



Eastern Ontario Wardens' Caucus

**Eastern Ontario Wardens' Caucus
MINUTES
Friday, June 19, 2009
9:00 a.m.
County of Lanark
Lanark County Administration Building – Perth, ON**

County	HEAD OF COUNCIL 2009	CAO
County of Frontenac	Janet Gutowski	Elizabeth Savill
County of Haliburton	Dave Burton	Jim Wilson
County of Hastings	Ron Emond	Jim Pine Cathy Monzon-Bradley
City of Kawartha Lakes	Ric McGee (Mayor)	Jane Lunn
County of Lanark	Paul Dulmage	Peter Wagland
United Counties of Leeds and Grenville	Jim Pickard Past Warden	Steven Silver
County of Lennox and Addington	Gordon Schermerhorn	Larry Keech
County of Northumberland	Linda Thompson	Bill Pyatt
County of Peterborough	Ron Gerow	Gary King
County of Prince Edward	Leo Finnegan (Mayor)	Dick Shannon
County of Renfrew	Donald Rathwell	Norm Lemke
United Counties of Stormont, Dundas and Glengarry	Chris McDonell	Michael Waddell
Other guests:		Steve Sellers, MMAH Warren Sleeth, MMAH EOWC Broadband Team Members: Lisa Severson, United Counties of Leeds and Grenville Sheridan Graham, County of Peterborough

Regrets

United Counties of Prescott and Russell	M. Robert Kirby	Stéphane P. Parisien
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1. Call Meeting to Order/Welcome

Chair Emond welcomed everyone to the meeting and called the meeting to order. Chair Emond welcomed special guests to the meeting, Steve Sellers and Warren Sleeth, Ministry of Municipal Affairs and Housing as well as members of the EOWC broadband team Lisa Severson, United Counties of Leeds and Grenville and Sheridan Graham, County of Peterborough.

2. Approval of Minutes

- *Eastern Ontario Wardens' Caucus Meeting Minutes – April 17, 2009*

Moved by: Mayor Finnegan

Seconded by: Warden Gerow

THAT the minutes of the April 17, 2009 EOWC meeting be approved as distributed. Carried.

3. Business Arising from the Minutes

There was no business arising from the minutes.

4. Approval of June 19, 2009 Agenda

5. Chairman's Updates

Chair Emond advised of his activities since the last EOWC meeting in April. They included several conversations with both levels of government regarding the Broadband Project. He reported that he presented the project details to Prince Edward Hastings MPP and Minister of Agriculture, Food and Rural Affairs Leona Dombrowsky and her staff and advised that all contact with both levels of government has been very promising.

Chair Emond attended the Federation of Canadian Municipalities Conference (FCM) in British Columbia. More recently he reported that he and members of the broadband team had met with both representatives RipNet and Xittel about the broadband project. These meetings provided an opportunity to re-emphasize our position that the intention of the broadband project to help existing ISP's enhance and grow their business with improved accessibility and enhanced service.

6. MMAH Update

Steve Seller gave a PowerPoint presentation on the results of the recent Building Canada (Intake 2) & Infrastructure Stimulus Fund. The presentation included an overview of the funding allocations and how they related to Eastern Ontario in particular. He advised that 207 projects were awarded in Eastern Ontario for total amount of 470 million dollars. For EOWC members in particular, 28 projects were approved for a total funding amount of \$57.9 million dollars. He also provided a breakdown by project type for both Eastern Ontario and for EOWC members. Mr. Seller advised to contact the Joint

Secretariat at 1-866-306-7827 if you were not successful in an application and for a total listing of all the project awards to visit the website www.bcfontario.ca/english/communities/docs/BCF-CC_ISF_Lists.pdf.

Mr. Seller advised of a new funding program Community Development Program recently announced by the Federal Government aimed at rural and northern regions. Applications will be accepted for Partnership, Knowledge Building and Workshop related projects. The project must be complete by March 31, 2013 and application deadlines are in 2010.

A copy of the presentation will be provided to the Warden's.

Mayor McGee noted that further to the discussion at the last meeting around the restriction of one application for Build Canada and three for Infrastructure Stimulus for Single Tier municipalities and that for municipalities with population over 100,000 applications for the infrastructure Stimulus program are limitless. Mayor McGee again suggested that Single Tier municipalities could be given this inclusion as well.

7. Future Directions Update

Mr. Pine advised that Allen & Partners are working through the finance data provided by EOWC members to complete the Future Directions update. It will be completed and presented at AMO.

