



VILLAGE OF MERRICKVILLE-WOLFORD
Agenda for Council
Council Chambers

Council Meeting 7:00 p.m.

Monday, December 10, 2018

1. **Call to Order**
2. **Disclosure of Pecuniary Interest and the general nature thereof**
3. **Approval of the Agenda**
4. **Minutes:** Approval of the Minutes of the regular meeting of November 26, 2018; and
Approval of the Minutes of the inaugural meeting of December 3, 2018
5. **Public Question Period to Council**
6. **Correspondence:** Letter from Steve Clark re: Housing Supply Action Plan; and
Letter from MVCA and RVCA re: Changes to Conservation Authorities Act
7. **Finance Dept:** FIN-11-2018 re: OPP Contract
FIN-12-2018 re: 2019 Group Insurance Policy Renewal
8. **CAO:** CAO-10-2018 re: Legalization of Cannabis Retail Outlets
9. **Public Question Period to Council**
10. **Next meeting of Council:** January 14, 2019 at 7:00 p.m.
11. **Confirming By-Law:** 56-2018 re: Confirm Proceedings of Council meeting of December 10, 2018
12. **Adjournment.**

Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



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Facsimile (613) 269-3095

VILLAGE OF MERRICKVILLE-WOLFORD

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required

Recorded Vote Requested

By:

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - - 18

Date: December 10, 2018

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby adopt the agenda of the regular Council meeting of December 10, 2018 as:

___ circulated.

___ amended.

Carried / Defeated

J. Douglas Struthers, Mayor

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required:

**Recorded Vote Requested
By:**

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - - 18

Date: December 10, 2018

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby
approve the Minutes of the regular Council meeting of November 26, 2018 as:

_____circulated.

_____amended.

Carried / Defeated

J. Douglas Struthers, Mayor

**The Corporation of the
Village of Merrickville-Wolford**

Monday, November 26, 2018

A regular meeting of the Council of the Corporation of the Village of Merrickville-Wolford was held at 7:00 p.m. on Monday, November 26, 2018.

Chaired by: Mayor David Nash
Members of Council: Councillor Chuck MacInnis
Councillor Kim Weedmark
Deputy Mayor Anne Barr
Councillor Vic Suthren
Councillor Stephen Ireland
Regrets: Councillor David Snowdon

Staff In Attendance: Doug Robertson, CAO/Clerk
Christina Conklin, Deputy Clerk
Brad Cole, Acting Lead Hand – Public Works
Kirsten Rahm, Treasurer
Mark Urquhart, Fire Chief

Disclosure of Pecuniary Interest and the general nature thereof: None

Approval of Agenda

R-372-18 Moved by Deputy Mayor Barr, Seconded by Councillor Weedmark
Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby adopt the agenda of the regular Council meeting of November 26, 2018, as circulated.

Carried

Delegation

C. Fournier was not present for the delegation. This item was deferred to the incoming Council.

Minutes

R-373-18 Moved by Deputy Mayor Barr, Seconded by Councillor MacInnis
Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve the Minutes of the regular Council meeting of November 13, 2018, as circulated.

Carried

R-374-18 Moved by Councillor Weedmark, Seconded by Councillor Suthren
Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve the Minutes of the special Council meeting of November 15, 2018, as circulated.

Carried

Public Question Period to Council: No questions.

Library

R-375-18 Moved by Councillor Suthren, Seconded by Councillor MacInnis

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive the following Minutes of the Merrickville Public Library Board, for information purposes:

1. Minutes of the regular meeting of October 9, 2018; and
2. Minutes of the special meeting of October 23, 2018.

Carried

Public Works Department:

R-376-18 Moved by Councillor Suthren, Seconded by Councillor Weedmark

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report PW-08-2018, the 2018 3rd quarter results of the Public Works Department, for information purposes.

Carried.

Fire Department:

R-377-18 Moved by Councillor Weedmark, Seconded by Councillor MacInnis

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report FD-07-2018, the 2018 3rd quarter results of the Merrickville Fire Department, for information purposes.

Carried.

Finance Department:

R-378-18 Moved by Councillor Ireland, Seconded by Councillor MacInnis

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report FIN-10-2018, the 2018 3rd quarter results of the Finance Department, for information purposes.

Carried.

R-379-18 Moved by Councillor Suthren, Seconded by Deputy Mayor Barr

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve the fee of \$40 per hour for use of the Merrickville Community Centre for the purpose of Just for Kicks, a line dancing event, to be held for approximately 2 hours per week in 2019.

Carried.

Clerk's Department:

R-380-18 Moved by Councillor Suthren, Seconded by Councillor Weedmark

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report DEPC-03-2018, the 2018 Municipal and School Board Elections Accessibility Report, for information purposes.

Carried.

Public Question Period:

P. Watson commented regarding the Minutes of October 9, 2018. She wished to clarify that she was inquiring as to how many staff would receive an additional four days off for the Christmas holiday and added that would be an eleven-day vacation period.

P. Watson inquired as to the status of the 2018 Ontario Main Street Initiative Grant.

P. Watson inquired as to when and how Communities in Bloom became an annual event.

In-Camera:

R-381-18 Moved by Councillor Weedmark, Seconded by Councillor MacInnis

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford moves to "In Camera" at 7:38 p.m. in order to address a matter pertaining to

1. Personal matters about an identifiable individual, including municipal or local board employees.

Carried.

R-382-18 Moved by Councillor Weedmark, Seconded by Councillor Suthren

Be it hereby resolved that: the "In Camera" session rise and report, with staff being given direction, and the regular Council session resume at 8:08 p.m.

Carried.

Confirming By-Law

R-383-18 Moved by Deputy Mayor Barr, Seconded by Councillor MacInnis

Be it hereby resolved that: By-law 55-2018, being a by-law to confirm the proceedings of the Council meeting of November 26, 2018, be read a first and second time, and that By-law 55-2018 be read a third and final time and passed.

Carried.

Adjournment

R-384-18 Moved by Councillor Ireland, Seconded by Deputy Mayor Barr

Be it hereby resolved that: The Council of the Corporation of the Village of Merrickville-Wolford does now adjourn at 8:12 p.m. until the inaugural meeting of Council on Monday, December 3, 2018 at 7:00 p.m., or until the call of the Mayor subject to need.

Carried.

J. Douglas Struthers, Mayor

Doug Robertson, CAO/Clerk

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Recorded Vote Requested By:

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - - 18

Date: December 10, 2018

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve the Minutes of the Inaugural Council meeting of December 3, 2018 as:

_____circulated.

_____amended.

Carried / Defeated

J. Douglas Struthers, Mayor

**The Corporation of the
Village of Merrickville-Wolford**

Monday, December 3, 2018

The inaugural meeting of the Council of the Corporation of the Village of Merrickville-Wolford was held at 7:00 p.m. on Monday, December 3, 2018.

Chaired by: Doug Robertson, CAO/Clerk
Members of Council: Mayor Douglas Struthers
Councillor Michael Cameron
Councillor Bob Foster
Councillor Don Halpenny
Councillor Timothy Molloy

Staff in Attendance: Christina Conklin, Deputy Clerk
Brad Cole, Acting Public Works Manager
Kirsten Rahm, Treasurer
Mark Urquhart, Fire Chief
Randy Wilkinson, Chief Building Official

Welcome:

Doug Robertson welcomed everyone to the meeting and gave an overview of the agenda.

Declarations of Office:

The Declarations of Office were administered by Doug Robertson and sworn in the following order:

Mayor Douglas Struthers
Councillor Michael Cameron
Councillor Bob Foster
Councillor Don Halpenny
Councillor Timothy Molloy

Placing of the Chain of Office:

Doug Robertson presented Mayor Struthers with the Chain of Office.

Public Address:

Mayor Struthers addressed the public with a speech.

Next meeting of Council:

The first regular meeting of Council will be held on Monday, December 10th at 7:00 p.m.

Closing:

Doug Robertson brought the meeting to a close.

