



**Frontenac County Council Meeting
Wednesday, July 18, 2018 – 9:00 a.m.
Kingston Frontenac Rotary Auditorium,
2069 Battersea Road, Glenburnie
Council will resolve into Closed Meeting
and will reconvene as regular Council at 9:30 a.m.**

AGENDA

Page

Call to Order

Closed Session

- a) **Resolved That** Council resolve itself into Committee of the Whole closed session as authorized under Section 239 of The Municipal Act, to consider:

1. Adoption of Closed Minutes of Meetings held June 20, 2018
2. Proposed or pending acquisition or disposition of land by the municipality or local board - as it relates to the Parham Ambulance Base
3. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose - as it relates to staffing issues with the Wolfe Island Ambulance Base
4. Labour relations or employee negotiations - as it relates to staffing issues with the Wolfe Island Ambulance Base

Resolved That Council rise from Committee of the Whole closed session with/without reporting

Approval of Addendum

Disclosure of Pecuniary Interest and General Nature Thereof

Adoption of Minutes

- a) Minutes of Meeting held June 20, 2018

Resolved That the minutes of the regular Council meeting held June 20, 2018 be adopted.

Deputations and/or Presentations

Proclamations

Move into Committee of the Whole

- a) **That** Council adjourn and meet as Committee of the Whole Council, with the Deputy Warden in the Chair.

Briefings

- 21 - 42** a) **Mr. Kelly Pender**, Chief Administrative Officer, will provide Council with his monthly CAO briefing.

Unfinished Business

Recommend Reports from the Chief Administrative Officer

- 43 - 46** a) **2018-092**
Office of the Chief Administrative Officer
Appointment of an Integrity Commissioner for the County of Frontenac
Recommendation

Be It Resolved That Aird Berlis (Lead – John Mascarin) be appointed as the Integrity Commissioner for the County of Frontenac;

And Further That the Clerk be directed to bring forward later in the meeting the necessary appointment by-law for Councils consideration;

And Further That the Warden and Clerk be authorized to execute an agreement with Aird Berlis for the provision of services of an Integrity Commissioner;

And Further That a copy of this resolution be circulated to all member municipalities in Frontenac County.

- 47 - 49** b) **2018-093**
Corporate Services
Delegated Authority for Property Acquisition – Parham Ambulance Base
Recommendation

Be it Resolved That County Council delegate, through the Chief Administrative Officer to staff, the following administrative and contractual authority with respect to the property acquisition of the Parham Ambulance Base as noted in this report:

- i. Authority to the Chief of Paramedics/Director of Emergency and

Transportation Services to proceed with the negotiations within the parameters provided by Council and acquisition of the Parham Ambulance Base as described;

- ii. Authority to the Manager of Legislative Services/Clerk to execute undertakings, certificates, statements, declarations and such other documents as required for the completion of the acquisition the Parham Ambulance Base and related work;
- iii. Authority to the Director of Corporate Services/Treasurer to borrow from the County asset replacement reserve the cost of the acquisition, to be replenished over its 20 year useful life cycle as an annual allocation to the reserve.

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c) **2018-095**
Emergency and Transportation Services
City of Kingston Fire & Rescue Services - Medical Tiered Response Program Agreements
Recommendation

Be It Resolved That staff be directed to notify the Fire Chief of Kingston Fire and Rescue Services of the termination of the current Medical Tiered Response Program agreement effective September 30, 2018,

And Further That staff present a new Medical Tiered Response Program agreement, to the Fire Chief of the City of Kingston Fire & Rescue Services to include the:

- Incorporation of the language changes/additions received from legal counsel, Rosen Sunshine LLP, regarding Personal Health Information and Privacy Act, 2004 (PHIPA),
- deletion of “Ensure that all fire fighters involved with patient care have completed and are certified, by a Medical Director to perform defibrillation if the Township is part of the defibrillation program”,
- deletion of “Have all defibrillators certified annually by a certified bio-medical service. This certification will be made available upon request by the County”,
- addition of “(i.e. Pre-hospital Patient Care Emergency First Response Program (30 hour), St. John Ambulance – Medical First Responder, Red Cross - Medical First Responder)” following “Ensure that all fire fighters, involved with direct patient care, have completed and are certified in an approved OFM Emergency First Response Course”

And Further That staff amend the Medical Tiered Response Program agreements regarding “County Activation *Criteria for Tiered Response*” by:

- deletion of “Response 15”,

- deletion of “unconscious patient”,

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- d) **2018-096**
Emergency and Transportation Services
Frontenac Townships Fire & Rescue Services
New Medical Tiered Response Program Agreements
Recommendation

Be It Resolved That the Council of the County of Frontenac accept the Emergency and Transportation Services – Frontenac Townships Fire & Rescue Services – New Medical Tiered Response Program Agreements report for information,

And Further That the Council of the County of Frontenac authorized the Warden and Clerk to sign and execute any new Medical Tiered Response Program Agreements received from the member townships of the County of Frontenac for implementation on August 1, 2018.

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- e) **Staff Briefing:** Mr. Kelly Pender, Chief Administrative Officer, and Mr. Richard Allen, Manager of Economic Development, will brief Council with respect to Report 2018-097, Ontario Community Infrastructure Fund – Access to Funding.
[See Recommend Reports from the Chief Administrative Officer, clause f)]

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- f) **2018-097**
Ontario Community Infrastructure Fund
Access to Funding
Recommendation

Resolved That the Council of the County of Frontenac receive the Chief Administrative Officer – Ontario Community Infrastructure Fund – Access to Funding report for information;

And Further That the Council of the County of Frontenac direct staff to fully investigate the process for accessing the Ontario Community Infrastructure Fund – Top Up (OCIF-TU) grant for core infrastructure, including consultation with legal counsel, Frontenac County Chief Administrative Officers and other municipalities;

And Further That a full report and recommendation be presented to County Council in January 2019, with a view towards a first application to the fund in August 2019.

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- g) **2018-098**
Emergency and Transportation Services
New Capital Purchase of a Fleet Vehicle for Marine Services

Recommendation

Be It Resolved That the Council of the County of Frontenac accept the Emergency and Transportation Services – New Capital Purchase of a Fleet Vehicle for Marine Services for information,

And Further That the Council of the County of Frontenac approve the purchase of a new fleet vehicle for Marine Services.

And Further That should the Minister of Transportation not agree to reimburse depreciation on a purchased vehicle, that Council approve the leasing of a fleet vehicle for Marine Services.

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- h) **2018-099**
Planning and Economic Development
Authorization to enter into an agreement with North Frontenac Telephone Company to install fibre-optic infrastructure in the K&P Trail

Recommendation

Be It Resolved That Council of the County of Frontenac authorize the Warden and Clerk to enter into an agreement with North Frontenac Telephone Company to install fibre-optic infrastructure in the K&P Trail as detailed in this report,

And Further That staff be authorized to waive \$1,750 in fees associated with the County of Frontenac Land Use Policy for a License of Occupation agreement,

And Further That staff be authorized to negotiate with North Frontenac Telephone Company in regard to a contribution to trail infrastructure development

Information Reports from the Chief Administrative Officer

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- a) **2018-094**
Corporate Services
Four Month Attendance Management Report Card

Reports from Council Liaison Appointees

- a) Emergency and Transportation Services - Councillor Nossal
- b) Long Term Care (Fairmount Home) - Councillor Inglis
- c) Corporate Services - Councillor Dewey
- d) Planning and Economic Development - Councillor McDougall

Reports from External Boards and Committees

- a) Kingston Frontenac Library Board Update - Councillor Nossal
- b) KFL&A Public Health Board Update - Deputy Warden Doyle
- c) RULAC, LSR and other Updates
- d) Algonquin Land Claim Update - Councillor Inglis
- e) Housing and Homelessness Committee Update - Councillor McDougall
- f) Food Policy Council of Kingston, Frontenac, Lennox and Addington - Deputy Warden Doyle

Reports from Advisory Committees of County Council

Return to Council

- a) **That** Council revert from Committee of the Whole Council, to Council.

Adoption of the Report of the Committee of the Whole Council

- a) **That** the report of the Committee of the Whole Council be adopted and that the necessary actions or by-laws be enacted.

Motions, Notice of Which has Been Given

Giving Notice of Motion

Communications

That Council consent to the following communications of interest to Council listed below be received and filed:

- a) From the Town of Amherstburg an Resolution for Cannabis Grace period request
[Distributed to Members of County Council June 22,2018]
- b) From the City of Kingston an Notice of Complete Applications and a Public Meeting
[Distributed to Members of County Council June 22, 2018]
- c) From TransCanada to Mayor and Council Members regarding information on Pipelines
[Distributed to Members of County Council June 22, 2018]
- d) County of Frontenac - Notes Re Meeting with Randy Hillier - 21 June 18
[Distributed to Members of County Council June 22, 2018]

- e) From the Kingston and Housing Corporation Agenda 06-2018
[Distributed to Members of County Council June 22, 2018]
- f) From the Township of Montague regarding a Resolution at a Regular Meeting May 15, 2018
[Distributed to Members of County Council June 22, 2018]
- g) From the Township of Georgian Bay regarding the Council Agenda May 15, 2018
[Distributed to Members of County Council June 29, 2018]
- h) From the Ontario SPCA and Humane Society regarding 2018 No Hot Pets campaign on June 19, 2018
[Distributed to Members of County Council June 29, 2018]
- i) From the Kingston Frontenac Public Library regarding Minutes of Regular Meeting 2018-05
[Distributed to Members of County Council June 29, 2018]
- j) From the Ministry of Transportation regarding a Notice of Completion in the Township of Central Frontenac
[Distributed to Members of County Council June 29, 2018]
- k) From the Kingston Frontenac and Lennox & Addington Board of health regarding Minutes of the General Meeting 05-2018
[Distributed to Members of County Council July 13, 2018]
- l) To Members of Council regarding Nominations for AMO Board of Directors 2018-2020
[Distributed to Members of County Council July 13, 2018]
- m) From Stephen Sorensen requesting Council re-instate restricting heavy vehicle restrictions that support agricultural operations
[Distributed to Members of County Council July 13, 2018]
- n) From the Frontenac County Council Resolution regarding request by North Frontenac to expand the use of Seniors funding
[Distributed to Members of County Council July 13, 2018]
- o) From the College of Physicians and Surgeons of Ontario regarding the 2019 Council Award
[Distributed to Members of County Council July 13, 2018]
- p) To Warden and Council Members regarding The Great Waterfront Trail Adventure
[Distributed to Members of County Council July 13, 2018]
- q) Memo from the CAO and the Clerk regarding the Use of Corporate Resources for Elections Purposes
[Distributed to Members of County Council July 13, 2018]

Other Business

Public Question Period

By-Laws – General By-laws and Confirmatory By-law

- a) First and Second Reading
Resolved That leave be given the mover to introduce by-laws a) through e) that have been circulated to all Members of County Council and that by-laws a) through e) be read a first and second time.
- b) Third Reading
Resolved That by-laws a) through e) be read a third time, signed, sealed and finally passed.

By-Laws

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|------------------|--|
| 90 - 91 | a) To Appoint an Integrity Commissioner for the Corporation of the County of Frontenac
[Proposed By-Law No. 2018-024] |
| 92 | b) To Authorize a Medical Tiered Response Agreement between the County of Frontenac Paramedic Services and the Township and City of Kingston Fire Services
[Proposed By-Law No. 2018-025] |
| 93 - 94 | c) To delegate authority under Section 23.1 (1) of the Municipal Act to the Chief Administrative Officer (acquisition of the Parham Ambulance Base)
[Proposed By-Law No. 2018-026] |
| 95 - 105 | d)  To regulate and control the parking of vehicles in the County of Frontenac on County owned lands
[Proposed By-law No. 2018-0027] |
| 106 - 107 | e) Confirmatory by-law
[Proposed By-Law No. 2018-028] |

Adjournment



FRONTENAC



Minutes of the Regular Meeting of Council June 20, 2018 Unconfirmed

A regular meeting of the Council of the County of Frontenac was held in the Kingston Frontenac Rotary Auditorium of the County Administrative Office, 2069 Battersea Road, Glenburnie on Wednesday, June 20, 2018 and was called to order by the Deputy Warden at 9:00 a.m. Regular business commenced at 9:30 a.m.

