duncan** Re: 2010 EOWC Inc. Pre Budget Submission dated February 3, 2010 (Pre Budget Submission document attached)

**Chair Burton to the Honourable James Flaherty** Re: 2010 EOWC Inc. Pre Budget Submission dated February 10, 2010 (Pre Budget Submission document attached)

**Moved by: Mayor Ric McGee**  
**Seconded by: Warden Gary Davison**

**Be it resolved that the correspondence presented to the Eastern Ontario Wardens' Caucus be received and filed.**

**Carried.**

**16. Confirmatory By-Law # 10-03**

**Moved by: Warden Bill Thake**  
**Seconded by: Warden Leo Finnegan**

**The Board of Directors of the Eastern Ontario Wardens' Caucus hereby enacts as follows:**

**THAT the action of the Board of Directors at its meeting held on the 21st day of February 2010 in respect to each motion, resolution, by-law and other action passed and taken by the Board of Directors at its said meeting, except where prior approval of any other body or agency is required, is hereby adopted, ratified and confirmed.**

**THAT the Chair and the proper officers of the Corporation of the Eastern Ontario Wardens' Caucus Inc. are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Secretary is hereby authorized and directed to affix the Corporate Seal to all such documents.**

**Carried.**

**17. Adjournment**

**Moved by: Warden Henry Hogg**  
**Seconded by: Warden Conrad Lamadeleine**

**Be it resolved that the February 21, 2010 Session of the Eastern Ontario Wardens' Caucus be adjourned.**

**Carried.**

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**Haliburton County Warden Dave Burton,  
Chair**

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**Haliburton County CAO Jim Wilson,  
Secretary-Treasurer**