J. Douglas Struthers, Mayor

Doug Robertson, CAO/Clerk

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
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Tél. : 416 585-7000



Dear Head of Council,

As you know, our government has launched a broad consultation to gather input on how to increase the supply and mix of housing, speed up development timelines and drive down costs. Feedback from the consultation will inform our Housing Supply Action Plan, to be released this spring. I encourage you to share your ideas by visiting Ontario.ca/HousingSupply before January 25, 2019.

As part of this consultation, we will be undertaking a fundamental review of all aspects of the development approvals process as it relates to building more housing people can afford, and attracting and retaining new business investments. That is why I have directed my ministry to review the entire provincial approvals process – from the rules for planning all the way to construction.

I am keenly aware of the broad number of permits, approvals and processes that may come into play as part of this exercise, including those that reside with our partner ministries. I am working closely with my Cabinet colleagues on this initiative and our government's goal is a streamlined development process that ensures provincial approvals are in place within one year so building can begin sooner.

To help achieve this ambitious but necessary goal, and following on the successes of our recent Growth Plan Implementation workshops, we want to hear directly from you. That is why, we will be holding a series of targeted consultations focused on the key laws and policies that my ministry administers, and your input will be critical.

In the coming days, you will be invited to participate in one or several discussions focused on the Planning Act, the Provincial Policy Statement, the Building Code and other matters. This detailed review of individual policies and laws is needed to find every barrier and unnecessary step in the process. However, as Minister, I am interested in transformative change, not incremental shifts in policies.

Making Ontario open for business means a fundamental change to the status quo. Our province needs to be a place where businesses can locate and grow, and create jobs and innovate, not spend their time clearing regulatory hurdles and navigating unnecessary red tape.

This is urgent work, and I hope you will make time to participate. I look forward to hearing your important insights and recommendations on how to move forward.

A handwritten signature in black ink, appearing to read 'Steve Clark'.

Steve Clark
Minister
Ministry of Municipal Affairs and Housing



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November 26, 2018

To: Municipal Councils in the MVCA and RVCA Watersheds

Re: Letter from MPP Hillier to the Minister of MECP Regarding
Conservation Authorities Delivering Services for Municipal Partners Under MOUs

Dear Members of Council,

We were recently advised that Mr. Randy Hillier, MPP for Lanark-Frontenac-Kingston sent a letter to the Minister of Environment, Conservation and Parks regarding the Mississippi Valley and Rideau Valley Conservation Authorities. His letter requests that the *Conservation Authorities Act* be amended to prevent conservation authorities from entering into memorandums of understanding with their municipal partners to provide programs and services on their behalf. We also understand that Mr. Hillier shared this letter with local municipalities seeking motions of support from council.

In his letter to Minister Phillips, Mr. Hillier makes several assertions which we would be pleased to respond to, however, we wanted to ensure that municipal Councils were aware of the conservation authority services to which he refers and the value they provide. Therefore, we have prepared the following information for your consideration which we hope you find helpful. We are also available to answer questions and we would welcome an opportunity to appear before council should you have any concerns.

The Conservation Authorities Act

All conservation authorities are governed by the *Conservation Authorities Act* which was recently updated in December 2017 following a three-year review. This review of the Act was undertaken by the Ministry of Natural Resources and Forestry and included multiple consultation sessions with the public and key stakeholders, including municipalities and the development industry, as well as multiple postings on the Environmental Registry.

Under the Act, the purpose of a conservation authority is to deliver programs and services that further the conservation, restoration, development and management of natural resources within a watershed. Conservation authorities do this by:

- Fulfilling responsibilities delegated to them by the Province;
- Delivering programs and services on behalf of municipalities; and
- Providing other such programs and services that further their mandate.

Below we expand on delegated responsibilities and municipal services that pertain to planning and development as these are the services discussed in Mr. Hillier's letter.

Protecting People, Property and the Environment

Conservation authorities are involved in planning and development to:

- Protect people and property from natural hazards (flooding, erosion); and
- Protect natural features (watercourses, shorelines, wetlands) from loss or degradation.

Conservation authorities achieve these objectives through provincially delegated responsibilities as well as services they provide on behalf of municipalities.

Provincially Delegated Responsibilities

Under Section 28 of the *Conservation Authorities Act*, conservation authorities are responsible for regulating development in or around floodplains, steep slopes, unstable soils, wetlands, shorelines and waterways. Development in these areas requires a permit from the conservation authority because the area is environmentally sensitive or prone to natural hazards like flooding and erosion. Requiring approval under the conservation authority's *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* ensures that development is protected from natural hazards and natural features are not negatively affected by development.

Since conservation authorities regulate development in areas affected by natural hazards, the Province also made them responsible for commenting on planning files with respect to natural hazards. Under the *Planning Act*, municipalities must circulate official plans, comprehensive zoning bylaws and site-specific planning applications to conservation authorities who then provide comments on behalf of the province relating to Section 3.1 of the Provincial Policy Statement (natural hazards). As directed by the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources and Forestry, conservation authorities provide comments with respect to flooding, riverine erosion and unstable slopes, soils and bedrock.

Services Delivered on Behalf of Municipalities

Since land use decisions play a critical role in the long-term health and sustainability of watershed resources, most conservation authorities provide other services to local municipalities whereby the natural resources of the watershed are conserved, restored, developed and managed as directed by the *Conservation Authorities Act*.

When reviewing planning files, most conservation authorities offer to share their broader watershed knowledge and expertise with municipalities by providing advice on matters relating to Sections 2.1 and 2.2 of the Provincial Policy Statement (natural heritage and water). The conservation authorities' role in this capacity is strictly advisory and involves providing advice to municipalities related to natural heritage (wetlands, woodlands and valley lands), hydrogeology (potable water and surface and groundwater quality and quantity), stormwater management (flood and erosion control and water quality with respect to aquatic health) and in some cases, sewage systems. The MVCA and RVCA have MOUs with the City of Ottawa (since the 1990s), Lanark County (since 2009) and the County of Leeds and Grenville (since 1999) to provide advice to municipalities on these matters when reviewing planning applications.

Some conservation authorities also offer to administer Part 8 of the *Ontario Building Code* on behalf of municipalities to ensure sewage disposal systems function properly to prevent untreated effluent from contaminating surface and groundwater resources which can negatively impact human health, property and the environment. The conservation authorities' role in this capacity is regulatory and involves reviewing and issuing permits for construction, enlargement and/or alteration of sewage disposal systems. The MVCA and RVCA have MOUs with the City of Ottawa (since 1995) and Tay Valley Township (since 2004) to provide this service. Some conservation authorities also provide septic re-inspection services to ensure existing sewage disposal systems continue to function properly, especially around lakes. This involves inspecting the system and providing property owners with recommendations or requirements to improve, repair or replace the system. The MVCA and RVCA have MOUs (some since 2005) with Tay Valley Township, Township of Rideau Lakes, Municipality of North Frontenac, Municipality of Central Frontenac and the Municipality of Drummond / North Elmsley to provide this service.

The Value of Providing Services for Municipalities

Providing services for municipalities is an important way in which conservation authorities fulfill their mandate of conserving, restoring, developing and managing natural resources within their watershed. Enabling municipalities to leverage the expertise of their local conservation authority and have them deliver services on their behalf through MOUs also provides value to municipalities and applicants.

- Through MOUs, municipalities can ask conservation authorities to deliver services they do not have the capacity or expertise to provide, or services they feel the conservation authority is better suited to deliver. This allows municipalities to make use of specialized staff, knowledge and skill sets within their conservation authority which is cost-effective. If conservation authorities can no longer provide services to municipalities, those responsibilities will default back to municipalities.
- Conservation authorities have local watershed knowledge and expertise that should be applied to planning and development applications because it provides a broader watershed perspective and a consistent approach to protecting natural resources across the watershed. Commenting on Sections 2.1 and 2.2 of the Provincial Policy Statement and providing septic approval and reinspection programs are practical and effective ways of incorporating this knowledge and perspective.
- Being involved early in the planning process also allows conservation authorities to make applicants and municipalities aware of any regulatory requirements that may be encountered later on in the process under Section 28 of the *Conservation Authorities Act* or Part 8 of the *Building Code*. This allows for the coordination of applications and the early identification of any constraints to avoid unnecessary delays or costs and any duplication of effort.
- It should also be noted that providing additional services to municipalities with respect to planning and development does not take significant resources away from other conservation authority priorities as fees are collected from applicants to cover or offset the cost of these services.