There was a "Closed Meeting" of the Committee of the Whole from 9:00 a.m. to 9:05 a.m.

Present: Deputy Warden Denis Doyle, Councillors Ron Vandewal, Fran Smith, Natalie Nossal, Tom Dewey, John Inglis and John McDougall

Regrets: Warden Ron Higgins

Also Present: **County:**
Kelly Pender, Chief Administrative Officer
Paul Charbonneau, Chief/Director of Emergency & Transportation Services
Joe Gallivan, Director of Planning and Economic Development
Susan Brant, Director of Corporate Services/Treasurer
Lisa Hirvi, Administrator-Fairmount Home
Jannette Amini, Manager of Legislative Services/Clerk
Richard Allen, Manager of Economic Development
Marco Smits, Communications Officer

Closed Session

Motion #: 101-18 **Moved By:** Councillor Smith
 Seconded By: Councillor Vandewal

Resolved That Council resolve itself into Committee of the Whole closed session as authorized under Section 239 of The Municipal Act, to consider:

1. Adoption of Closed Minutes of Meetings held April 18, 2018
2. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - as it relates to the litigation around the Howe Island Ferry lifting of heavy vehicle restrictions that support agricultural operations

Carried

Motion #: 102-18 Moved By: Councillor Nossal
Seconded By: Councillor Inglis

Resolved That Council rise from Committee of the Whole closed session without reporting

Carried

Approval of Addendum



Disclosure of Pecuniary Interest and General Nature Thereof

There were none.

Adoption of Minutes

a) Minutes of Meeting held May 16, 2018

Motion #: 104-18 Moved By: Councillor Dewey
Seconded By: Councillor McDougall

Resolved That the minutes of the regular Council meeting held May 16, 2018 be adopted.

Carried

Deputations and/or Presentations



Proclamations



Move into Committee of the Whole

Motion #: 105-18 Moved By: Councillor Vandewal
Seconded By: Councillor Smith

That Council adjourn and meet as Committee of the Whole Council, with the Deputy Warden remaining in the Chair.

Carried

Motion to Refer

Motion #: 114-18 Moved By: Councillor Vandewal
Seconded By: Councillor Dewey

Be It Resolved That the Parking Lot Repairs be referred to the 2019 Budget Cycle.

Carried

h) 2018-086
Corporate Services
Federation of Canadian Municipalities Municipal Asset Management
Program Funding

Motion #: 115-18 Moved By: Councillor Dewey
Seconded By: Councillor Vandewal

Be It Resolved That the Council of the County of Frontenac accept the Corporate Services – Federation of Canadian Municipalities (FCM) Municipal Asset Management Program (MAMP) Funding report for information;

And Further That the Council of the County of Frontenac authorize staff to apply for the maximum contribution of \$50,000 from the FCM MAMP funding program to augment the County's reserve allocations for asset condition assessment.

And Further That the Council of the County of Frontenac authorize the Clerk to provide a copy of the resolution acknowledging that staff is submitting the application along with Council's commitment to the condition assessment project including a declaration of the municipal contribution from the County Operations Reserve.

Carried

Council recessed at 10:35 a.m.

Council reconvened at 10:48 a.m.

Motion 118-18 being clause j) was considered at this time.

(See page 7)

i) **2018-090**
Office of the Chief Administrative Officer
Communication of County of Frontenac Issues and Priorities to the new
Provincial Government

Motion #: 116-18 Moved By: Councillor Smith
Seconded By: Councillor Vandewal

Be It Resolved That the Council of the County of Frontenac confirm the following as issues and priorities of the County of Frontenac:

1. Cell gap coverage
2. Broadband speed and access

3. Public Safety Network
4. Infrastructure funding
5. OPP costs
6. Long Term Health Care
7. Business Education Tax
8. Upload highway 38 back to the Province or provide the funding to maintain and sustain this infrastructure
9. End the double hatter issue for volunteer fire fighters
10. Community Medicine delivered by Paramedics.

And Further That the Chief Administrative Officer be directed to provide briefing notes to the Warden regarding the specific issues related to each point as discussed.

Carried As Amended

(See Motion to Amend below which was Carried)

Motion to Amend

Motion #: 117-18 Moved By: Councillor Vandewal
Seconded By: Councillor Smith

Be It Resolved That the Chief Administrative Officer be directed to provide briefing notes to the Warden regarding the specific issues related to each point as discussed.

Carried

The below motion was considered after motion #115-18, being clause h)

j) **2018-091**
Planning and Economic Development
North Frontenac Telephone Company (NFTC) request for access to the K&P Trail for fibre build

Motion #: 118-18 Moved By: Councillor Nossal
Seconded By: Councillor Inglis

Be It Resolved That Council of the County of Frontenac provide consent to the North Frontenac Telephone Company to install fibre-optic infrastructure in the K&P Trail;

And Further That staff be directed to prepare an agreement between the County of Frontenac and the North Frontenac Telephone Company in regard to providing access to the K&P Trail for installation of buried fibre optic cable.

Carried

Information Reports from the Chief Administrative Officer

- b) 2018-087
Corporate Services
2018 First Quarter Financial Summary
- c) 2018-088
Planning and Economic Development
K&P Trail Construction update

Reports from Council Liaison Appointees

a) Emergency and Transportation Services - Councillor Nossal

Councillor Nossal provided an overview of the Emergency and Transportation Services liaison activities since the last Council meeting.

b) Long Term Care (Fairmount Home) - Councillor Inglis

Councillor Inglis provided an overview of the Fairmount Home liaison activities since the last Council meeting.

c) Corporate Services - Councillor Dewey

No report.

d) Planning and Economic Development - Councillor McDougall

No report.

Reports from External Boards and Committees

a) Kingston Frontenac Library Board Update - Councillor Nossal

Councillor Nossal provided an overview of the Kingston, Frontenac Library Board activities since the last Council meeting.

b) KFL&A Public Health Board Update - Deputy Warden Doyle

Deputy Warden Doyle provided an overview of the Kingston, Frontenac Lennox and Addington Board of Health activities since the last Council meeting.

c) RULAC, LSR and other Updates

No Report.

d) Algonquin Land Claim Update - Councillor Inglis

No Report, although Councillor Inglis noted the event taking place in Sharbot Lake and that June 21st is National Indigenous Peoples Day.

Communications

That Council consent to the following communications of interest to Council listed below be received and filed:

- a) From EEDI and TREC Solarshare an Notice of a Proposal to engage in a Solar Facilities on buck Bay Rd in South Frontenac Township
[Distributed to Members of County Council May 18, 2018]
- b) From the County of Renfrew of the Adoption of an Official Plan Amendment in Accordance with Sections 17 and 26 of the Planning Act
[Distributed to Members of County Council May 18, 2018]
- c) From the New Leaf Link inviting us to an Open House and Fundraiser
[Distributed to Members of County Council May 18, 2018]
- d) From the OGRA Municipal Alliance an invitation to join the preferred Autonomous Vehicles Test Corridor
[Distributed to Members of County Council May 18, 2018]
- e) From the Solar Provider Group to notify County of Frontenac on their intentions to construct a solar facility on Murton Rd, 3348
[Distributed to Members of County Council May 25, 2018]
- f) From the Solar Provider Group to notify County of Frontenac on their intentions to construct a solar facility on Murton Rd, 3358
[Distributed to Members of County Council May 25, 2018]
- g) From the Solar Provider Group to notify County of Frontenac on their intentions to construct a solar facility on Railton Rd, 3833
[Distributed to Members of County Council May 25, 2018]
- h) From Allen and Partners to Thank Mrs. Susan Brant, Director of Corporate Services
[Distributed to Members of County Council May 25, 2018]
- i) From the Corporation of the Municipality of Killarney an resolution No. 18-159
[Distributed to Members of County Council May 25, 2018]
- j) From Kingston and Frontenac Housing Corporation Agenda for 05-2018
[Distributed to Members of County Council May 25, 2018]
- k) From the Municipality of Tweed to announce the upcoming Teeny Tiny Summit on June 14, 2018
[Distributed to Members of County Council May 25, 2018]
- l) From the Southern Frontenac Community Services regarding 29th Annual General Meeting on June 22, 2018
[Distributed to Members of County Council May 25, 2018]
- m) From the Kingston Frontenac Public Library Board regarding the Minutes of Regular Meeting #2018-04
[Distributed to Members of County Council May 25, 2018]
- n) From the Kingston Frontenac Public Library Board regarding the Minutes of Regular Meeting #2018-03
[Distributed to Members of County Council May 25, 2018]
- o) From the East Ferris Municipality regarding Regular Council Meeting that resolved resolution #2018-165 to Approve Landfill Projects

- p) [Distributed to Members of County Council May 25, 2018]
From the City of Hamilton regarding a Resolution for the Right to Approve Landfill Developments
- q) [Distributed to Members of County Council May 25, 2018]
From the City of Quinte West regarding the Resolution of Cannabis Grace Period Request
- r) [Distributed to Members of County Council June 1, 2018]
From the KFL&A Board of Health providing its Minutes of Meeting held April 25 2018
- s) [Distributed to Members of County Council June 1, 2018]
From Warden Higgins regarding citizen concerns of the proposed Johnston Point Plan of Subdivision
- t) [Distributed to Members of County Council June 8, 2018]
From Ontario Aggregate Resources Corporation, 2017 Annual Report
- u) [Distributed to Members of County Council June 8, 2018]
To Mayors and Council Members regarding Cross-Country Consultations on air passenger right and the aviation ecosystem

Other Business

- a) **Councillor Vandewal** noted the grand opening of South Frontenac's first new Fire Hall this coming Saturday from 9 a.m. until 1 p.m., with the ribbon cutting ceremony taking place at 10:00 a.m. The grand opening will include displays and a BBQ.

Public Question Period



By-Laws – General By-laws and Confirmatory By-law

- a) First and Second Reading**

Motion #: 121-18 Moved By: Councillor Inglis
Seconded By: Councillor Nossal

Resolved That leave be given the mover to introduce by-law a) that has been circulated to all Members of County Council and that by-law a) be read a first and second time.

Carried

Administrative Report

July 18, 2018
Report 2018-6



FRONTENAC

CAO Schedule July 2018

- Frontenac CAO's meeting, June 18, Sydenham
- Superior Court of Justice of Ontario, June 21, Toronto
- Communal Services Technical Advisory Committee, June 26, County of Frontenac
- Administrative Building Design Task Force, June 27, CRCA
- Frontenac Islands Council Meeting, July 9, Wolfe Island
- County Council, July 18, County of Frontenac
- Administrative Building Design Task Force, July 18, County of Frontenac
- Wolfe Island Ferry Docks: Municipal Advisory Committee Meeting, July 23, Kingston
- Southern Frontenac CS Meeting - Seniors Meeting, July 25, Sydenham
- Fairmount's 50th Anniversary, July 26, Fairmount Home
- Community Development Advisory Committee, August 9, County of Frontenac
- Planning Advisory Committee, August 13, County of Frontenac

EOWC/EOLC Update

- Warden Higgins attended the June 20 EOWC meeting in Gananoque.
- Moving forward, it was decided that smaller, more personal meetings would be more effective regarding MP meetings on Parliament Hill. Building these relationships is crucial for the EOWC's continued success. Post-AMO meetings will be set-up to continue the conversation.
- EOWC's collective priorities and focus were discussed given the new Progressive Conservative Ontario government.
 - » EORN, Downloading Issue, and Natural Gas
- EORN funding and the Economic Development Plan will be celebrated and 'closing the cell-gap' will remain a top priority at AMO.
- The next Eastern Ontario CAOs meeting will be held July 19 at the United Counties of Prescott & Russell.
- Upcoming meetings: Sunday, August 19 to 22 at AMO in Ottawa and Wednesday, October 3.