8. Regional Data Set Update

Mr. Pine advised that he has received the RED Application for funding of the Regional Data Set Update for signing. The consultant Kathy Wood advised that under the RED Program the applicant has to make a contribution towards the project and she had recommended the amount of \$5000.00.

Moved by: Mayor Finnegan
Seconded by: Warden Schermerhorn

THAT the EOWC allocate a \$5000.00 contribution toward the Regional Data Set Update for the RED Application. Carried.

9. 2009 Budget and Financial Statements

Mr. Pine advised that as Hastings County has undertaken the financial management of the EOWC, a budget for each year will be prepared and presented in December and Financial Statements will be regularly provided. Mr. Pine explained that budgeting was difficult in previous years because the financial management moved to the Chair's municipality and the transfer each year created delays. Mr. Pine also advised that annual membership fees remain at \$4000.00 per EOWC member.

Mr. Pine also advised that the amount on the Financial Statements relating to the Digital Summit is a net amount. As reported previously, any revenue received from registration is included in the total shown in the statements.

Moved by: Warden Gutowski
Seconded by: Warden Burton

THAT the EOWC 2009 Budget and Financial Statements be approved as accepted. Carried.

10. Mitigation Funding

Norm Lemke and Jim Wilson reviewed their report to the Caucus. The report emphasizes the importance of the stable Funding Guarantee to municipalities as an essential equalization program for Ontario municipalities. Six of the thirteen EOWC members will lose a combined total of 12,840,000.00 in revenue translating into tax levy increases ranging from a low of 3.27% to a high of 28.07%. The Caucus is asking that the funding allocation be reviewed immediately for 2010 so that budget work for the upcoming year can begin.

It was felt that in addition to the letters being recommended to be set to the Ministers of Finance and Municipal Affairs and Housing that this item be brought forward through consultations at the AMO Conference in August. The message that Mitigation funding is key to Eastern Ontario Counties needs to be heard on the floor at AMO.

Moved by: Mayor McGee
Seconded by: Warden McDonnell

WHEREAS the Combined Benefit Stable Funding Guarantee be committed now for 2010.

AND WHEREAS on the assumption that the Province intends to hold consultations and create a review process for alternative funding formula to the Ontario Municipal Partnership Fund, then the Combined Benefit Stable Funding Guarantee be guaranteed as part of the new formula.

AND WHEREAS should the Province no longer intend to review the OMPF, then it should continue the Combined Benefit Stable Funding Guarantee in 2011 and forward.

THEREFORE LET IT BE RESOLVED that a letter be sent to the Ministers of Finance and Municipal Affairs & Housing expressing the EOWC's grave concerns about the potential loss of these provincial revenues accompanied by the Caucus's recommendations

AND FURTHER, BE IT RESOLVED that a copy of the letter be sent to the Association of Municipalities of Ontario. Carried.

11. PST/GST Harmonized Tax

Mr. Pine advised that although the Province announced that the tax harmonization will overall be revenue neutral, it is believed that it will create winners and losers in the municipal sector depending on which items are taxed and what is exempt. Concern was voiced over not only the effect to municipalities but also to individual tax payers. Mr. Pine advised that the Municipal Finance Officer's of Ontario Association are undertaking a review of the tax harmonization issue and this information once received, should help everyone understand the true effects.

Moved by: Warden Schermerhorn
Seconded by: Warden Rathwell

THAT the CAO's bring forward a report on the financial affects of tax harmonization on municipalities and individual tax payers to the August meeting at AMO and the issue be addressed at the All Minister's Meeting at the AMO Conference. Carried.

12. Day with MP's & MPP's

Mayor McGee suggested that in an effort to strengthen relationships with our MP's and MPP's as well as educating them on Eastern Ontario issues, an event could be planned to include all stakeholders in the form of a ½ or full day event. The City of Kawartha Lakes offered to be involved in hosting and organizing such an event. A discussion around timing resulted in the suggestion that date co-ordination had to be handled by a sub-committee with representatives from both the Federal and Provincial governments. It was felt that it would be best to work the date around the MP's and MPP's schedules. It was acknowledged that the setting the agenda for this event would be left to the Chair and Secretary/Treasurer using the current year's priorities as a focus.

Moved by: Mayor McGee
Seconded by: Warden Thompson

THAT a sub-committee be set up with representatives from the Provincial and Federal Governments as well as members of the EOWC to discuss the possibility of setting up an opportunity for all Eastern Ontario MP's and MPP's and the EOWC to come together to discuss issues of concern for all of Eastern Ontario. Carried.