We hope that the information we have provided is of use and that it shows the value and need for conservation authorities to be able to enter into MOUs with municipal partners to deliver services on their behalf. Across Ontario, municipalities should be empowered to work with their local conservation authority in any way that best conserves, restores, develops or manages natural resources, including having conservation authorities deliver services for them. This gives municipal Councils options and flexibility to make decisions locally about how best to deliver programs and services to their residents. Having conservation authorities deliver certain programs for municipalities can lead to cost-efficiencies, streamlined delivery and better service for applicants and the environment. For over 50 years, municipalities in the Mississippi and Rideau watersheds have been doing just that.

We appreciate your consideration of the information we have provided and we remain available to answer questions or attend council meetings as you wish.

Sincerely,



Paul Lehman
General Manager, MVCA



Sommer Casgrain-Robertson
General Manager, RVCA

CC:

The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Rod Phillips, Minister of Environment, Conservation and Parks
The Honourable John Yakabuski, Minister of Natural Resources and Forestry
Mr. Randy Hiller, MPP Lanark-Frontenac-Kingston

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VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 18

Date: December 10, 2018

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive and report FIN-11-2018; and

That Council authorize the execution of a three-year agreement between the Ministry of Community Safety and Correctional Services of Ontario and the Corporation of the Village of Merrickville-Wolford for the provision of police services.

Carried / Defeated

J. Douglas Struthers, Mayor

For Clerk's use only, if required:

Recorded Vote Requested By:

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N



Village of Merrickville-Wolford

Report FIN-11-2018

Finance Department

Information Report to Council

Date of Council Meeting: December 10, 2018

Ontario Provincial Police contract renewal

OBJECTIVE: To authorize staff to enter into a three year agreement with the OPP to provide policing services.

RECOMMENDATION:

THAT: Council receive report FIN-11-2018; and

THAT: Council authorize the execution of a three year agreement between the Ministry of Community Safety and Correctional Services of Ontario and the Corporation of the Village of Merrickville-Wolford for the provision of police services.

BACKGROUND:

Under Section 4(1) of the Police Services Act, R.S.O. 1990, c. P. 15, as amended, Municipalities are required to provide adequate and effective police services in accordance with their needs.

ANALYSIS:

The Ontario Provincial Police provide police services to the Village of Merrickville-Wolford. There are two policing arrangement options. The first one is through s.10 of the Police Services Act (PSA), and is a signed contract, and the other is s.5.1 PSA and is non contract. The Village of Merrickville-Wolford uses the first option.

The cost of policing remains the same under both options. However, there are some differences between the two models. Under s. 5.1, there are no Police Services Boards (PSB). These boards are the link between municipalities and the OPP, and the PSB determine the objectives and priorities of our policing services in consultation with the detachment commander. Also, if we have no contract, the OPP would no longer provide assistance with municipal by-law enforcement. Additionally, the Village would no longer be eligible to receive RIDE grants, which totaled \$6022 in 2018 and offset the cost of the RIDE program. Under s.10, Police Service Boards are mandatory. The cost of the board to the Village is a \$6000 annual grant to the PSB.

The Police Services Board has also reviewed the OPP Contract and estimated costing for 2019, and they recommend that the Village accept the new agreement with the OPP.

A PSB information report was taken to Council last December, and is included as an attachment (Schedule D) to this report.

BUDGET/LEGAL IMPLICATIONS:

The budget implications for the 2019 budget are \$453,321, which is an increase of \$1243 from 2018.

LINKS TO STRATEGIC PLANS:

On January 23, 2017, the Council of the Corporation of the Village of Merrickville-Wolford passed By-Law 10-17, being a by-law to adopt the Merrickville-Wolford Strategic Plan 2017-2025.

The priorities of the strategic plan that can be linked to this report are as follows:

N/A

CONCLUSION:

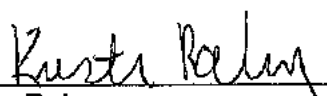
The cost of both options are the same, but the services provided are greater under section 10. Therefore, staff recommend the Village of Merrickville-Wolford enter into a three year agreement with the Ministry of Community Safety and Correctional Services of Ontario to provide policing services.

ATTACHMENTS:

- Schedule "A" – Comparison of s.10 Police Services Act vs. s.5.1. Police Services Act
- Schedule "B" – Sample Agreement
- Schedule "C" – PSB Recommendation
- Schedule "D" – DEPC-05-2017

Submitted by:

Approved by:


Kirsten Rahm,
Manager of Finance - Treasurer


Doug Robertson, CAO/Clerk

Comparison of s.10 Police Services Act vs. s.5.1. Police Services Act

This chart illustrates some the differences between Section 10 and Section 5.1 PSA OPP policing arrangements:

COMPARATOR	S. 10 PSA – CONTRACT	S. 5.1 – NON CONTRACT
1. Civilian Governance Model	Police Services Board – mandatory pursuant to 10(2) PSA	Community Policing Advisory Committee – discretionary 5.1(4) PSA
2. Objectives and priorities for delivery of police services within the Municipality	Determined by Board after consultation with the detachment commander – 10(9) (b) PSA	Advisory role for CPAC for objectives and priorities for police services in municipality – 5.1(6) PSA
3. Policy for the effective management of the police force	Local policy established by Board after consultation with the detachment commander – 10(9) (c) PSA	No defined role in PSA
4. Selection of the detachment commander	Participate in the selection of the detachment commander – 10(9) (a) PSA	OPP attempts to involve s. 5.1 PSA integrated detachment municipalities in the selection – no legislated requirement
5. Evaluation of the detachment commander	Monitor performance of detachment commander – 10(9) (d) PSA	No defined role in PSA
6. Maintenance of a complaints system	Review the detachment commander's administration of the complaint system and receive regular reports – 10(9) (f) PSA	No defined role in PSA
7. Monitor secondary activities of the police force members	The detachment commander provides regular reports to board on decisions made on secondary activities – 10(9) (e) PSA	No defined role in PSA
8. Ministry Support Funding (excluding support for Court Security Prisoner Transportation)	Eligible for some programs such as RIDE grants	Ineligible
9. Revenue from sale of found / recovered property and Fees recouped from sale of reports, security checks	Provided directly to municipality in a method agreed to locally	Credited to municipality annually
10. By-law enforcement	By-law enforcement as specified in a contract – 10(6) PSA	19(2) PSA – OPP have no responsibility regarding municipal by-laws
11. Enhanced FTEs	Available upon request for an additional cost	Not available
12. Billing	Invoice dated the middle of the month of service, payment due in 30 days (e.g. Jan bill dated middle of Jan, due the middle of Feb).	Invoice dated the end of the following month of service, payment due in 30 days (e.g. Jan bill dated end of Feb, due end of Mar).

The term of this Agreement, made in 2 originally executed copies, is from the 01st day of January 2019, to the 31st day of December 20XX.