EOWC/EOLC Update

- The EOLC and its 3 working groups continue to meet regularly.
- Upcoming meetings: Wednesday, July 18; Friday, September 7; Friday, November 23
- The EOLC continues to work with MEDG on the review and refresh process of its *2014 Regional Economic Development Strategy*, originally completed under the guidance of the EOWC and EOMC. This ensures it is current, accurate and the priorities are in line with the EOLC, partners and Eastern Ontario region before implementation.
- MDG in consultation requested nominations from members for two stand-out innovative businesses in their local community.
- MPP Randy Hillier has been asked to meet with the Chair Warden Fenik and other Mayors regarding the refresh background.
- Regional Meeting September 6 regarding social housing.
- In line with the refresh, the EOLC approved Queen's MPA student to undertake research regarding appropriate governance models for the unique structure of the EOLC as it continues to grow.

<http://www.eowc.org/en/economic-developmentsustainability/eastern-ontario-leadership-council.aspx>.

Administrative Report, Frontenac County Council, July 18, 2018



FRONTENAC

New Ontario Government Takes Office

The new Ontario Cabinet:

- The Honourable Doug Ford, Premier of Ontario and Minister of Intergovernmental Affairs
- **The Honourable Steve Clark, Minister of Municipal Affairs and Housing**
- **The Honourable Christine Elliott, Deputy Premier and Minister of Health and Long-Term Care**
- The Honourable Peter Bethlenfalvy, President of the Treasury Board
- The Honourable Raymond Cho, Minister for Seniors and Accessibility
- The Honourable Victor Fedeli, Minister of Finance and Chair of Cabinet
- The Honourable Merrilee Fullerton, Minister of Training, Colleges and Universities
- **The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs**
- The Honourable Sylvia Jones, Minister of Tourism, Culture and Sport
- The Honourable Lisa MacLeod, Minister of Children, Community and Social Services and Minister Responsible for Women's Issues



New Ontario Government Takes Office

- The Honourable Monte McNaughton, Minister of Infrastructure
- The Honourable Caroline Mulroney, Attorney General and Minister Responsible for Francophone Affairs
- The Honourable Rod Phillips, Minister of the Environment, Conservation and Parks
- The Honourable Greg Rickford, Minister of Energy, Northern Development and Mines, and Minister of Indigenous Affairs
- The Honourable Laurie Scott, Minister of Labour
- The Honourable Michael Tibollo, Minister of Community Safety and Correctional Services
- The Honourable Lisa Thompson, Minister of Education
- The Honourable Todd Smith, Minister of Government and Consumer Services, and Government House Leader
- **The Honourable Jim Wilson, Minister of Economic Development, Job Creation and Trade**
- **The Honourable John Yakabuski, Minister of Transportation**
- The Honourable Jeff Yurek, Minister of Natural Resources and Forestry



Howe Island Ferry court case

- The Divisional Court -a branch of the Superior Court of Justice of Ontario- reached a decision in the case Sorensen v. The County of Frontenac, 2018 ONSC 3912 (CanLII) on Thursday June 21, 2018.
- The case involved the County of Frontenac, which exempted agricultural vehicles from the restrictions on heavy vehicle use of the Howe Island Ferry that had been imposed in 2003. The bylaw opened the ferry to agricultural vehicles during peak hours.
- The Divisional Court found the decision by the County of Frontenac to remove or ease a restriction is not in dispute.

AMO Updates

Provincial Matters

- On July 1, 2018, [four Construction Act regulations](#) come into effect that will have impact on municipalities and the public sector.
- The Ontario government has revoked [Regulation 144/16](#) that implements the cap-and-trade carbon tax regime. The revocation took effect July 3, 2018. The government is beginning to wind-down all programs funded out of cap-and-trade carbon tax revenues. Municipal governments have an interest, given projects they have undertaken with funding, and the potential impacts if the social housing energy refit program (Shape), is not carefully handled in light of its multi-year nature and the improvements it will bring to the quality of housing for low income people.



AMO Updates

Provincial Matters

- The [Smoke-Free Ontario Act, 2017](#) effective date is postponed indefinitely. The new government wants an opportunity to review the new regulations related to vaping in provincially regulated workplaces. Until the Act is proclaimed into force, the existing *Smoke-Free Ontario Act* and *Electronic Cigarettes Act, 2015* remain in force.
- This WSIB policy change re related to cancers in firefighters and fire investigators is now in effect. Information can be found on the WSIB website at [23-02-01, Cancers in Firefighters and Fire Investigators](#).
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AMO Updates

Federal Matters

- FCM's [Green Municipal Fund](#) (GMF) finances capital projects that improve air, water, and soil and reduce greenhouse gas emissions. Loans are combined with grants from \$5-10 million for environmental capital projects related to: energy efficiency and recovery; water quality and conservation; transportation and fuel efficiency; waste management and diversion.
Deadline to apply: August 1, 2018.
- A grant of up to \$100,000 through the [Enabling Accessibility Fund](#) (EAF) program is available to improve accessibility and safety in the workplace for current or future employees with disabilities. Municipalities with a population under 125,000, as per the 2016 census data, are eligible.
Deadline to apply: July 26, 2018.



AMO Updates

Federal Matters

- With legalization of recreational cannabis set for **October 17, 2018**, the federal regulations to implement the Cannabis Act are now final and include: Industrial Hemp Regulations; Qualifications for Designation as Analyst Regulations (Cannabis); Regulations Amending and Repealing Certain Regulations Made under the *Controlled Drugs and Substances Act*; and *Cannabis Act* (Police Enforcement) Regulations.
- AMO Conference will have a session on cannabis providing not only the final legislative framework but things to know and do.



AMO Delegation Requests (Aug 19-22)

- EWOC with the PC, Liberal and NDP
- Frontenac Communal Services Study
- Highway 7, Economic Development



FRONTENAC

Speech from the Throne

- Priorities of interest to municipal governments include:
- Respect for our municipal partners. Actions will include:
 - » partnering with Toronto/GTA municipalities to build a world-class transit system;
 - » addressing the transportation needs of other Ontario urban centres; and
 - » respecting the wishes of rural municipalities by putting an end to unfair, unaffordable green energy contracts that have been imposed on them over local objections.
- Balanced budget on a timetable that is responsible, modest, and pragmatic;
- Action to reduce gas prices and lower hydro bills;
- Scraping the cap-and-trade carbon tax;
- Health care investments including 15,000 new long-term care beds and new \$3.8 billion for mental health and addictions, including supportive housing;
- Police services to have the tools, support, and resources they need;
- Expansion of sale of beer and wine to convenience, grocery, and big box stores.



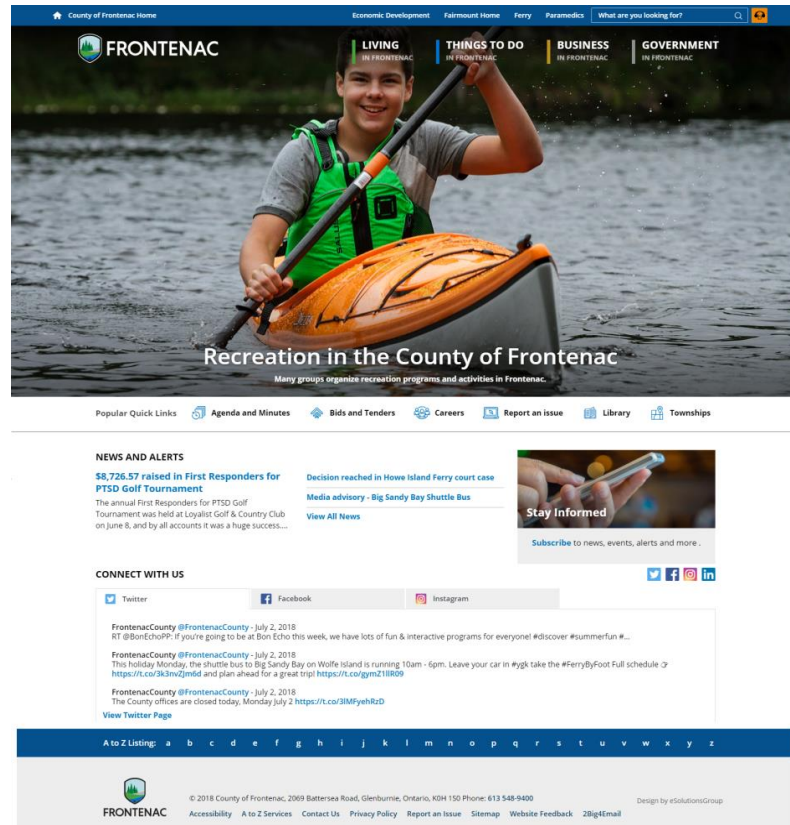
FRONTENAC

Ontario Municipal Commuter Cycling Program

- Ontario has cancelled the cap and trade program. Given that the Ontario Municipal Commuter Cycling (OMCC) program is funded through cap and trade proceeds, this program is now cancelled and no further funding will be issued.
- Although no further funding will be issued under this program, you may continue to use any OMCC funding that was received prior to March 31, 2018 to implement the commuter cycling projects identified in your Transfer Payment Agreement.
- Please note that all of the terms and conditions laid out in the Agreement remain in effect, including the requirement to complete all OMCC-funded projects by **December 30, 2020**, and to provide annual financial reports, usage reports, implementation reports, and a final report in the manner prescribed in the Agreement.



New County of Frontenac Website Launched Friday, June 29, 2018



New Website Features

New and improved features:

- 100% accessible, including BrowseAloud web screen reader
- Responsive design – viewable on mobile devices
- Fully customizable forms with incorporated workflow management
- Improved jobs and RFP/RFQ listings
- Robust subscription module for news, alerts and individual pages. Canada's Anti-Spam Law (CASL) compliant
- Howe Island ferry news alerts migrated from Constant Contact (plus Twitter integration)
- Fairmount Home Gazette subscriber list migrated
- Fully customizable calendars. Incorporated Fairmount Home resident activity calendar and ferry maintenance schedule





Mobile device

New Website

Special thank you to stakeholders and members of the public who shared their input in sessions and County staff who provided content.

Thank you to our website team:

- Marco Smits, Communications Officer
- David Millard, Manager of Information Systems
- Deb Crawford, Executive Assistant, Fairmount Home
- Jennifer Dawson, Executive Assistant, Emergency & Transportation Services (ETS)
- Campbell Dailey, Supervisor Marine Services
- Meredith Staveley- Watson, Administrative Assistant, ETS
- Chris McBain, Superintendent of Logistics, ETS
- Kathie Shaw, Financial Analyst, Corporate Services
- Angelique Tamblyn, Executive Assistant, Corporate Services

Senior Leadership Team:

- Kelly Pender, Chief Administrator Office
- Susan Brant, Director of Corporate Services/ Treasurer
- Joe Gallivan, Director of Planning and Economic Development
- Lisa Hirvi, Administrator Fairmount Home
- Paul Charbonneau, Chief/ Director of Emergency and Transportation Services



Deployment of the new defibrillators

Frontenac County Council approved the capital replacement of twenty-two LP15 defibrillator/monitors and the new capital purchase of ten Panasonic tablets by Frontenac Paramedic Services.



Paramedics with new defibrillators:
Jonathan, Kenny and David



New defibrillators

2018 Access Award nominations Now Open

Deadline for submissions - August 31.

The Access Award recognizes persons, groups or organizations that have made or are making a significant contribution beyond legislated requirements, towards improving access for persons with disabilities in the County of Frontenac.

Access can include designing new or renovated buildings, an employment program, a transportation system, a recreational or leisure program, or anything that contributes significantly to persons with disabilities living independently.

Previous winners include

- Verona Lions Club (2013)
- Joe Ryan and Brenden Hicks of Accessible Living (2014)
- Doug Lovegrove of Verona (2015)
- Bellrock Community Hall Association (2016).
- John Weatherall, Wolfe Island (2017).



FRONTENAC



Fairmount Home

50th Anniversary

Thursday, July 26, 2018

2:00 p.m.