13. Rural Connection Program Letter of Credit Requirements

Jim Wilson reviewed the report with the Caucus and highlighted the issues for vendor when they have to tie up their capital in the form of a Letter of Credit for an extended period of time and in some cases for an amount significantly more than that of the Provincial Grant.

Moved by: Warden Burton

Seconded by: Warden Schermerhorn

THAT the EOWC recommend to the Minister of Agriculture, Food and Rural Affairs that the following changes be made with respect to providing financial securities for projects under the Rural Connections Broadband Program:

- a) Security can be in the form of a letter of credit or a certified cheque made out by the Vendor to the Municipality in an amount equal to the Provincial Grant for the project.**
- b) The letter of credit or certified cheque is returned to the Vendor within 30 days of the filing and acceptance of final reports by the Province.
a sub-committee be set up with representatives from the Provincial and Federal Governments as well as members of the EOWC to discuss the possibility of setting up an opportunity for all Eastern Ontario MP's and MPP's and the EOWC to come together to discuss issues of concern for all of Eastern Ontario. Carried**

14. Social Assistance Restructuring Reinvestment Program

Gary King provided an overview of the resolution noting that this issue relates somewhat to the phase in uploading of ODSP and the OMPF funding.

Moved by: Warden Schermerhorn
Seconded by: Warden Burton

THAT the following resolution be approved. Carried.

WHEREAS the Province of Ontario has been clawing back Ontario Municipal Partnership Funding in recognition of the phased-in uploading of ODSP and Social Service costs,

AND WHEREAS the Provincial Ministry of Community and Social Services strongly encourages CMSM's to participate in the Social Assistance Restructuring Reinvestment Program to benefit low-income families,

AND WHEREAS municipalities rely on the receipt of OMPF funding to finance participation in the Social Assistant Restructuring Reinvestment Program as the absence of funding creates an increased net expenditure that must be funded from municipal property taxation,

NOW THEREFORE BE IT RESOLVED that the Eastern Ontario Wardens' Caucus petition the Province to commit to direct and full payment of all Social Assistant Restructuring Reinvestment costs, or, as an alternative, to maintain full OMPF funding for such costs until the costs are uploaded,

AND FURTHER, BE IT RESOLVED that this resolution be circulated to AMO, the Minister of Community and Social Services, the Minister of Finance and the Premier of Ontario.

15. 6 Month Update on Priorities

Jim Pine reviewed the Six Month Status report on 2009 priorities with the group. Warden Gerow updated the Caucus on the work a sub-committee of 1 rep of each of the townships from the County of Peterborough has set up to work on the issue of OPP Costing with the OPP Contracting Division. No contracts have been signed and the group is studying the idea of one contract. Warden Gerow will keep the group advised of further developments.

Moved by: Warden Dulmage
Seconded by: Mayor Finnegan

THAT the Six Month Status report be received. Carried.

16. Mining Act

Peter Wagland advised that Bill 173 Mining Act Amendment has completed its 2nd reading and that the comment period closes June 30, 2009. Mr. Wagland presented a report from Susan Freeman a Lanark County Councillor and Deputy Reeve of Tay Valley Township which included recommendations for consideration.

Moved by: Warden Dulmage
Seconded by: Warden Burton

THAT the approved resolution be circulated to the Minister, the members of the Committee and Eastern Ontario MPPs. Carried.

WHEREAS amendments to the Mining act Bill 173 has received first & second reading;

AND WHEREAS proposed changes include much needed Aboriginal consultation in legislation and regulations and, withdrawal of significant Aboriginal cultural sites from claim staking and requirements for prospectors and companies to notify Aboriginal communities of plans for exploration activities within their traditional lands;

AND WHEREAS Bill 173 proposes withdrawal of Crown-held mining rights in southern Ontario where surface rights are privately held, while respecting existing claims and leases;

AND WHEREAS Bill 173 does not grant municipalities a process to re-designate and re-zone lands from mining in their Official Plans;

AND WHEREAS Bill 173 does not put mining claiming and exploration as part of the municipal land use planning process with the inherent environmental and public review process;

THEREFORE BE IS RESOLVED that the Eastern Ontario Warden Caucus requests that changes to Bill 173 include:

- Re-unification of all private lands in Southern Ontario;
- Provisions be included in the Mining Act to require the filing and approval of an “exploration plan”, prior to assessment work being undertaken.