**AGREEMENT FOR THE PROVISION OF POLICE SERVICES
UNDER SECTION 10 OF THE POLICE SERVICES ACT, R.S.O. 1990, c. P.15, as am.**

BETWEEN:

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE
MINISTER OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES**

("Ontario")

OF THE FIRST PART

AND:

**THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD
(the "Municipality")**

OF THE SECOND PART

RECITALS:

- (a) Under s. 4(1) of the *Police Services Act*, R.S.O. 1990, c. P.15, as am., the Municipality is required to provide adequate and effective police services in accordance with its needs;
- (b) Under s. 5 of the *Police Services Act*, the Municipality's responsibility for providing police services may be discharged by entering into an Agreement with the Solicitor General under s. 10 of the Act;
- (c) Pursuant to Order-in-Council 497/2004, the powers assigned to the Solicitor General in law, including those set out in the *Police Services Act*, have been transferred to the Minister of Community Safety and Correctional Services; therefore, all references to the Minister of Community Safety and Correctional Services shall be deemed to include the powers previously exercised by the Solicitor General;
- (d) The Municipality has expressed its intent to provide police services, in pursuance of its responsibilities under s. 5 of the *Police Services Act*, by means of this Agreement, as evidenced by by-law number XXXXX, dated XXXXXXXX, 2018 (attached as Schedule "A");
- (e) This Agreement reflects the intent of the parties to provide an adequate and effective level of police services for the Municipality as set out in the "Contract Policing Proposal," dated October 11, 2018 (attached as Schedule "B");

NOW THEREFORE, in consideration of the premises and covenants herein, the parties agree as follows:

1. The parties warrant that the recitals are true.

Definitions

2. In this Agreement:

- (a) "Annual Billing Statement" means a statement prepared by Ontario and submitted to the Municipality for review and approval which contains:
- (i) the Municipality's policing costs for the year following the year in which the statement is prepared, based on an estimate of salary, benefits, overtime, shift premium, statutory holiday payouts, prisoner transportation, court security (if applicable), and accommodation/cleaning (if applicable); and
 - (ii) a year-end adjustment reconciling salary, benefits, overtime, shift premium, statutory holiday payouts, prisoner transportation, court security (if applicable), and accommodation/cleaning (if applicable) costs to those billed for the preceding year.
- (b) "Board" means Village of Merrickville-Wolford Police Services Board.
- (c) "Commissioner" means the Commissioner of the O.P.P.
- (d) "Detachment Commander" means the O.P.P. officer in charge of Grenville County Detachments.

General Provisions

3. Ontario shall provide adequate and effective police services in accordance with the needs of the Municipality in compliance with the terms and conditions of the Agreement. The Municipality shall pay Ontario for the police services provided under this Agreement in accordance with this Agreement.
4. The Commissioner shall ensure that the Detachment Commander responds appropriately to the Board's objectives and priorities for police services, developed after consultation with the Detachment Commander, pursuant to s. 10(9)(b) of the *Police Services Act*.
5. The Commissioner shall cause the Detachment Commander or his or her designate to report to the Board at mutually agreed upon intervals in accordance with the *Police Services Act* regarding the provision of police services in and for the Municipality. The O.P.P. will determine the information to be contained in the reports and the format in which they will be provided.
6. (a) For the purposes of s. 10(6) of the *Police Services Act*, the O.P.P. shall provide police services to the Municipality, including the enforcement of mutually agreed upon by-laws. The parties shall review this part of the agreement annually, with a view to revising or updating the list of by-laws requiring O.P.P. enforcement.

(b) Municipal Building Code violations overseen by the Municipality's Building Code inspector and those by-laws related to animal control will not form part of this Agreement.

7. The parties agree that sections 132 and 133 of the *Police Services Act* will be applied as if the Grenville County Detachment of the O.P.P. was a municipal police force, and as if the Detachment Commander was a Chief of Police.

Service Levels

8. (a) Ontario shall cause the Commissioner to assign police officers and other persons to duties relating to the police services in and for the Municipality so as to provide the municipality adequate and effective policing services.

(b) Where the Municipality receives dedicated enhancement positions, it shall be responsible for all costs associated with those dedicated resources. In the event that the Municipality decides to reduce the number of enhancement positions, it shall provide Ontario with at least one year's prior written notice and shall be responsible for all costs associated with such reduction.

Liability of Ontario

9. The O.P.P. shall be liable for any damages that may arise as a result of any negligent acts or omissions of its members in the performance of this Agreement.

Provincial Services Usage

10. The O.P.P. as legislated by the *Police Services Act*, must be capable of providing provincial level response that can be mobilized for emergencies, disaster or specialized needs. The O.P.P. may meet this requirement by deploying resources that normally would be assigned to the Detachment that serves the Municipality. The O.P.P. shall ensure that in the event resources are deployed to a situation requiring provincial level response, appropriate resources remain available to the Detachment to provide adequate and effective policing to the Municipality. The use of O.P.P. officers in cases where there is a provincial obligation to respond will be accounted for as part of the billing model.

Equipment and Facilities

11. Ontario shall supply or cause to be supplied all vehicles and equipment reasonably necessary and appropriate for the use of the O.P.P. in providing police services under this Agreement.
12. The parties will enter into negotiations concerning the provision and payment of appropriate buildings and rental agreements, including, but not limited to, location, leasehold improvements, and capital costs, where applicable.

Adequacy Standards Regulation

13. The O.P.P. shall undertake and be responsible for ensuring that all mandatory standards of adequate and effective police services as required by *Ontario Regulation 3/99* under the *Police Services Act* are met and maintained.
14. The Detachment Commander shall provide the Board with reasonable documentation, as agreed upon between the Board and the O.P.P., to allow the Board to evaluate the services and satisfy itself that adequate and effective standards and policies are in place.
15. It shall be the responsibility of the Board to monitor the delivery of police services to ensure that the provisions of the *Ontario Regulation 3/99* under the *Police Services Act* are satisfied on an ongoing basis.

Cost of Police Services

16. (a) On or before October 01st in each year, Ontario shall prepare and deliver to the Municipality for review and approval, the Annual Billing Statement for the following year, together with sufficient documentation and information reasonably necessary to explain and support the billing.

(b) The Municipality shall review the Annual Billing Statement upon receipt and, within 90 days of such receipt, shall approve the Annual Billing Statement or deliver to Ontario a request to review the Annual Billing Statement.
17. (a) In the event that the Municipality fails to approve or request a review of the Annual Billing Statement within 90 days of receipt, the Municipality shall be deemed to have approved the Annual Billing Statement.

(b) In the event that the Municipality requests a review of the Annual Billing Statement as provided in this paragraph, the Annual Billing Statement shall be approved, or amended and approved in accordance with Section 18.
18. Where the Municipality has delivered to Ontario a request to review the Annual Billing Statement, Ontario shall carry it out expeditiously, and Ontario shall cooperate to permit such a review to be carried out. If the parties are unable to agree on the Annual Billing Statement, either party may submit the matter to the dispute resolution mechanisms set out in paragraphs 22 and 23. In the event that the Municipality delivers a request to review to Ontario, the Annual Billing Statement shall be deemed to apply during the period of review.
19. The Municipality shall make monthly installment payments to Ontario due no later than 30 days following receipt by the Municipality of each monthly invoice, each one being one twelfth of the Annual Billing Statement for that year. Any amounts which have become due and owing shall bear interest at the rate set by the Minister of Finance from time to time.

20. Ontario shall keep all records, statements of account, invoices and any other such documents necessary to support the Annual Billing Statement, and all such records shall be kept for a period of seven years. Ontario shall permit the Municipality, upon notice to Ontario, to examine all such records and books of account and conduct a review of the Annual Billing Statement.
21. Upon the approval or deemed approval of the Annual Billing Statement, as provided in this Agreement, adjustments shall be made in the amounts paid by the Municipality by installment so that (i) the total amount paid in respect of the preceding year is equal to the amount shown on the approved Annual Billing Statement and (ii) the installments for the year following the year in which the statement is prepared are each equal to one twelfth of the approved Annual Billing Statement. Any amounts payable by one party to the other shall be paid to the appropriate party in the remaining monthly billings for the year following the year in which the statement is prepared.