Fairmount Home
Auditorium





FRONTENAC

ECONOMIC DEVELOPMENT

Big Sandy Bay Bus launches with Ferry by Foot Campaign

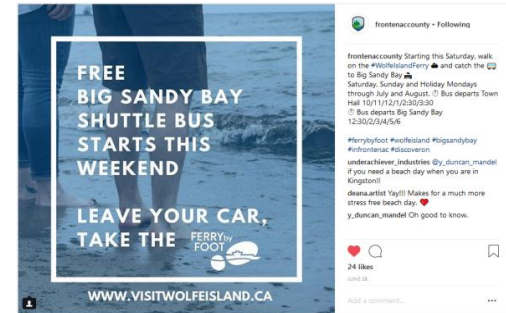
- June 30 – July 2: 138 trips over 3 days
- July 8 – July 9: 105 trips over 2 days
- Over 2000 Wolfe Island Visitor Guides distributed in first month through tourism partners
- Social campaign and “Visit Wolfe Island” micro-website driving traffic to infrontenac.ca up by 274%
 - » 762 website users in May
 - » 2850 website users in June

Last Chance for EODP Grants August 10

The Frontenac CFDC offers grants to local businesses to assist with innovation, job creation, new equipment for business expansion, professional training, or marketing assistance. The future of these grants after 2018 is unknown.

Frontenac Ambassador Engagement

- 140 Total Ambassadors
- 66.0% Average newsletter opens
- 24.0% Average newsletter clicks



Tomorrow marks the launch of the Big Sandy Bay shuttle bus! Leave your car in #ygc and take the #FerryByFoot to the beach @FrontenacCounty @cityofkingston



10:15 AM - 29 Jun 2018 from Wolfe Island

24 Retweets 47 Likes





Twitter Update

Frontenac County

JUN 2018 SUMMARY Frontenac County

Tweets 51 Tweet impressions 33.7K

Profile visits 1,144 Mentions 49

New followers 19 Followers as of June 30 2,079

Top Tweet earned 2,809 impressions

Details Council approves replacement of 22 LIFEPAK 15 defibrillator/monitors & purchase of 10 new eACR tablets
@FPSParamedics
twitter.com/FrontenacCount...

2 3 17

Top Follower followed by 105K people



Alex Stojkovic
@stojkovic_alex

I am a communication evangelist who eats, sleeps and breathes everything marketing - call me obsessive. Founder of @tor_dealfinder network and @followrocket_TO

Top mention earned 857 engagements

Visit Kingston
@VisitKingston1

Tomorrow marks the launch of the Big Sandy Bay shuttle bus! Leave your car in #ygc and take the #FerryByFoot to the beach @FrontenacCounty @cityofkingston
pic.twitter.com/oxJWm5aPtA



24 47

Top media Tweet earned 2,548 impressions

Did you go to @BigSandyBay on #WolfIsland this w/e?
Coming soon: on Sat, Sun & holiday Mondays in July & Aug...leave your car in Kingston, walk on the @WolfIslander3 & ride the free shuttle
Details: VisitWolfIsland.ca #inFrontenac @VisitKingston1 @GreatWaterway
pic.twitter.com/UpYig82nc



11 23

Frontenac Paramedic Services

Jun 2018 • 30 days Frontenac Paramedics

TWEET HIGHLIGHTS

JUN 2018 SUMMARY

Tweets 30 Tweet impressions 80.8K

Profile visits 3,763 Mentions 90

New followers 30 Followers as of June 30 3,568

Top Tweet earned 4,998 impressions

Proceeds of yesterday's First Responders for #PTSD Golf Tournament expected to be well in excess of \$5,000
pic.twitter.com/OQ7RoATND1



1 11 43

Top Follower followed by 3,733 people



Megan Shaw

@meganshawCTV
Reporter @CTVOttawa E-mails to Megan.Shaw@bellmedia.ca Social @https://t.co/664TaLMYCu

Top media Tweet earned 3,760 impressions

On this final day of what has been an amazing #ParamedicServicesWeek2018 we share a few more pictures of paramedics Alexis, Derek and Eric (Rhiannon absent) meeting their patient Jim Keech for the first time since that fateful day last year
#PSWeek2018 #ParamedicWeek
pic.twitter.com/CfGB9oesdd



2 7 33

Top mention earned 292 engagements

Dylan Griffin
@Gamer_085

@MIHomeYGK @KtownFire
@FPSParamedics @KingstonPolice
pic.twitter.com/OG40kEomwn



1





Report 2018-092

Council Recommend Report

To: Warden and Council
From: Kelly Pender, Chief Administrative Officer
Prepared by: Jannette Amini, Manager of Legislative Services/Clerk
Date of meeting: July 18, 2018
Re: **Office of the Chief Administrative Officer – Appointment of an Integrity Commissioner for the County of Frontenac**

Recommendation

Be It Resolved That Aird Berlis (Lead – John Mascarin) be appointed as the Integrity Commissioner for the County of Frontenac;

And Further That the Clerk be directed to bring forward later in the meeting the necessary appointment by-law for Councils consideration;

And Further That the Warden and Clerk be authorized to execute an agreement with Aird Berlis for the provision of services of an Integrity Commissioner;

And Further That a copy of this resolution be circulated to all member municipalities in Frontenac County.

Background

Bill 68, Modernizing Ontario's Municipal Legislation Act, 2016 was introduced in the Legislature on November 16, 2016 and received Royal Assent on May 30, 2017. The legislation introduces changes to municipal governance, including amendments to the *Municipal Act, 2001* and the *Municipal Conflict of Interest Act*. A new subsection 223.3 (1.1) of the Act requires municipalities that have not appointed an Integrity Commissioner to make arrangements for all of the responsibilities listed in subsection 223.3 (1) to be provided by a Commissioner of another municipality. This new section comes into force March 1, 2019.

As a result, at its regular meeting held December 20, 2017, County Council passed the following resolution:

Comment

The County of Frontenac issued a Request for Quotations (RFQ) for the services of an Integrity Commissioner on April 30, 2018 with a closing date of May 29, 2018. Included in the County RFQ were the four member municipalities of the Townships of North, Central and South Frontenac and Frontenac Islands.

The County received 5 RFQ submissions which were reviewed by the Evaluation Committee comprised of the Frontenac CAO's Group and the Clerk of the County of Frontenac. Each submission was evaluated against the criteria set out in section 4.1 of the RFQ, as follows:

Table 1 – Evaluation Criteria

Best Value Evaluation Criteria	Weighted Score
Individual/Company Profile	5
Demonstrated Related Experience	40
Approach and Methodology	15
Integrity Individual/ Team Integrity Individual/team's approach to a regional Integrity Commissioner	10
Cost Factor – Tender Form (Separate Envelope)	30
Total of Stage 1	100
Interview (Stage 2 Optional)	25
Total	125

Recommend Report to Council
Office of the Chief Administrative Officer – Office of the Chief Administrative Officer – Appointment of an Integrity
Commissioner for the County of Frontenac
July 18, 2018

Page 2 of 4

It should be noted that the County's current Integrity Commissioner, Ron Price, did not submit a proposal.

A review of the proposals was undertaken by the group in accordance with the evaluation criteria, including the Stage 2 Interview component with 3 of the submissions.

After the evaluation process was complete, Aird Berlis was the proponent with the highest total score. The team will be led by John Mascarin, who brings a wealth of knowledge both from a legal and municipal perspective. The firm is located out of Toronto, with strong familiarity of the joint model for the delivery of Integrity Commissioner services. The proposal was clear, concise and the group is confident in the team's abilities based on experience and extensive knowledge on various topics. In addition, the informal complaints system approach versus immediate investigation is very desirable. Their proposal also provides for education and training for Council members, staff and the public on the Code of Conduct, various policies and the complaint process while instilling the values of accountability and transparency through the provision of an ethical framework with which to work from.

The County's current contract with Ron Price expires September 30, 2018. Bill 68 mandates that each municipality must retain an Integrity Commissioner on or before March 1, 2019. It is the recommendation that the By-law being brought forward later in the meeting come into force October 1, 2018 and that staff proceed with an agreement with Aird Berlis effective October 1, 2018 as a proactive approach to having the successful proponent in place to assist with the orientation of the new Council, the review/refresh of the Council Codes of Conduct, a Council-Staff Relations Policy, Integrity Commissioner Complaint Policy and any other policies/procedures governing the ethical behavior of members of council and local boards. It is the intent that such tasks would be undertaken with Councils well in advance of the March 1, 2019 deadline. The By-law proposes that Aird Berlis, led by John Mascarin be appointed as the County's Integrity Commissioner upon passage of the above deliverables but no later than March 1, 2019.

Sustainability Implications

As noted in Directions for our Future, providing an equal and equitable level of service across the County is a priority and that government decision-making processes are clear, transparent, forward thinking and focused on the longer term. Proceeding with the appointment of an Integrity Commissioner supports open and transparent government and ensures the policies and mechanisms are in place to support a healthy work environment for Council, staff and members of the public.

Financial Implications

The 2019 County Governance Budget will propose the inclusion of \$10K for Integrity Commissioner services. \$5K of these funds have been earmarked to assist in the review and development of the necessary Codes and policies/procedures for the County and local municipalities. The recommended proponent does not require a retainer fee,

however there will be ongoing budget needs for the costs of investigations, reports and information provided to members which will be charged at \$355 per hour plus any required travel/accommodation costs. Each local municipality would be responsible for all costs associated with investigations in their local municipality. It will be difficult to forecast annual costs given the unknown of how often the services of the Integrity Commissioners will be used; however based on one previous investigation, an additional \$5K has been budgeted for consideration. It should also be noted that previously, an Integrity Commissioner could only investigate complaints regarding a breach of a Code of Conduct. Effective March 1, 2019, their jurisdiction will be expanded to carry out investigations into contraventions of the *Municipal Conflict of Interest Act*.

The stabilization reserve could be used to offset higher than expected costs in any particular year. The County is also required to provide indemnification for the Integrity Commissioner for the duties provided to the County.

Organizations, Departments and Individuals Consulted and/or Affected

Susan Brant, Director of Corporate Services/Treasurer
Cheryl Robson, Chief Administrative Officer, Township of North Frontenac
Cathy McMunn, Clerk/Administrator, Township of Central Frontenac
Wayne Orr, Chief Administrative Officer, Township of South Frontenac
Darlene Plumley, Chief Administrative Officer, Township of Frontenac Islands



Report 2018-093

Council Recommend Report

To: Warden and Council
From: Kelly Pender, Chief Administrative Officer
Prepared by: Jannette Amini, Manager of Legislative Services/Clerk
Date of meeting: July 18, 2018
Re: **Corporate Services – Delegated Authority for Property Acquisition – Parham Ambulance Base**

Recommendation

Be it Resolved That County Council delegate, through the Chief Administrative Officer to staff, the following administrative and contractual authority with respect to the property acquisition of the Parham Ambulance Base as noted in this report:

- i. Authority to the Chief Paramedic/Director of Emergency and Transportation Services to proceed with the negotiations within the parameters provided by Council and acquisition of the Parham Ambulance Base as described;
- ii. Authority to the Manager of Legislative Services/Clerk to execute undertakings, certificates, statements, declarations and such other documents as required for the completion of the acquisition the Parham Ambulance Base and related work;
- iii. Authority to the Director of Corporate Services/Treasurer to borrow from the County asset replacement reserve the cost of the acquisition, to be replenished over its 20 year useful life cycle as an annual allocation to the reserve.

Background

This report is presented to Council seek delegated authority to proceed with a property acquisition that may be affected due to the rules regarding the Lake Umbagog Council provisions under Section 275 of the *Municipal Act* and how they are applied.

Comment

Negotiations have commenced for the Parham Ambulance Base and although negotiations are proceeding in a positive direction, the County is not in a position to confirm the property acquisition until all issues have been resolved. In order to complete

the property acquisition as directed by Council in the timeframe proposed to Council, staff are recommending that Council approve the delegated authorities outlined in this report.

Delegated authority will allow staff to continue to work expeditiously and efficiently should Council become “lame duck” in the months surrounding the upcoming municipal election. Section 275 of the Municipal Act sets out Restricted Acts after Nominations Day for municipal councils. This is typically termed as “Lame Duck”. A Council can become Lame Duck in one or both of two separate time periods:

1. The period from nomination day to Election Day (4 p.m. July 27 – October 22);
2. From Election Day to the end of the term of Council (October 22 – November 30).