In working to achieve a balance between competing land use interests, MNDM, MNR, Conservation Authorities, Aboriginal Peoples and Municipalities must be part of the equation of consultation and our riding MPPs

17. AMO Delegations and Meetings

Jim Pine advised that he had previously canvassed the CAOs regarding issues to be addressed at an All Minister’s meeting at the AMO Conference in August and the list of issues is in the agenda package. He stated that the Caucus will use the same format used at ROMA, where briefing notes are prepared for the Warden’s and shared with the Minister’s that the group meets with. It was acknowledged that the issue of PST/GST Harmonization would be added to the issues list. Mr. Pine asked if there were other issues that should be discussed with Land Ambulance and the Algonquin Land Claim being suggested as worthy topics of discussion. Norm Lemke advised that their appears to be an issue arising with regards to the Algonquin Land Claim and the Statement of Shared Objectives. It appears that in addition to financial compensation it appears that there may be huge amount of land in Eastern Ontario that perhaps could be part of the settlement of the claim.

Mayor McGee raised the issue of Source Water Protection and how the legislation may affect municipalities in the future. He would like to see the EOWC advise the Government that we have an expectation to be informed around this issue.

Mayor McGee voiced his concern over trying to address too many issues at AMO. He stated that he believes the success of the Caucus has been the ability to narrow down priorities and keep the focus on those issues for the year. It was acknowledged that issues raise in priority over the course of a year, for example the Mitigation Funding issue, but he advised it may be best to try to keep the list of issues to be addressed with them down to manageable size.

Mr. Pine also advised that the EOWC had received an invitation to meet with the new Progressive Conservative Party leader at AMO and all agreed that briefing notes should be prepared for the new leader as well.

18. Appointment of Auditors

Mr. Pine advised that the letters patent instruct the EOWC to appoint auditors each year. As Hastings County has taken over the financial management of the EOWC it is advisable to appoint the auditor Hastings County utilizes.

Moved by: Warden Gerow
Seconded by: Mayor Finnegan

THAT the Auditors appointed for the County of Hastings (Collins Barrows Chartered Accountants, Peterborough, ON) be appointed as auditors for the EOWC. Carried.

19. Community Adjustment Fund Application – Request for Letter of Support – J. Pine

**Moved by: Mayor Finnegan
Seconded by: Mayor McGee**

THAT the Chair of the EOWC write a letter of support for the Community Adjustment Fund Application. Carried.

20. Regional Broadband Project Update – Broadband Project Team

i. Update on project

Jim Pine updated the Caucus on the status of the project. He reported that on May 27, 2009 the broadband project team met with the Deputy Ministers' Committee on Business Climate & Investment to answer questions regarding the project and the Build Canada Application that was submitted on May 12, 2009. Mr. Pine discussed the Conceptual Architecture of the project with the Caucus and explained that due to the extensive work done with the Request for Expression of Interest and the information gathering that resulted, the broadband team has been able to ascertain where fibre currently exists in Eastern Ontario whether lit or unlit and that has allowed them to undertake the planning of the architecture for the project. The intent will be to add new fibre to the existing so that coverage to 95% of all of eastern Ontario can be achieved. There will be a need for satellite coverage for remote parts of the area but as technology changes it is the intent to move those people off of satellite usage. The project timing was explained with the building of the network beginning in 2009 with completion by 2012. By the end of the project it is the goal to have 85% receiving service of 10mpps. As soon as the project receives approval and the Provincial and Federal Government announce their funding allotment the RFP will be issued.

**Moved by: Mayor Finnegan
Seconded by: Warden Burton**

THAT the EOWC move into Closed Session. Carried

The Caucus moved into Closed Session to discuss the Draft Request for Proposal that has been prepared and the plans for the project office.