Dispute Resolution Mechanisms

22. (a) The provisions of this paragraph apply in the event of a dispute between the Municipality and Ontario concerning financial and related issues arising out of the interpretation, application, administration, or alleged violation of this Agreement ("Financial Disputes") or between the Board and the O.P.P. concerning policing issues arising out of the interpretation, application, administration, or alleged violation of this Agreement ("Policing Disputes").
 - (b) In the event that a dispute arises, the Detachment Commander, or representative, and the Municipality or the Board, as the case may be, or their representative, shall meet within 30 days of such dispute arising, and use all best good faith efforts to resolve the dispute.
 - (c) If the dispute remains unresolved, the Regional Commander, or representative, and the Municipality or the Board, as the case may be, or representative, shall meet and use all best good faith efforts to resolve the dispute.
 - (d) If the dispute remains unresolved, the Commissioner, or Deputy Commissioner, and the Municipality or the Board, as the case may be, or representative, shall meet and use all best good faith efforts to resolve the dispute.
 - (e) If a Financial Dispute remains unresolved, the issue may be referred to mediation by either party, and each party shall use all good faith efforts to resolve the dispute.
23. (a) Financial Disputes that cannot be resolved through any of the methods described within paragraph 22, may be referred to and settled by binding arbitration. The provisions of the *Arbitration Act, 1991* shall apply to any such arbitration, unless otherwise indicated below:
 - (i) The language of the arbitration shall be English.

- (ii) The place of the arbitration shall be the Village of Merrickville-Wolford
 - (iii) Each party agrees that the arbitration shall be conducted in a summary manner to ensure a full hearing in a cost effective and efficient manner.
 - (iv) Each party shall make prompt full disclosure to the other and, subject to the availability of an arbitrator the arbitration shall be commenced within 30 days of the conclusion of the meeting with the Commissioner, or the mediator, if applicable.
 - (v) Each party shall be responsible for its own legal expenses and for an equal share of the fees and expenses of the arbitration and any other related expenses. Section 54 of the *Arbitration Act* shall not apply; the arbitrator shall have no right to make an award relating to costs.
 - (vi) The parties shall have no right of appeal to a final decision of an arbitrator.
- (b) Policing Disputes shall not be subject to mediation or arbitration.
- (c) Neither party shall be entitled to proceed to mediation or arbitration until all of the meetings referred to in paragraphs 22 have been held, and each party undertakes to exert all best good faith efforts to resolve the dispute in those meetings.
- (d) Mediations or arbitrations of disputes conducted under this Agreement shall remain closed to the public. All parties to any dispute shall keep all details, admissions or communications made in the course of the dispute resolution process strictly confidential, nor shall such information be admissible in any legal proceeding, except as follows:
- (i) on consent of all parties;
 - (ii) as may be ordered by a court of competent jurisdiction;
 - (iii) the final decision of the arbitrator may be released.
- (e) Each of the meetings outlined in paragraph 22 shall be commenced no earlier than 15 days, and concluded no more than 30 days, from the conclusion of the prior stage unless the parties otherwise agree.
- (f) Notwithstanding any of the above provisions, nothing in this Agreement shall be construed so as to give the Municipality or the Board the right to alter any policy of the O.P.P. or the Ministry. Nothing in this Agreement shall be construed so as to give the Municipality or the Board, the right to supercede or vary the duties and obligations of the Solicitor General pursuant to s. 3(2) of the *Police Services Act*, or of the Commissioner pursuant to s. 17 and s. 41 of the *Police Services Act*, and further, the rights of the Municipality and the Board pursuant to the Agreement are subject to the Municipality's obligations under s. 4 of the *Police Services Act*.

Detachment Commander Selection

24. The Detachment Commander shall be selected from a short-listed pool of candidates as determined by the OPP in accordance with its relevant provincial policies. Following the formulation of the short-list, a joint committee consisting of Board members and persons nominated by the Commissioner, shall select the successful candidate in accordance with the process set out in the OPP's provincial policies.

Notice

25. Any notice, statement, invoice or account to be delivered or given by any of the below listed groups to any other of them shall be delivered to such groups using the delivery methods as listed below. Any notice, statement, invoice or account sent by mail shall be deemed to be received on the third day following the date of mailing unless shown to the contrary, and if sent by fax or by email, it shall be deemed to be received on the date it was sent. Any group may change its contact information by giving notice provided herein:

- (a) by mail to Ontario addressed to: The Minister of Community Safety and Correctional Services, 25 Grosvenor Street, 11th Floor, Toronto, Ontario, M7A 1Y6, or by fax to (416) 325-6067.
- (b) by mail to the Commissioner addressed to: The Commissioner, Ontario Provincial Police, 777 Memorial Avenue, Orillia, Ontario, L3V 7V3, to the attention of the Manager, Municipal Policing Bureau, by fax to (705) 330-4191, or by email to opp.municipalpolicing@opp.ca
- (c) by mail to the Municipality addressed to: The Mayor, Village of Merrickville-Wolford, 317 Brock Street West, P.O. Box 340, Merrickville, Ontario, K0G 1N0, or by fax to (613) 269-3095
- (d) by mail to the Board addressed to: The Village of Merrickville-Wolford Police Services Board, 317 Brock Street West, P.O. Box 340, Merrickville, Ontario, K0G 1N0, or by fax to (613) 269-3095

Commencement and Termination of Agreement

- 26. Notwithstanding the date upon which this Agreement is signed, the term of this Agreement shall commence on the 01st day of January 2019, and shall conclude on the 31st day of December 20XX.
- 27. Either party to this Agreement may terminate this Agreement upon one year written notice of termination to the other party, in which case this Agreement shall terminate one year following the delivery of such notice. Should a notice to terminate be given, the Municipality shall continue to be obligated to pay for the cost of providing police services under this contract to, and including the date of such termination and Ontario shall continue to be responsible to provide the services outlined in this Agreement.
- 28. Should the Municipality's designated responsibility to provide policing under the *Police Services Act* be changed, either by statute or government interpretation, the Municipality maintains its right upon being so informed to give written notice of its intention to terminate this Agreement forthwith.

Entire Agreement

- 29. This Agreement and the schedules attached constitute the entire Agreement between the parties, and there are no representations, warranties, collateral agreements or conditions affecting this Agreement or the relationship of the parties or supported hereby other than as expressed herein in writing. Any amendment to this Agreement must be in writing, duly executed by the parties.

IN WITNESS WHEREOF, the Municipality has affixed its Corporate Seal attested by the signature of its duly authorized signing officers, and the Deputy Minister of Community Safety, Ministry of Community Safety and Correctional Services has personally signed this Agreement to be effective as of the date set out herein.

FOR ONTARIO

Deputy Minister of Community Safety

FOR THE MUNICIPALITY

Village of Merrickville-Wolford

Mayor

Clerk

Date signed by the Municipality

SCHEDULE "A"

BY-LAW OF THE MUNICIPAL COUNCIL

SCHEDULE "B"

PROPOSAL FOR POLICE SERVICES

wbower

From: "wbower"
Date: December-07-18 10:25 AM
To: "W Bower"
Subject: OPP Contract

The Merrickville Wolford Police Service Board reviewed the new OPP Contract and estimated costing for the Year 2019 during Nov 27/2018 meeting.

The Police Service Act mandates the responsibility of PSB to oversee the service delivery of policing to the our community by monitoring the performance of the Detachment Commander to ensure services are provided in accordance with the terms of the agreement. During each board meeting the Detachment Commander attends and provides monthly reports to PSB for review and discussion regarding number of calls/type of calls and total hours of service and patrol provided during each month.

The OPP 2019 Annual Billing Statement and cost estimates are based on rolling averages from previous years, and also take into consideration an increased number of properties (MPAC) as well as some increase for calls of service.

Based on the new costing estimates, the excellent services provided by OPP under our Detachment Commander Inspector June Dobson and a most recent random Survey of local residents which provided high ratings for the services provided by OPP.

One important question on the Survey "Do you think Merrickville Wolford is a safe community to live in?"

The answer was yes with an extremely high percentage!!!

Members of Merrickville-Wolford Police Service Board recommend the Municipality accept the new agreement with OPP.