Section 275 (2) of the *Municipal Act* states:

Basis for determination

- (2) If a determination under subsection (1) is made,
- (a) after nomination day but before voting day, the determination shall be based on the nominations to the new council that have been certified and any acclamations made to the new council; or
 - (b) after voting day, the determination shall be based on the declaration of the results of the election including declarations of election by acclamation.
- 2001, c. 25, s. 275 (2).

For the Council of the County of Frontenac, these restrictions would apply if it can be determined that the new Council will include less than three-quarters of the members of the outgoing council or if 3 or more current members of Council chose not to run in the case of (a) or 3 or more current members of Council are not re-elected in the case of (b).

The following restrictions are set out under Section 275 (3) of the Act should Council become “Lame Duck” in either scenario noted above:

Restrictions

- (a) the appointment or removal from office of any officer of the municipality;
- (b) the hiring or dismissal of any employee of the municipality;
- (c) the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- (d) making any expenditures or incurring any other liability which exceeds \$50,000.

Exceptions

Under Section 275 (4) and (4.1) of the Act, clauses (3) (c) and (d) do not apply if the disposition or liability was included in the most recent budget adopted by Council, provided that the budget was passed prior to nominations day and, nothing in this section prevents a municipality taking any action in the event of an emergency. Although “emergency” is not defined in this section of the Act, should Council wish to exercise its authority under this section, it should be prepared to defend its action in the event that a court challenge arises.

Section 275 (6) of the Act states that nothing in section 275 of the Act prevents any person or body from exercising any authority that is delegated to them prior to nominations day. The hiring or dismissal of employees of the County of Frontenac is delegated to staff under the County's Recruitment Policy HR-02-11 except those statutory positions which are appointed by by-law and as such, subsection (3) (b) above would also be exempt.

The recommended delegated authority will be required by County Council at the July 18, 2018 County Council meeting as that will be the last County Council meeting prior to Friday, July 27 when nominations for election to Township Councils close and County Council could potentially no longer have the authority to make any expenditures or incur any other liability which exceeds \$50,000 as the *Municipal Act* "lame duck" provisions will apply. The by-law delegating authority to the Chief Administrative Officer will be worded in such a way that would nullify the by-law should County Council not become Lame Duck in either scenario noted in Section 275 (2) of the Act.

Staff will report the details of the financial transactions made under this delegated authority when the property has been acquired. This method of reporting will protect the County's financial interest in this ongoing negotiation.

Sustainability Implications

As noted in Directions for our Future, providing an equal and equitable level of service across the County is a priority and that government decision-making processes are clear, transparent, forward thinking and focused on the longer term.

Financial Implications

There are no financial implications associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Senior Leadership Team



Report 2018-095

Council Recommend Report

To: Warden and Council

From: Kelly J. Pender, Chief Administrative Officer

Prepared by: Paul J. Charbonneau, Chief Paramedic/Director
Emergency and Transportation Services

Date of meeting: July 18, 2018

Re: **Emergency and Transportation Services – City of Kingston Fire
& Rescue Services – Medical Tiered Response Program
Agreement**

Be It Resolved That staff be directed to notify the Fire Chief of Kingston Fire and Rescue Services of the termination of the current Medical Tiered Response Program agreement effective September 30, 2018,

And Further That staff present a new Medical Tiered Response Program agreement, to the Fire Chief of the City of Kingston Fire & Rescue Services to include the:

- Incorporation of the language changes/additions received from legal counsel, Rosen Sunshine LLP, regarding Personal Health Information and Privacy Act, 2004 (PHIPA),
- deletion of “Ensure that all fire fighters involved with patient care have completed and are certified, by a Medical Director to perform defibrillation if the Township is part of the defibrillation program”,
- deletion of “Have all defibrillators certified annually by a certified bio-medical service. This certification will be made available upon request by the County”,
- addition of “(i.e. Pre-hospital Patient Care Emergency First Response Program (30 hour), St. John Ambulance – Medical First Responder, Red Cross - Medical First Responder)” following “Ensure that all fire fighters, involved with direct patient care, have completed and are certified in an approved OFM Emergency First Response Course”

And Further That staff amend the Medical Tiered Response Program agreements regarding “County Activation *Criteria for Tiered Response*” by:

- deletion of “Response 15”,
- deletion of “unconscious patient”,

Background

In May 2017 the Ontario Association of Paramedic Chiefs received a legal opinion, from Daniel Michaluk of Hicks Morley, regarding First Responders and the *Personal Health Information Protection Act* (PHIPA).

The legal opinion was sought to answer the question; what is an ambulance services responsibility for the handling of personal health information in light of dealings with other first responders – namely, police and fire services? The issue is to ensure that there is not an “agent” relationship established because of the Medical Tiered response Program agreement.

The following information was received from Hicks Morley:

- An ambulance service is ordinarily responsible for the information handling and record-keeping of paramedics, not the information handling and record-keeping of police officers and firefighters who are first to respond to a call
- An ambulance service ordinarily needs expressed consent to disclose personal health information from its call records, including to police or fire services who were the first to respond to a call
- An ambulance service should generally refrain from directing police officers and firefighters in respect of their attendance on calls so it does not take on a responsibility for police and fire information handling and record-keeping

Hicks Morley did not review any tiered response agreements however raised the following general caution:

“While it is perfectly acceptable to enter into an agreement that dictates who is dispatched first in different circumstances, agreement terms that suggest that police officers or firefighters are responding on behalf of the ambulance service should generally be avoided”.

Comment

The Chief Paramedic contacted Daniel Michaluk to have the County of Frontenac's Medical Tiered Response Program agreement reviewed, in light of the advice provided to the OAPC. There was an issue identified wherein Mr. Michaluk could not provide us advice due to the City of Kingston also being a client of Hicks Morley. The legal firm of Rosen Sunshine LLP was recommended.

Larry Rosen of Rosen Sunshine LLP reviewed the current agreements and discussed issues via teleconference with the Chief Paramedic and Deputy Chief of Performance Standards. The advice suggests four (4) additions/changes to the current language to strengthen the protection for both parties to the agreement.

The Ambulance Service does not want to be responsible for the Fire Services' handling and records of Personal Health Information (PHI), and therefore would like to ensure that the Tiered Response Agreement does not make the Fire Service an agent of the Ambulance Service within the meaning of PHIPA. We recommend this as well.

PHIPA defines an "agent" as a person who acts for or on behalf of a custodian in respect of PHI for the purposes of the custodian. A person who acts for his or her own purposes in respect of PHI is not an agent. A person is only an agent when acting with the authorization of the custodian.

The current terms of the Tiered Response Agreement suggest that the Fire Service and the Ambulance Service bear independent duties. It explicitly states that the Fire Service is not obliged to respond to tiered response requests. However, to further support the Ambulance Service's goal of avoiding an agency relationship, we would recommend including:

1. Adding a provision explicitly stating that the City and its Fire Service does not have authorization to collect information on behalf of the Ambulance Service or the County.
2. Amending this clause to state that the parties will provide such documentation, to the extent possible in compliance with their respective obligations under PHIPA and the *Municipality Freedom of Information and Protection of Privacy Act* (MFIPPA).
3. Adding a clause to the Tiered Response Agreement specifying the information that the Fire Service will receive in the tiered response request. The tiered response request should contain the location and nature of the call (for example for the purposes of tracking the Fire Service's time and productivity and the services it provides), but should not include basic identifying information regarding the patient or the individual(s) who receive(s) emergency services.
4. There is no provision in PHIPA that allows an ambulance service to routinely disclose PHI to a fire service, even if it is part of the same municipality. Even the disclosure of basic identifying information about a patient (name, date of birth, address and OHIP number) to a police or fire service would likely constitute a breach of PHIPA. Given that PHIPA does not include an exemption that allows for this disclosure, police and fire services should ordinarily take steps themselves to identify the individuals to whom they provide services.

Medical Tiered Response Programs have been in place in this area since the mid-1990s. These agreements were developed and authorized between local response agencies (City Council), Kingston Central Ambulance Communications Centre, Southeastern Ontario Base Hospital Program and the Ministry of Health and Long Term Care, Emergency Health Services Branch. It became clear that Medical Tiered Response Agreements were part of the provincial land ambulance downloading exercise and the County of Frontenac was to become a party to the agreements within its jurisdiction.

The guiding principles of a medical tiered response program are:

- To ensure the timely availability of resources to safely and efficiently mitigate a **life threatening** incident; and
- To deploy adequately trained and equipped personnel to the scene of agreed upon **life threatening emergencies**.

These principles are supported by Frontenac Paramedic Services. If the primary agency (Frontenac Paramedic Services) cannot respond within an acceptable timeframe, dependent upon the patient's medical condition, then a secondary agency should be deployed to ensure the citizen receives appropriate initial medical attention. However, the criteria by which medical tiered response is initiated and the issue of response times for the primary agency must be practical to local concerns.

The Association of Municipal Emergency Medical Services of Ontario (AMEMSO), now known as the Ontario Association of Paramedic Chiefs (OAPC) released the document *Informing The Public Dialogue Around Medical Tiered Response In Ontario: An Independent Evidence-Based Review* in September 2011.

As indicated in the OAPC paper, the peer-reviewed scientific literature shows that only slightly more than 2% of EMS 911 calls would benefit from cardiac defibrillation, cardiopulmonary resuscitation (CPR) or other time-sensitive interventions offered by firefighters. Despite the low actual clinical need, urban Ontario fire departments have asked to be sent to between 5 and 35% of EMS calls, and some have suggested they should respond to 100% of EMS calls. No scientific evidence exists to support such levels of response.

In this project, Performance Concepts Consulting has conducted an evidence-based examination of 2010 EMS/Fire clinical data sets extracted from selected OAPC members from across the province.

Despite relatively large volumes of Fire tiered responses in the 2010 sample period, the proportion of calls where fire departments deliver patient procedures is small. In the Peterborough example, 93% of the fire department tiered response calls did not involve the delivery of **any** patient procedures. There is no clinical evidence emerging from the AMEMSO case studies that an expanded scope of fire department tiered medical response would deliver an increase in meaningful fire patient procedures, improve patient outcomes, or provide relief to paramedic workload burdens.¹

Increasing the number of "lights-and-siren" responses in a community carries with it significant risks. Although reasonably rare, fire apparatus response crashes do occur,

¹ Performance Concepts Consulting. (2011). *INFORMING THE PUBLIC DIALOGUE AROUND MEDICAL TIERED RESPONSE IN ONTARIO, An Independent Evidence-Based Review*

and can be catastrophic because of the large size and weight of the pumpers, aerial ladders and elevating platform trucks sent to EMS calls.

Unfortunately, the risks of such crashes are disproportionately born by civilians, not the responders themselves. For a community to accept these risks, there would need to be clear scientific evidence of medical benefit from adding fire response to a call where an ambulance was already well on the way.

Are all Paramedic Services calls time-sensitive?

All calls to 911 are important, particularly to those placing the call. Fortunately, just as in hospital emergency departments, few EMS 911 calls involve critical illness or injury. Despite this being “self-evident” to those in medical professions, the public position of the fire service unions and some of their management often suggest that every EMS call is a “life-or-death, seconds-can-save-a-life” emergency, warranting emergency response by whoever is available in the community. This promotes unwarranted fear in the community that death or disability could be avoided if only a fire truck responded in addition to a paramedic ambulance, none of which is supported by fact. In most 911 calls, the arrival of first-aid trained firefighters provides no tangible benefit.

In fact, 911 calls can be reliably and safely classified and prioritized by dispatch personnel, with response ranging from immediate for the relatively few critical calls to less urgent low priorities for the majority of calls, most of which involve clearly non-emergent patients. Toronto and Niagara EMS use the internationally-accepted Medical Priority Dispatch System (MPDS), a scripted interview process which highly reliably prioritizes calls based on patient problem and incident type. MPDS is backed by an extensive published scientific literature in peer-reviewed medical journals, and allows most EMS calls to safely forgo police or firefighter response. OAPC advocates for the extension of this proven triage tool to all Ontario CACCs to allow for a more careful process of identifying urgent responses.