**Moved by: Mayor McGee
Seconded by: Mayor Finnegan**

THAT the EOWC move out of Closed Session. Carried

21. Correspondence

21.1 Incoming Correspondence

Moved by: Warden Schermerhorn
Seconded by: Warden Gerow

THAT the Incoming correspondence items be received and filed. Carried

- 21.1.1 From the Township of Admaston/Bromley to the Honourable Dwight Duncan (April 21, 2009)
Re: OMPF – Mitigation funding support County of Renfrew’s resolution
- 21.1.2 From The Corporation of the Township of Bonnechere Valley (April 22, 2009)
Re: Mitigation funding support County of Renfrew’s resolution
- 21.1.3 From Warden Linda Thompson (April 17, 2009)
Re: Thank you for attending meeting with Minister Van Loan
- 21.1.4 From City of Kawartha Lakes (April 1, 2009)
Re: Department of Fisheries & drainage Works timeframe for approval
- 21.1.5 From Corporation of the Town of Arnprior (April 21, 2009)
Re: Support of City of Pembroke’s resolution re: AODA economic impact on businesses and municipalities
- 21.1.6 From Township of Elizabethtown-Kitley (April 28, 2009)
Re: Resolution of Support for EOWC Inc. Build Canada Fund, Major Initiatives Projects Application – Broadband Internet – Resolution of Support
- 21.1.7 From United Counties of Leeds and Grenville (April 23, 2009)
Re: Tax Harmonization
- 21.1.8 From Ministry of Agriculture Food and Rural Affairs (April 2009)
Re: Sponsorship donation for Audio-visual equipment costs of Digital Summit
- 21.1.9 From Township of Elizabethtown-Kitley (May 25, 2009)
Re: Support of United Counties of Leeds and Grenville resolution re: Tax Harmonization
- 21.1.10 From City of Pembroke (May 22, 2009)

Re: Support of County of Renfrew's resolution re: Combined Benefit Stable Funding Guarantee

- 21.1.11 From Township of Elizabethtown-Kitley (May 26, 2009)
Re: Letter to Premier McGuinty re support of United Counties of Leeds and Grenville resolution on Tax Harmonization
- 21.1.12 From County of Renfrew (May 27, 2009)
Re: Letter to Premier McGuinty re support of United Counties of Leeds and Grenville resolution on Tax Harmonization
- 21.1.13 From County of Peterborough (June 1, 2009)
Re: Letter to Premier McGuinty re support of United Counties of Leeds and Grenville resolution on Tax Harmonization
- 21.1.14 From Marmora and Lake Ratepayers (June 8, 2009)
Re: Letter to Honourable Dwight Duncan re payment in Lieu for Crown Lands

21.2 Outgoing Correspondence

The Outgoing correspondence is provided for information purposes only.

- 21.2.1 Letter from Chair Emond to Honourable Leona Dombrowsky (April 20, 2009)
Re; Thank you for sponsorship of Digital Summit 2009
- 21.2.2 Letter from Chair Emond to Barb Swartzentruber (April 20, 2009)
Re; Thank you for sponsorship of Digital Summit 2009
- 21.2.3 Letter from Chair Emond to Premier McGuinty (April 20, 2009)
Re: Bank Towers' ARB Decision
- 21.2.4 Letter from Chair Emond to Premier McGuinty (April 20, 2009)
Re: OMPF – Stable Funding Guarantee
- 21.2.5 Letter from Chair Emond to Honourable George Smitherman (April 20, 2009)
Re: Single Tier Municipalities/Build Canada Application
- 21.2.6 Letter from Chair Emond to Warden Linda Thompson (April 20, 2009)
Re: EOWC Inc. Support for Nuclear/Electrical Power Supply Site
- 21.2.7 Letter from Chair Emond to Honourable Leona Dombrowsky (May 4, 2009)
Re: Rural Connections Application Review Timelines
- 21.2.8 Letter from Chair Emond to Honourable John Baird (May 12, 2009)

Re: EOWC Inc. Regional Broadband Project – Building Canada Application

- 21.2.9 Letter from Chair Emond to Honourable George Smitherman (May 12, 2009)
Re: EOWC Inc. Regional Broadband Project – Building Canada Application
- 21.2.10 Letter from Chair Emond to Mr. Eric Rothschild (May 11, 2009)
Re: EOWC Inc. Broadband Project
- 21.2.11 Letter to Bank of Montreal (May 12, 2009)
Re: EOWC Inc. Officers
- 21.2.12 Invitation to MP's and MPP's (May 29, 2009)
Re: Invitation to attend June EOWC meeting

22. New/Old Business

23. Next Meeting

Wardens' Caucus – Sunday August 16, 2009 – AMO Conference 2:00 – 4:00 pm at Westin Ottawa Hotel

24. Confirmatory By-Law # 09-05

Motion

Moved by: Warden Gerow
Seconded by: Warden Schermerhorn

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

- 1. THAT the action of the Board of Directors at its meeting held on the 17th day of April 2009 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.**
- 2. 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**

25. Adjournment

The meeting adjourned at 1:35 pm.