**PSB Chair
Dell Bower**



Village of Merrickville - Wolford

Report DEPC-05-2017
of the Clerk's Department
Information/Action Report to Council
Date of Council Meeting: December 11, 2017

RE: Police Services Board Review

OBJECTIVE: To provide Council with a comprehensive report of municipal practices concerning Police Services Boards and options as to how to ensure effective and efficient practices regarding same.

RECOMMENDATION:

THAT: Council receive report DEPC-05-2017;

- 1. AND THAT: Council direct the Merrickville-Wolford Police Services Board to reduce the frequency of their meetings from monthly to quarterly (recommended).**

OR

- 2. AND THAT: Council direct the Merrickville-Wolford Police Services Board to continue to meet monthly and remain status quo.**

BACKGROUND:

The Village of Merrickville-Wolford currently has a Police Services Board (PSB) as established by By-Law 25-99.

A Police Services Board is not a legislated requirement under the *Police Services Act*, unless a municipality maintains its own police force or has an OPP contract, which Merrickville-Wolford does. The contract will expire in December 2018.

Currently, the Police Services Board meets monthly and is comprised of Dell Bower, Chair, and Mayor Nash.

ANALYSIS:

Option 1:

The *Police Services Act* provides that a PSB is only required to meet on a quarterly basis. By amending the PSB meeting schedule to provide for 4 meetings per year as opposed to the current 12 meetings per year, there would be a cost savings to the municipality as outlined in the "budget" portion of this report below.

Research was also undertaken in order to gather information from the O.P.P. and it was found that the O.P.P. representatives were in favour of a reduction of the number of PSB meetings in order to ensure effective and efficient meetings.

Option 2:

Option 2 is that the Police Services Board would continue to meet monthly and remain status quo.

Research has been conducted regarding the best practices of surrounding municipalities in order to review whether the Police Services Board is the most efficient, transparent, and cost-effective way of monitoring police services provided by the O.P.P.

The following municipalities have opted not to establish a Police Services Board:

Township of Edwardsburgh-Cardinal (population: approximately 7,000): The Township does not have a Police Services Board and the O.P.P. does not make any presentations to Council.

Township of Elizabethtown-Kitley (population: approximately 9,700): The Township does not have a Police Services Board.

Township of Rideau Lakes (population: approximately 18,000 – including seasonal): The Township used to have a Police Services Board but opted to dissolve of the Board. They have opted to have an inspector attend at their Committee of the Whole meetings on a quarterly basis, if available.

Township of Leeds and the Thousand Islands (population: approximately 9,300): The Township does not have a Police Services Board and utilize the O.P.P. for police services.

Township of Front of Yonge (population: approximately 3,710): The Township does not have a Police Services Board and the police do not present at Council meetings.

Augusta Township (population: approximately 7,430): Augusta Township currently has a contract with the O.P.P., similar to Merrickville-Wolford's current position. As such, Augusta Township is required to maintain a PSB. Augusta's PSB meets on a quarterly basis, in accordance with the legislation.

As can be seen from the above, many municipalities have opted either not to establish or dissolve of PSBs. It is staff's recommendation that this issue is revisited in Fall 2018 to decide whether to enter into a new contract with the O.P.P. and remain in an agreement under Section 10 of the *Police Services Act* or to not enter into a contract and become a municipality who provides policing services through the O.P.P. under Section 5(1) of the *Act* which would allow for the PSB to be dissolved.

Should the PSB be dissolved in the future, it is staff's recommendation to request the O.P.P. report directly to Council on a biannual basis to ensure openness and transparency to both Council and the public.

BUDGET/LEGAL IMPLICATIONS:

Staff are constantly looking for ways to improve efficiency and effectiveness. Currently, the Deputy Clerk dedicates approximately one working day per month to the preparation of the agenda, minutes, action items, emails and attendance at the Police Services Board meetings. Should the PSB meeting schedule change to quarterly meetings, instead of approximately 12 days of staff time per year, the time spent with respect to the PSB would be approximately 4 days per year.

Currently, each member is receiving \$65.00 per meeting they attend. Should both current members attend at 12 meetings, this would result in a cost of \$1,560 per year. Additionally, should a third member be appointed by the Province, it is legislated that they will need to receive "not less than \$100 a year" (O.Reg 268/10, s. 5), however, the previous Provincial appointee was also receiving \$65.00 per meeting attended.

Should the meeting schedule be quarterly with the same rate of \$65.00 maintained, the cost per member of \$780 per year would be reduced to \$260 per year.

Should Council choose to let the contract with the O.P.P. expire at the end of 2018 and dissolve of the Police Services Board, there would be a cost savings of approximately \$9,900.00, per year.

LINKS TO STRATEGIC PLANS:

On January 23, 2017, the Council of the Corporation of the Village of Merrickville-Wolford passed By-Law 10-17, being a by-law to adopt the Merrickville-Wolford Strategic Plan 2017-2025.

The priorities of the strategic plan that can be linked to this report are as follows:

Ensuring efficient, effective services and civic engagement: By looking at our current practices and identifying ways to cut costs and maximize efficiencies, it is clear that this report is well-aligned with the Strategic Plan 2017-2025.

REQUIRED AND RECEIVED COMMENTS FROM: Yes or Not applicable	
GAO	Yes
Clerk	Yes
Finance	Yes
Building Control & MLEO Department	NA
Public Works & Environmental Department	NA
Parks, Recreation & Facilities Department	NA
Planning Department	NA
Economic Development Department	NA
Fire Department	NA
Library Service	NA
Other:	NA

Christina Conklin
Christina Conklin, Deputy Clerk

John Regan
John Regan, CAO

Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



Telephone (613) 269-4791
Facsimile (613) 269-3095

VILLAGE OF MERRICKVILLE-WOLFORD

For Clerk's use only, if required.

Recorded Vote Requested By:

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - - 18

Date: December 10, 2018

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report FIN-12-2018; and

That Council does hereby approve the renewal of the 2019 insurance policy with Desjardins Financial for the fiscal year 2019.

Carried / Defeated

J. Douglas Struthers, Mayor



Village of Merrickville - Wolford

Report FIN-12-2018
Finance Department
Information Report to Council
Date of Council Meeting: December 10, 2018

RE: 2019 Group Insurance Policy Renewal

OBJECTIVE: To obtain Council approval of the 2019 municipal group health insurance policy.

RECOMMENDATION:

THAT: Council receive report FIN-12-2018; and

THAT: Council approve the renewal of the 2019 insurance policy with Desjardins Financial for the fiscal year 2019.

BACKGROUND:

On an annual basis, the municipal insurers who provide group health insurance for the municipal full-time employees will meet with staff to review the account activity, review any legislated changes and provide any recommended changes to the municipal insurance policy.

ANALYSIS:

In December, the Manager of Finance/Treasurer, the CAO and our Tax Clerk met with Nick Coleman and Bill Pakeman of W.A. Pakeman & Associates, to review and discuss the 2019 renewal of the group health insurance coverages. The plan includes coverage for full-time employees in the following categories: life insurance, accidental death and dismemberment, long-term disability, health and dental care.

The resulting premiums are determined by a number of factors. One factor is a combination of the usage in each particular area (i.e. dental and extended health). The next factor is based on the industry pooled usage (i.e. life and disability). A final factor is the age and gender of the staff complement with the Village.

We have been provided a premium renewal for the 2019 fiscal year of \$78,754, plus applicable provincial tax, or a 4.9% increase from 2018.

W.A. Pakeman & Associates has also recommended that they conduct a marketing analysis in the fall of 2019 to ensure the Village is getting the best price and value.

BUDGET/LEGAL IMPLICATIONS:

The premium costing will be included in the 2019 draft budget. There are no legal implications.

LINKS TO STRATEGIC PLANS:

On January 23, 2017, the Council of the Corporation of the Village of Merrickville-Wolford passed By-Law 10-17, being a by-law to adopt the Merrickville-Wolford Strategic Plan 2017-2025.