All parties to the dialogue should engage in meaningful and respectful discussion and advocate for public policy that achieves the following:

We need to get the right resources, to the right patient in the time frame that makes a difference. That means that for patients who need immediate airway management or AED that everyone - dispatch, fire and ambulance - needs to work together to get resources out there as soon as possible. It also means that there is no point sending tiered response to patients who are in no need of time limited interventions.²

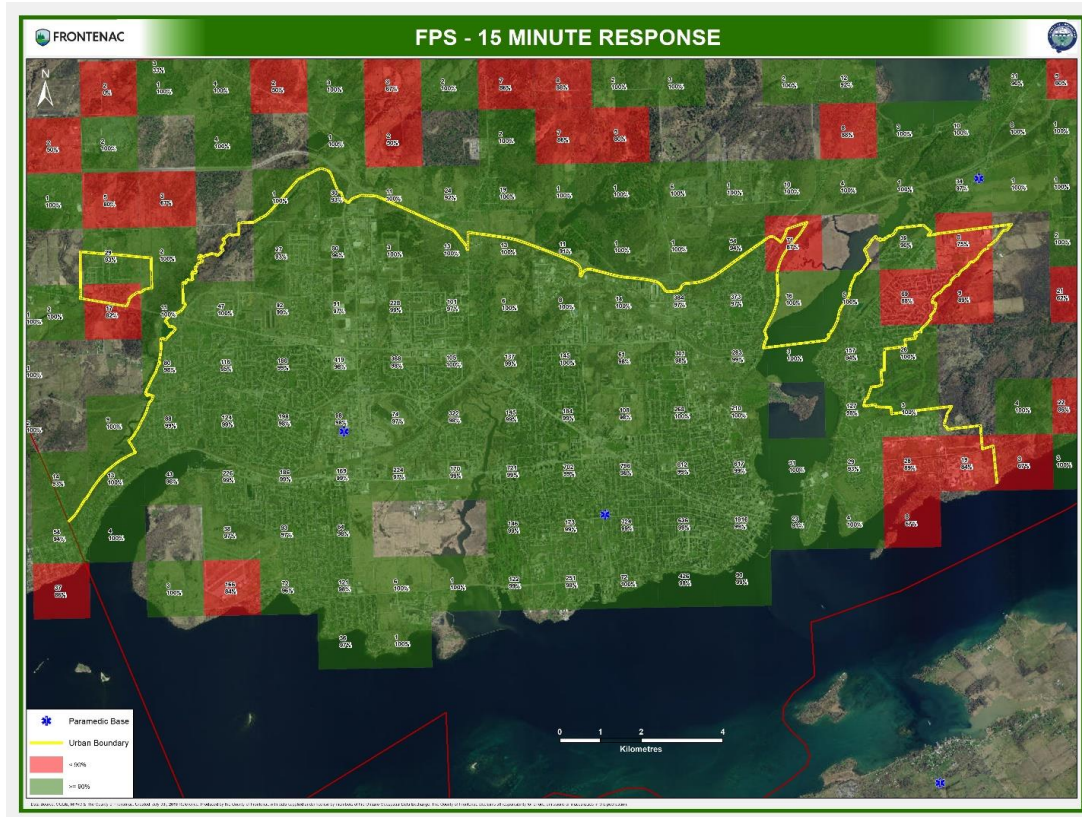
In summary, fire services have a role in medical tiered response for time sensitive medical emergencies that they can make a difference i.e. cardiac arrest, airway compromise. Fire services do not have a role in non-life threatening medical

² Dr. Gordon Jones, Medical Director, Regional Base Hospital Program for Southeastern Ontario. 2001

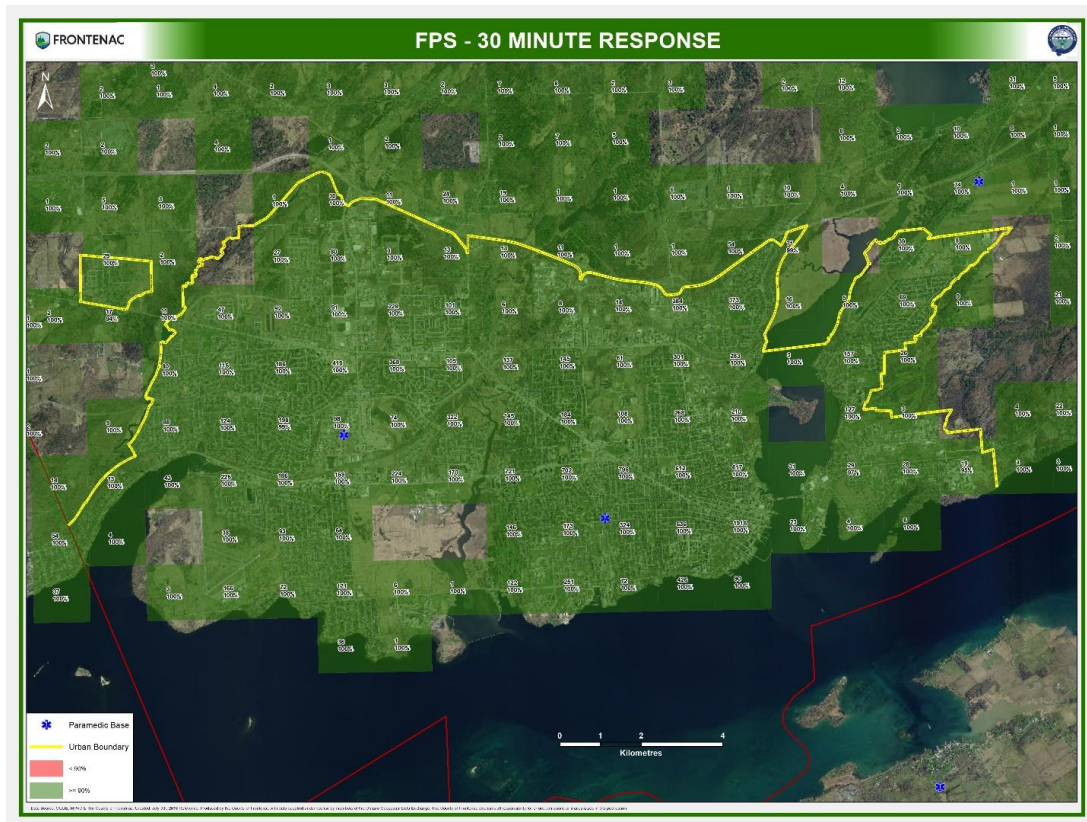
emergencies. All emergency services need to work together to establish effective and efficient tiered response agreements that make the patient the centre focus.

In the City of Kingston medical tiered response based on Response 15 has no time sensitive medical emergencies that they can make a difference

The map below illustrated that FPS's response to medical emergencies in the City of Kingston, in 15 minutes or less, 90% of the time in all but six (6) square kilometers in the Urban Boundary of Kingston.



The map below illustrated that FPS's response to medical emergencies in the City of Kingston, in 30 minutes or less 90% of the time, in all areas in the Rural Boundary of Kingston.



Sustainability Implications

Governance – appropriate stewardship of County resources.

Financial Implications

None

Organizations, Departments and Individuals Consulted and/or Affected

Lonny Rosen, Solicitor, Sunshine Rosen LLP
Shawn Armstrong, Fire Chief, City of Kingston

Recommend Report to Council
Emergency and Transportation Services – City of Kingston Fire & Rescue Services – Medical Tiered Response
Program Agreement
July 18, 2018

Page 7 of 7



Report 2018-096

Council Recommend Report

To: Warden and Council

From: Kelly J. Pender, Chief Administrative Officer

Prepared by: Paul J. Charbonneau, Chief Paramedic/Director
Emergency and Transportation Services

Date of meeting: July 18, 2018

Re: **Emergency and Transportation Services – Frontenac
Townships Fire & Rescue Services – New Medical Tiered
Response Program Agreements**

Recommendation

Be It Resolved That the Council of the County of Frontenac accept the Emergency and Transportation Services – Frontenac Townships Fire & Rescue Services – New Medical Tiered Response Program Agreements report for information,

And Further That the Council of the County of Frontenac authorized the Warden and Clerk to sign and execute any new Medical Tiered Response Program Agreements received from the member townships of the County of Frontenac for implementation on August 1, 2018.

Background

At its meeting on April 18, 2018 County Council gave direction to staff to notify the Fire Chiefs of the member township Fire & Rescue Services of the termination of the current Medical Tiered Response Program agreements effective July 31, 2018 and to negotiate new Medical Tiered Response Program agreements.

Comment

New Medical Tiered Response agreements have been drafted with the PHIPA changes and discussions with each member township Fire & Rescue Services has been held regarding County Activation Criteria for Tiered Response.

Sustainability Implications

Governance – appropriate stewardship of County resources.

Financial Implications

None

Organizations, Departments and Individuals Consulted and/or Affected

Fire Chief Mike Quinn, Township of Frontenac Islands (Howe Island Fire & Rescue)
Fire Chief Tim Hawkins, Township of Frontenac Islands (Wolfe Island Fire & Rescue)
Fire Chief Darcy Knott, Township of South Frontenac Fire & Rescue
Fire Chief Greg Robinson, Township of Central Frontenac Fire & Rescue
Fire Chief Eric Korhanen, Township of North Frontenac Fire & Rescue

Discussion Regarding Increased Capital Grant Funding

Meeting our Roads and Trails Infrastructure Needs

July 18, 2018



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Four converging issues

- How do we close the infrastructure gap for roads/bridges?
- How do we complete the K&P Trail in the most timely manner in order to gain maximum economic development
 - » How do we minimize borrowing?
- How do we fund regional infrastructure needs such as the cell gap project?
- How do we access the Ontario Community Infrastructure Fund (OCIF) top up?



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Assumptions

- Capital funding is needed for roads
 - » \$30M deficit on the former Provincial/County road systems in 2011 alone (400~ kms)
- Increased Provincial and Federal dollars should be part of the solution
- The County needs to continue to invest in the K&P Trail and is looking at borrowing. Still pending:
 - » Completion of the Tichborne to Sharbot Lake portion
 - » 4 trail heads (one in each Township)
 - » Solution for Frontenac Islands to connect the K&P to the US
 - » Sharbot Lake north – completion of the connection to Lanark and Renfrew



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Assumptions

- The County is eligible for up to \$1.9M in OCIF funding every second year to invest in a regional road network – if we had one
- Gas tax is moving towards a per capita formula – which *may* have a negative impact on our gas tax allocation – currently \$840K – future unknown
- Federal and Provincial infrastructure investment is being focused on OCIF
- Gas tax funding can be used for trails – OCIF funding cannot, can only be used for roads, water and sewer



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Current Funding Sources

Gas Taxes

Property Taxes

Borrowing

Capital
Grants -
OCIF



Reserves


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Trails Needs

- Review by Richard Allen – 10 year capital plan for the K&P Trail
 - » This is a first look at the cost to implement a Frontenac Islands to North Frontenac trail
 - » Consider budget figures to be preliminary
 - » Looking for Council input on timing and phasing
 - » Priority is to minimize borrowing by leveraging grant funding
- Spreadsheet



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Proposal

- Use a modified Lennox & Addington County model in order access OCIF funding:
 - » Transfer the former Provincial and County highway network to the County for a period of six years – with a renewal clause
 - Townships can opt in/out – but likely a minimum of two contiguous Townships will be required
 - » Sign an agreement with the Townships for the maintenance, capital and liability for the roads – same term as above
 - » The minimum a township would receive is their weighted percent of the gas tax – noting that gas tax could go up or go down
 - » Upon signing – immediately review the 2011 Road Needs Study and agree upon a five year plan that distributes OCIF funding based upon the sharing percentage (weighted assessment if all in)
 - » In years when OCIF is received, this would be shared with the townships based upon plans for the regional road and as recommended by the PWM, while gas tax would be utilized for the K&P



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What do the scenarios look like?

Increase/ (Decrease) in Municipal Distribution 2018-23 - ASSUMES ALL "IN"

		OCIF				
		Current (No OCIF)	25% of Total	50% of Total	75% of Total	Max
Gas Tax	Current	\$0	\$1,425,000	\$2,850,000	\$4,275,000	\$5,700,000
	Decline by 10%/yr	(\$1,104,104)	\$320,896	\$1,745,896	\$3,170,896	\$4,595,896
	Decline by 20%/yr	(\$1,941,005)	(\$516,005)	\$908,995	\$2,333,995	\$3,758,995
	Decline by 50% in 2019	(\$3,386,250)	(\$1,961,250)	(\$536,250)	\$888,750	\$2,313,750
	Zero	(\$4,200,000)	(\$2,775,000)	(\$1,350,000)	\$75,000	\$1,500,000

- **Best case scenario** – collectively, we could be \$5.7M better off
- **Worst case scenario** – gas tax goes away and we do nothing with OCIF and collectively, we will be \$4.2M worse off
- **Likely scenario** – collectively we are \$1.4 to \$4.2M better off over a five year period



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Review Spreadsheet

[Link](#)



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Conclusion

- By working together we can access more funding
- Townships would not give up their control
- Townships could opt in or out
- Frees up funds to help complete the K&P Trail
 - » Will minimize or greatly reduce the need for borrowing
 - » Will speed up completion of the trail ➡ increase economic impact
- A no risk proposal



FRONTENAC

Recommendation

Resolved That the Council of the County of Frontenac receive the Chief Administrative Officer – Ontario Community Infrastructure Fund – Access to Funding report for information;

And Further That the Council of the County of Frontenac direct staff to fully investigate the process for accessing the Ontario Community Infrastructure Fund – Top Up (OCIF-TU) grant for core infrastructure, including consultation with legal counsel, Frontenac County Chief Administrative Officers and other municipalities;

And Further That a full report and recommendation be presented to County Council in January 2019, with a view towards a first application to the fund in August 2019.



FRONTENAC



Report 2018-097

Council Recommend Report

To: Warden and Council

From: Kelly Pender, Chief Administrative Officer

Prepared by: Kelly Pender, Chief Administrative Officer
Susan Brant, Director of Corporate Services/Treasurer

Date of meeting: July 18, 2018

Re: **Ontario Community Infrastructure Fund – Access to Funding**

Recommendation

Resolved That the Council of the County of Frontenac receive the Chief Administrative Officer – Ontario Community Infrastructure Fund – Access to Funding report for information;

And Further That the Council of the County of Frontenac direct staff to fully investigate the process for accessing the Ontario Community Infrastructure Fund – Top Up (OCIF-TU) grant for core infrastructure, including consultation with legal counsel, Frontenac County Chief Administrative Officers and other municipalities;

And Further That a full report and recommendation be presented to County Council in January 2019, with a view towards a first application to the fund in August 2019.

Background

Ensuring that taxpayers receive the maximum benefit from Provincial and Federal governments is vital to support the stated objective in the 2014 County of Frontenac Strategic Plan, namely:

- Respect for the taxpayer and focused economic development
 - Recognizing that there is only one ratepayer that bears the burden of property taxes and further that ongoing spending control is a priority, Council will develop a long term financial plan that is sustainable

- Council agrees to prioritize and support the economic development objective of employment/revenue generation; and to support continued efforts to rationalize costs across the Townships and County.

The Ontario Government annually allocates a total of \$100,000,000 for capital projects completed at a regional level. The County of Frontenac maximum allocation is \$1.9M every two years. The previous Liberal government committed to increasing OCIF funding to \$300M¹ per year.

OCIF-TU is focused on “core” infrastructure which the Province defines as roads, bridges, water and waste water (including sanitary and storm water). The projects must be either for new or rehabilitated capital infrastructure owned by the applicant. The projects must align with the applicants asset management planning and prioritization. They can have multiple components under the core definition, but must be contiguous. Partnership projects are encouraged and given priority.

While the County is annually allocated a grant of up to \$1.9M, we have been unable to apply for an OCIF-TU grant because there are no County level core infrastructure. Trails projects are not eligible. County OCIF-TU grants can be matched by lower tier municipal grants.

The Association of Municipalities of Ontario (AMO) administers the allocation of the Federal Gas Tax Fund (GTF) for Ontario municipalities. The County level allocation for the period from 2014 to 2018 is as follows:

2014	2015	2016	2017	2018
\$763,699.04	\$763,699.04	\$801,883.99	\$801,883.99	\$840,068.94

In accordance with By-law 2014-0027, the County distributes GTF to the member municipalities based upon weighted assessment. GTF funds can be used for a much larger scope of infrastructure projects than OCIF-TU, including trails infrastructure. The GTF allocation is based upon population. As the GTF is tied to population it is anticipated that over the longer term, Frontenac will see a decrease in funding unless the overall allocation to Ontario is increased.

The agreement² with Ontario (through AMO) provides that GTF funding can be applied to the following:

6. Eligible Project Categories

Eligible Project categories under the GTF will continue to include: public transit, local roads and bridges, wastewater, water, solid waste and community energy infrastructure and non-capital investments in capacity building initiatives. As announced in the Economic Action Plan 2013, new eligible project categories have

¹ Source: [2018 Provincial Budget Update](#)

² Source: [Infrastructure Canada, Administrative Agreement on the Federal Gas Tax Fund](#)

been added to include highways, local and regional airports, short-line rail, short-sea shipping, disaster mitigation, broadband connectivity, brownfield redevelopment, culture, tourism, sport, and recreation infrastructure.

Both the OCIF-TU and the GTF require municipal asset management plans to be in place.

Comment

The purpose of this report is to seek Council direction with respect to the potential to access OCIF-TU funds for regional roads while freeing up GTF for broader regional projects such as the K&P Trail, communal servicing, cell gap project and/or Public Safety Broadband Network (PSBN). The intention would be to make application for OCIF-TU funding in the summer of 2019.

As a first step, staff offer the following four guiding principles:

- Municipalities would have the choice to opt in
- Projects would be approved and managed locally
- No municipality would be worse off than under the current GTF transfer model
- As a collective, all participating municipalities will have access to the maximum grant dollars available.

Should Council approve the staff recommendations, staff would undertake the following in preparation for further consideration by Council in January 2019:

- Review of previous technical reports regarding a regional road network
- Consultation with Municipal CAOs and Public Works Managers – including defining a regional roads network
- Legal review of the Frontenac County re-structuring order
- Assessing the new Provincial government's commitment to OCIF-TU funding
- Researching the requirements to assume the regional roads network in a manner that will meet OCIF-TU grant requirements
 - Review of similar agreements (e.g., Lennox & Addington County, District of Muskoka)
- Assessing local roads needs studies and combining them into a regional roads needs study

Sustainability Implications

Maximizing Provincial and Federal capital dollars will result in improved infrastructure and less pressure on local tax dollars.

Financial Implications

In order to assess the potential financial impact of the OCIF-TU on the County as a whole, staff developed a spreadsheet that is capable of analyzing any of the following scenarios:

Gas Tax	OCIF-TU
- Current level (\$840K) - Decline by 10% - Decline by 20% - Decline by 50% in 2019 - Zero starting in 2019 - Increase by 10%	- Current (Zero) - Max 75% 50% 25% - Random

The spreadsheet can also model any of the above based upon any combination of municipalities opting in or opting out. The table below summarizes the various scenarios:

Increase/(Decrease) in Municipal Distribution 2018-23 - ASSUMES ALL "IN"

		OCIF				
		Current (No OCIF)	25% of Total	50% of Total	75% of Total	Max
Gas Tax	Current	\$0	\$1,425,000	\$2,850,000	\$4,275,000	\$5,700,000
	Decline by 10%/yr	(\$1,104,104)	\$320,896	\$1,745,896	\$3,170,896	\$4,595,896
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	Decline by 50% in 2019	(\$3,386,250)	(\$1,961,250)	(\$536,250)	\$888,750	\$2,313,750
	Zero	(\$4,200,000)	(\$2,775,000)	(\$1,350,000)	\$75,000	\$1,500,000

Given the new Provincial government, it is the assumption that the current \$100M allocation will remain stable, but will not increase to the \$300M pledged by the previous government. Should the current government move to increase the total available to \$300M, the positive (i.e., black figures) in the table above would have the potential to be tripled.

A full financial review of the model will be provided by staff during the Council meeting.

Organizations, Departments and Individuals Consulted and/or Affected

County Chief Administrative Officers
Tony Fleming, Cunningham Swan
Lennox & Addington County



Report 2018-098

Council Recommend Report

To: Warden and Members of County Council
From: Kelly J. Pender, Chief Administrative Officer
Prepared by: Paul J. Charbonneau, Chief Paramedic/Director of Emergency and Transportation Services
Date of meeting: July 18, 2018
Re: **Emergency and Transportation Services – New Capital Purchase of a Fleet Vehicle for Marine Services**

Recommendation

Be It Resolved That the Council of the County of Frontenac accept the Emergency and Transportation Services – New Capital Purchase of a Fleet Vehicle for Marine Services for information,

And Further That the Council of the County of Frontenac approve the purchase of a new fleet vehicle for Marine Services.

And Further That should the Minister of Transportation not agree to reimburse depreciation on a purchased vehicle, that Council approve the leasing of a fleet vehicle for Marine Services.

Background

The issue of snow removal on the Frontenac Howe Islander II has been raised by Marine Services staff. The health, wellbeing and safety of the marine operators is essential to meeting Marine Services purpose:

“Leading in providing an excellent client experience through on demand service and value for money, where staff value their role in the experience”.

Comment

The deck of the Frontenac Howe Islander II vessel is 100' long and 30' wide (3000 square feet) and is currently shovelled by hand. This process is slow and at times delays operations. In addition, the arduous nature of hand shovelling is of concern for the health and safety of the Marine Operators.

The Frontenac Howe Islander II is the only large vessel in the area that does not utilize mechanical equipment for snow removal.

Marine Services currently utilizing a surplus vehicle from Frontenac Paramedic Services for administration duties such as moving the cash and receipts to the County weekly, moving inter-municipal mail between the County and the Township and staff movement for meetings. The current vehicle would not be suitable for the snow removal function however, a pickup truck would serve both administrative and functional operations duties.

Sustainability Implications

Regular review of health and safety is a mandate responsibility of the employer and proactive programs to eliminate risk of injury is a fiscally responsible approach to employee engagement.

Financial Implications

The purchase price of a new pickup truck with a snow plough attachment is \$35,000.

The vehicle is new capital that could be borrowed from the equipment reserve to be levied over ten (10) years to replenish the reserve. Snowplowing and snow removal expenses are allowable expenses under the agreement with Ministry of Transportation.

The depreciation amount will be transferred in an annual contribution to the reserve; during the ten (10) years to reimburse the purchase, the annual contribution will be \$7,000; after the reimbursement the annual contribution will be \$3,500.

Organizations, Departments and Individuals Consulted and/or Affected

Susan Brant, Director of Corporate Services/Treasurer



Report 2018-099

Council Recommend Report

To: Warden and Council

From: Kelly Pender, Chief Administrative Officer

Prepared by: Richard Allen, Manager of Economic Development

Date of meeting: July 18, 2018

Re: **Planning and Economic Development – Authorization to enter into an agreement with North Frontenac Telephone Company to install fibre-optic infrastructure in the K&P Trail**

Recommendation

Be It Resolved That Council of the County of Frontenac authorize the Warden and Clerk to enter into an agreement with North Frontenac Telephone Company to install fibre-optic infrastructure in the K&P Trail as detailed in this report,

And Further That staff be authorized to waive \$1,750 in fees associated with the County of Frontenac Land Use Policy for a License of Occupation agreement,

And Further That staff be authorized to negotiate with North Frontenac Telephone Company in regard to a contribution to trail infrastructure development.

Background

On June 20, 2018 staff outlined in [Report 2018-091](#) the nature of the proposal from North Frontenac Telephone Company (NFTC) in regard to the installation of fibre-optic communications infrastructure along the length of the K&P Trail between Tichborne and Orser Road. This proposal would provide a new option for high speed fibre-optic internet services to the Frontenac residents and businesses along the K&P corridor. Council provided direction at this meeting for staff to prepare an agreement with NFTC with consideration to the County's land use policies. The purpose of this report is to gain authorization to enter into an agreement with NFTC and for permission to waive the associated fees with the Land Use Policy.