The priorities of the strategic plan that can be linked to this report are as follows:

Ensuring efficient, effective services and civic engagement: By providing employee benefit coverage, Council are contributing to the wellness of the staff. Making this information available to Council and the public ensures transparency and is in keeping with the priority to ensure efficient and effective services are being delivered to the residents of Merrickville-Wolford.

CONCLUSION:

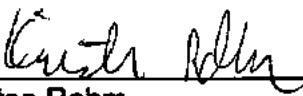
Staff are recommending the renewal of the 2019 municipal group health insurance policy with Desjardins Financial.

ATTACHMENTS:

N/A

Submitted by:

Approved by:



Kirsten Rahm,
Manager of Finance - Treasurer



Doug Robertson, CAO/Clerk

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Merrickville 1860
Amalgamated 1998



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VILLAGE OF MERRICKVILLE-WOLFORD

For Clerk's use only, if
required:

**Recorded Vote Requested
By:**

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - - 18

Date: December 10, 2018

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive and adopt report CAO-10-2018, respecting a process to facilitate effective decision making regarding whether to opt-out of allowing retail cannabis sales within the Village of Merrickville-Wolford.

Carried / Defeated

J. Douglas Struthers, Mayor



Village of Merrickville - Wolford

**Report CAO-10-2018
of the CAO's Department
Report to Council: December 10, 2018**

RE: Legalization of Cannabis Retail Outlets

OBJECTIVE:

To recommend to Council a process for receiving public input and information to support decision making regarding whether to opt out of allowing retail cannabis sales within the Village of Merrickville-Wolford.

RECOMMENDATION:

That Council receive and adopt report CAO-06-2018 by CAO/Clerk/Director, Economic Development, Doug Robertson, respecting a process to facilitate effective decision making regarding whether to opt-out of allowing retail cannabis sales within the Village of Merrickville-Wolford.

BACKGROUND:

On September 27th, the province released a technical briefing called *Moving Forward with Cannabis Retailing*, (attached at Schedule "A") which provided additional information on the framework that will be in place regarding the private retail of cannabis, regulation and licensing, municipal funding, and permitted places of cannabis use.

By January 22, 2019, Ontario municipalities have the opportunity to opt-out of allowing private retail stores within their boundaries. Municipalities that opt-out can request to opt-in in the future. However, those that do not opt-out by January 22, 2019 cannot opt-out at a later date.

ANALYSIS:

Input received by staff from individual members of Council has made it apparent that, before deciding on a course of action, Council members would like to have a better understanding of public opinion regarding the legalization of retail cannabis sales within the municipality.

Council members have expressed concern about the very short length of time that is being allowed following the October 22, 2018 election and January 22, 2019 at which time they are required to make this important, potentially irreversible decision which could impact the fabric of the community and local economy for many years to come.

BUDGET/LEGAL IMPLICATIONS:

None.

CONCLUSIONS:

It is advisable that staff be directed to coordinate an appropriate Special Public Meeting of Council focused on the issue of Opting-Out of Retail Cannabis Sales early in January 2019 and to issue appropriate public communications making the community aware that Council would like to receive their input.

It is also advisable that the issue be added to the agenda of the Regular Council Meeting scheduled for January 14, 2019 at which time Council will need to decide whether to opt-out.

INTERDEPARTMENTAL IMPACTS:

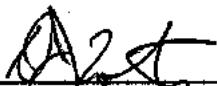
The decision regarding whether to opt in/out of cannabis retail sales will require input from several municipal departments.

LINKS TO STRATEGIC PLANS:

The priorities of the strategic plan that can be linked to this report are as follows:

- Promoting Healthy Living.
- Building a Progressive Growing Economy.
- Ensuring efficient, effective services and civic engagement.

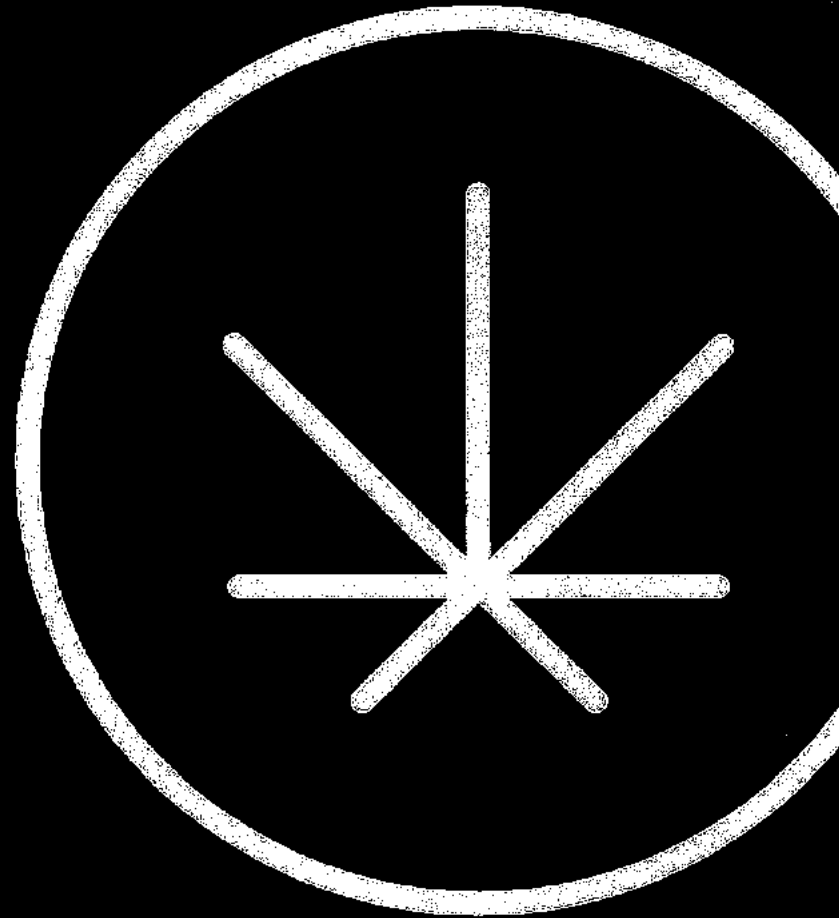
Submitted by:



Doug Robertson, MBA
CAO/Clerk/Director, Economic Development

Moving Forward with Cannabis Retailing

Technical Briefing
September 27, 2018



Enabling Private Retail

- The government is introducing legislation which, if enacted, would create a tightly regulated licensing model and regulatory framework for private retail of cannabis in Ontario
- The design of the model was informed by engagement with municipalities, Indigenous leadership, and key public safety, industry, and health stakeholders
- In this new model:
 - Private retailers would be licensed by the Alcohol and Gaming Commission of Ontario (AGCO)
 - The Ontario Cannabis Retail Corporation (OCRC) would be the exclusive wholesaler and online retailer of cannabis in the province
 - Municipalities would be able to pass a council resolution by January 22, 2019 to opt-out of retail stores
 - First Nation communities would be able to opt-out of cannabis deliveries and retail stores
- The province will provide \$40 million over two years to help municipalities with the costs of recreational cannabis legalization
- Proposed legislation, if enacted, would support this direction with the intent of enabling the AGCO to begin to accept applications in December 2018



Provincial Regulator

- The government is introducing legislation which, if enacted, would enable the implementation of a tightly regulated licensing and regulatory framework for private storefront cannabis retailing in Ontario and establish the AGCO as the provincial regulator for cannabis storefronts
- AGCO currently licenses, regulates and ensures compliance in the alcohol, gaming and horse racing industries in Ontario, and as such offers considerable experience and expertise as a regulator of controlled substances
- If the legislation were passed, AGCO, as the independent provincial regulator, would oversee the private channel and ensure the province's objectives related to cannabis retailing, protecting youth and combatting the illegal market are met
- If the proposed legislation is enacted, AGCO would:
 1. Issue a Retail Operator Licence after investigation (i.e. due diligence) into the business
 2. Issue a Retail Store Authorization to a licensed Retail Operator for the operation of a specified retail store after a local public notice process (administered by the AGCO), and upon confirmation of meeting certain requirements (e.g. safety and security plans in place)
 3. Issue certain individuals a Cannabis Retail Manager Licence
 4. Conduct compliance and audit processes, including store inspection prior to opening



Licensing Parameters

Licensing Eligibility

- The proposed legislation, if enacted, would establish due diligence requirements and specific eligibility criteria for the issuance of licenses and store authorizations, including financial responsibility and conduct based on the principles of integrity and public interest.
- If legislation is passed, persons operating in contravention of provincial and federal Cannabis legislation would not be eligible to operate a cannabis retail store
- The proposed licensing framework would:
 - Not cap the total number of licenses or authorizations
 - Enable ownership concentration limits for private retailers to be established by regulation in advance of December 2018 following appropriate consultation
 - Prohibit the sale or transfer of licences
 - Permit licensed producers to operate a single store at a single production facility in Ontario, per company, including all affiliates
 - Require authorized retailers to display the cannabis retailer seal and create new offences for false representations as an authorized cannabis retailer.

Store Operating Parameters & Distance Buffers

- Additional store operating parameters (e.g. store format, security requirements, staff training requirements) would be established by regulation or by AGCO Registrar's standards and requirements subject to additional consultation and before the AGCO begins accepting applications in December 2018
- A distance buffer between private cannabis retail stores and schools would be set through regulation in advance of December 2018 following further consultation with municipalities and key stakeholders



Municipalities

- It is proposed that local municipalities would be provided with the opportunity to opt-out of cannabis retail stores in their communities by January 22, 2019
 - Municipalities that opt-out of cannabis retail stores could allow them in the future, but municipalities that do not opt-out of stores by January 22nd, cannot opt-out of them at a later date
- In municipalities that have not opted-out of stores, if a request for a store location authorization request is received, the AGCO would initiate a public notice process in which the affected municipality and the public would have an opportunity to identify any comments within a 15-day period
 - AGCO Registrar would consider any comments raised through this process when making its final decision to grant an authorization for that location
 - MAG will continue to consult with municipalities on the implementation of this process
- Municipalities would not be able to designate cannabis retail as a separate land use from retail generally or create a cannabis retail licensing regime within their jurisdiction



Municipal Funding

- The province will provide \$40 million over two years to help municipalities with the implementation costs of recreational cannabis legalization, with each municipality receiving at least \$10,000 in total
- As soon as possible this year, the province would make the first payment to all municipalities on a per household basis, with at least \$5,000 provided to each municipality
- The province would then distribute a second payment following the proposed deadline for municipalities to opt-out, which would be January 22, 2019
 - Municipalities that have not opted-out as of that date would receive funding on a per household basis
 - This funding would support initial costs related to hosting retail storefronts
 - Municipalities that have opted-out would receive only a second \$5,000 each
- The province is considering setting aside a certain portion of the municipal funding in each of 2018-19 and 2019-20 for unforeseen circumstances, and priority would be given to municipalities that have not opted-out
- Finally, if Ontario's portion of the federal excise duty on recreational cannabis over the first two years of legalization exceeds \$100 million, the province will provide 50% of the surplus only to municipalities that have not opted-out as of January 22, 2019



First Nations

On Reserve Delivery Prohibition

- Proposed amendments would require that OCRC implement a prohibition of on-reserve delivery when requested by a First Nation community through a band council resolution

Retail Store Opt-out & Approval

- First Nations would be able to opt out of private cannabis retail stores by way of band council resolution
 - A First Nation community's ability to prohibit stores on reserve would not be time-limited to accommodate for First Nation election cycles and ongoing community engagement
- A band council resolution would be required to approve a store on reserve before the AGCO issues a retail store authorization

Agreement with Council of the Band

- The Attorney General would be able to enter into agreements with First Nation communities on a wide scope of legislative components (e.g. minimum age, retail, etc.)



Places of Use

- Smoking of cannabis (medical and recreational) would be prohibited in the same places where the smoking of tobacco is prohibited (e.g. enclosed public places, enclosed workplaces, and other specified places)
 - The vaping of cannabis would be captured by existing provisions in the *Smoke-Free Ontario Act, 2017* (not yet in force) that will regulate the use of an electronic cigarette
- All methods of consuming cannabis (e.g. smoking, vaping, ingestion) would be prohibited in vehicles and boats that are being driven or under a person's care or control, subject to certain exceptions that would be prescribed by regulation (e.g. use of medical cannabis edibles by a passenger who is a medical cannabis user)
- Generally speaking, municipalities could pass by-laws further restricting the use of cannabis
- The government's commitment to review rules regarding vapour products prior to implementation of the Act are also included in the bill
 - Rules for the display and promotion of vapour products would be separate from the display and promotion rules for tobacco products and tobacco product accessories:
 - Any seller of vapour products could display and promote products subject to restrictions outlined in the federal *Tobacco and Vaping Product Act*. There would be no additional provincial restrictions
 - Specialty vape stores would be permitted to let customers sample vapour products within the store, subject to certain conditions



Ontario Cannabis Retail Corporation

- On October 17th, the OCRC will be the exclusive online retailer for legal cannabis in Ontario
 - Consumers 19 and older will be able to purchase cannabis via OCRC's online retail platform
 - Online sales would be implemented in a socially responsible manner, including secure home delivery with age verification at the customer's door, and no packages left unattended at the door
- The OCRC would also be the exclusive wholesaler to future private retail stores
- Proposed changes to the governance structure of the OCRC would result in the agency's board reporting directly to the Minister of Finance rather than operating as a subsidiary of the LCBO
 - This change would better support the mandate of OCRC as Ontario's online retailer and cannabis wholesaler



Next Steps

- If legislation is enacted, regulations would be developed to enable the AGCO to accept applications in December 2018
- Municipalities would have the opportunity to opt out of retail stores by January 22, 2019
- The government will continue to consult on further details to enable private retail stores by April 1, 2019



Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



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VILLAGE OF MERRICKVILLE-WOLFORD

For Clerk's use only, if required:

Recorded Vote Requested By:

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - - 18

Date: December 10, 2018

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

Be it hereby resolved that: By-law 56-2018, being a by-law to confirm the proceedings of the Council meeting of December 10, 2018, be read a first and second time, and that By-law 56-2018 be read a third and final time and passed.

Carried / Defeated

J. Douglas Struthers, Mayor

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

BY-LAW 56-2018

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD AT ITS MEETING HELD ON DECEMBER 10, 2018

WHEREAS section 5(3) of the Municipal Act, 2001 states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Village of Merrickville-Wolford (hereinafter referred to as "Council") at its meeting held on December 10, 2018 be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford hereby enacts as follows:

1. The proceedings and actions of Council at its meeting held on December 10, 2018 and each recommendation, report, and motion considered by Council at the said meeting, and other actions passed and taken by Council at the said meeting are hereby adopted, ratified and confirmed.
2. The Mayor or his or her designate and the proper officials of the Village of Merrickville-Wolford are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and, except where otherwise provided, the Mayor and Clerk are hereby directed to execute all documents necessary in that regard, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Municipality to all such documents.

This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and passed on the 10th day of December, 2018.

J. Douglas Struthers, Mayor

Doug Robertson, CAO/Clerk

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VILLAGE OF MERRICKVILLE-WOLFORD

For Clerk's use only, if
required:

**Recorded Vote Requested
By:**

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - - 18

Date: December 10, 2018

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

Be it hereby resolved that:

This regular meeting of the Council of the Corporation of the Village of Merrickville-Wolford does now adjourn at _____ p.m. until the next regular meeting of Council on Monday, January 14, 2019 at 7:00 p.m., or until the call of the Mayor subject to need.

Carried / Defeated

J. Douglas Struthers, Mayor