Comment

The County of Frontenac has a Land Use Policy to assist the County and its stakeholder with making decisions to approve land use and to set parameters. Staff consider the request from NFTC to meet the criteria of an extended license to occupy. The fees associated with this license include a \$250.00 processing fee, and a \$100.00 annual fee for the term of the occupation. It is the recommendation of this report that these fees be waived in order to facilitate additional conversations with NFTC in regard to providing support for the construction of trail infrastructure.

The occupation agreement between the County of Frontenac and NFTC will follow a standard municipal access agreement format set in place by the CRTC and will include the following conditions:

- No ownership of the K&P Right-of-Way will be created for NFTC.
- Under no circumstance will the ownership of NFTC equipment transfer to Frontenac County and the County will not be responsible for the installation or maintenance of the fibre-optic equipment at any time.
- NFTC will be required to submit detailed construction plans to the County showing locations of equipment, access points, and outlining the boundaries of construction. Upon the completion of construction, the County will receive “as built” drawings and GIS location information associated with the fibre-optic equipment.
- This project will be undertaken at no cost to the County, and the trail will be left in a condition that is considered to be the same or better than previous to the construction work. The state of the trail will be reviewed by County staff after work is complete.
- In no event will the County be responsible for any costs to relocate fibre-optic equipment at the request of NFTC or another party unless the relocation is requested by the County itself, such as in the case of a trail realignment.
- The County will not be held responsible for damage to fibre-optic equipment during or after construction, unless the County acts negligently or with wilful misconduct.
- The County makes no guarantees in regard to the maintenance or condition of the trail.
- The term of the agreement will be an initial 15 years, with automatic renewals for successive five year terms.

Sustainability Implications

Economic Development and Communications is a focus area identified in the Frontenac Community Sustainability Plan, Directions for our Future. Key indicator of success in this focus area include increasing number of internet service providers, and new investments in broadband and cellular infrastructure.

Financial Implications

Council is asked to waive fees in the amount of \$1,750 for the duration of the initial term.

Organizations, Departments and Individuals Consulted and/or Affected

Susan Brant, Director of Corporate Services/Treasurer
Tony Fleming, County Solicitor, Cunningham Swan
Eastern Ontario Trails Alliance
L&A Ridge Runners



Report 2018-094

Information Report to Council

To: Warden and Members of County Council

From: Kelly J. Pender, Chief Administrative Officer

Prepared by: Kathie Shaw, Senior Financial Analyst
Alex Lemieux, Deputy Treasurer

Date of meeting: July 18, 2018

Re: Corporate Services – Four Month Attendance Management Report Card

Recommendation

This report is for information purposes only.

Background

The County of Frontenac expects regular attendance at work from all employees. Since June 2013 when staff identified the challenge of increasing sick time, regular reports have been provided to Council. Improving attendance has been a key priority for County staff and Council. The revised Employee Attendance Awareness Program (EAAP) was implemented at Fairmount in 2014 and in 2015 for the Frontenac Paramedic Service, due to an outstanding group grievance. The County has encountered ongoing resistance from the unions in consistently and effectively implementing the program.

Comment

We previously reported that changes in leadership at the County, Fairmount Home and Human Resources has brought a renewed commitment to consistent monitoring and implementation of the EAAP with the goal of improving attendance and reducing the costs of absenteeism. Generally, these efforts have begun to show a positive impact. This report reflects the benchmark information provided to Council in previous reports.

On January 1, 2018, Ontario Bill 148, the *Fair Workplaces, Better Jobs Act*, came into effect. Among other items in this bill was the Personal Emergency Leave (PEL) which states that all employees are entitled to two paid days of leave each year. This includes part-time and casual workers who were not subject to this entitlement previously. As a result of this legislation, these costs are now included in the “Cost of Absenteeism” in the tables below. Note that the casual employees are not included in the assessment of the percentage of employees meeting the attendance target.

Key Performance Indicator (KPI)

Given the lack of directly comparable absenteeism statistics from Statistics Canada and other organizations, the County established its own statistics for KPIs.

The County's KPI objective will be to bring this indicator to 80% of employees meeting the target. The County's attendance targets are based on a rolling 12 month average.

Attendance Targets

Paramedics (OPSEU 462)	12 days
Nursing (CUPE 2290)	10 days
Non-Nursing/ Marine Services / Non-union	7 days

In general, absenteeism as a whole has improved for most departments in the current period as compared to the previous period. Some departments may show an increase in the cost of absenteeism which can be due to an increase in remuneration, absent staff being replaced, or the inclusion of part-time and casual employees. Corporate Services Non-Union and Fairmount Non-Union departments are meeting the departmental KPI while other departments continue to lag behind the target for attendance.

Table 1: Percentage of staff meeting attendance targets – 2017 Period Comparison

	Period 1 - 2017	Period 2 - 2017	Period 3 - 2017	Period 1 - 2018
*Corporate Services – CUPE 2290	84.6%	83.3%	91.0%	75.0%
*Corporate Services – Non-union	84.6%	78.6%	93.0%	93.3%
ETS OPSEU	65.4%	58.8%	59.0%	65.4%
*ETS Non-union	82.3%	76.5%	81.0%	70.6%
*Fairmount CUPE 2290 Nursing	60.7%	62.0%	59.5%	64.2%
Fairmount CUPE 2290 Non-Nursing	67.6%	79.4%	73.5%	71.0%
*Fairmount Non-union	100.0%	100.0%	100.0%	100.0%
*Marine Services CUPE109	55.5%	55.6%	44.4%	50.0%

*Due to the small number of employees in some departments, one or two employees can have a significant impact on the percentages.

Alternate Work

Alternate work is an additional component of the attendance statistic, which is provided to employees who can be accommodated in the workplace and if not accommodated, would continue to be accounted for in the attendance statistics.

The Human Rights Code identifies that employees with disabilities have the right to accommodation in the workplace, even when those accommodations are only required on a temporary basis. Returning to work as soon as possible has been proven to promote a more complete and faster recovery for many employees. The County offers alternate work on a temporary basis, to employees who have incurred an injury or illness outside of the workplace (classified as non-occupational) and wish to return to work prior to complete recovery.

Alternate work is only provided if and when there is sufficient meaningful and purposeful work for the employee to perform. Factors considered are the individual's precautions/limitations and the number of other employees on accommodated work who may have similar precautions, which causes the volume of available suitable work to be scarce.

Those employees on alternate work are not reflected in the absenteeism statistics. The year-to-date cost of alternate work in Frontenac Paramedic Services through April 2018 is \$67,702.

Mitigation

In previous reports, staff committed to providing Council with mitigation strategies if there is not a marked improvement in the absenteeism trends.

Fairmount management staff continue to monitor and meet with employees who have repeat absences, and if patterns are apparent, a medical certificate is required for any sick leave. In accordance with the EAAP, employees who receive EAAP Step 2 or 3 letters are required to meet with the Occupational Health Nurse, and management meets with employees at EAAP Step 4 or 5. Furthermore, employees who have been at Step 5 for more than one four-month period are now moved from the EAAP to the discipline process. The attendance for these employees is monitored on a more frequent basis and addressed, as appropriate.

Frontenac Paramedic Services has implemented the process agreed to at the arbitration/mediation meeting on August 1, 2017. The following questions are now being asked consistently when staff are booking off sick:

1. Is this work related?
2. Is this absence due to a documented chronic illness on file with the Occupational Health Nurse?
3. How long do you think you will be off work?
4. Is this the first day off of your block?

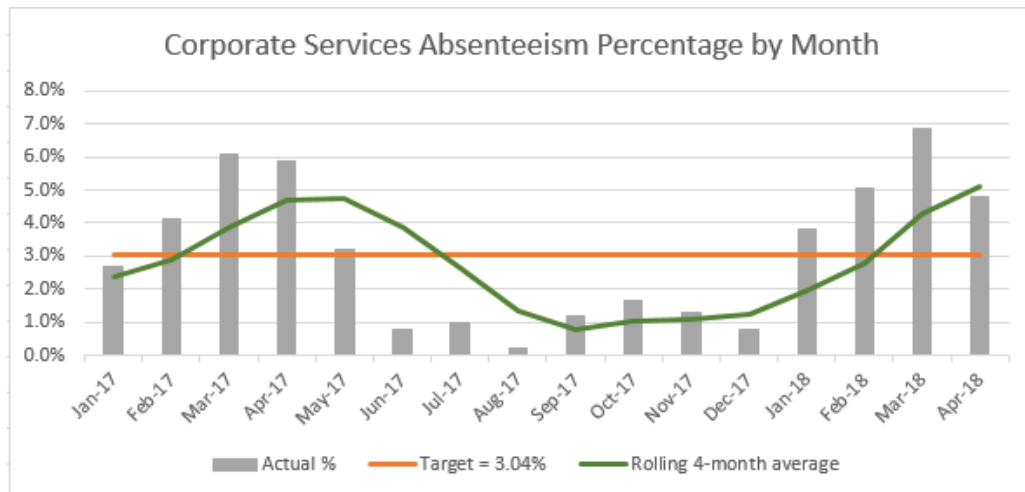
Meetings with those staff not meeting the goals are continuing and are more structured with the presence of Human Resources staff.

Staff are currently working with a third party disability management company to actively manage the more complex absenteeism cases for which managers and directors have neither the skill or time to properly manage these cases.

Corporate Services (Union and Non-Union)

Year	2017			2018
Quarter	Jan-Apr	May-Aug	Sep-Dec	Jan-Apr
Total Employees	25	25	26	27
Employees Meeting Target	21	20	24	23
Percentage Meeting Target	84%	80%	92%	85%
Variance	4%	0%	12%	5%
Cost of Absenteeism	\$ 3,039	\$ -	\$ -	\$ 14,010

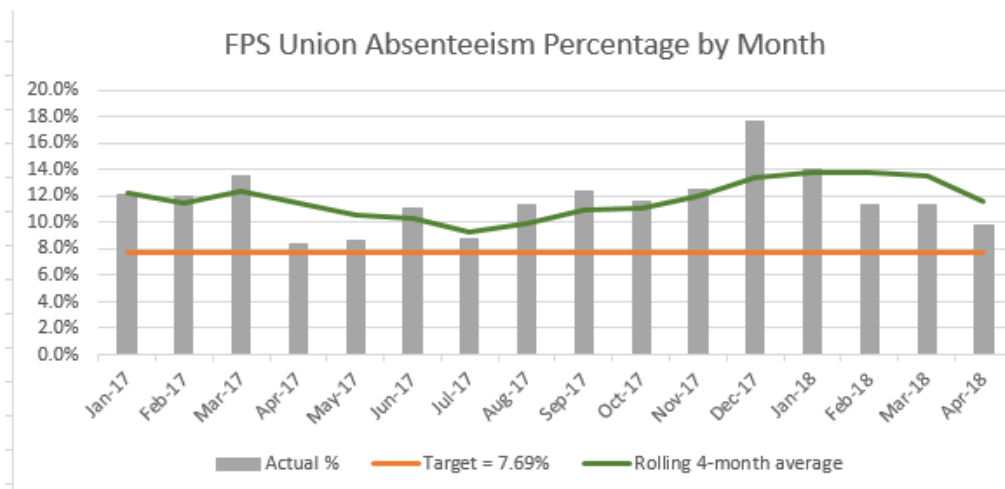
- On average 85% of corporate services staff have met the attendance target for the past four quarters. The majority of Corporate Services staff's absence periods are of a low frequency and low duration.
- The cost of absenteeism is minimal for Corporate Services since most absences are not replaced outside of longer-term absences. In early 2017 a temporary employee was brought in for a short period, and more recently coverage has been required for a longer period.



Frontenac Paramedic Services (Union, OPSEU 462)

Year	2017		2018	
Quarter	Jan-Apr	May-Aug	Sep-Dec	Jan-Apr
Total Employees	78	78	80	81
Employees Meeting Target	51	45	48	53
Percentage Meeting Target	65.4%	57.7%	60.0%	65.4%
Variance	-15%	-22%	-20%	-15%
Cost of Absenteeism	\$ 244,878	\$ 210,573	\$ 303,310	\$ 253,149

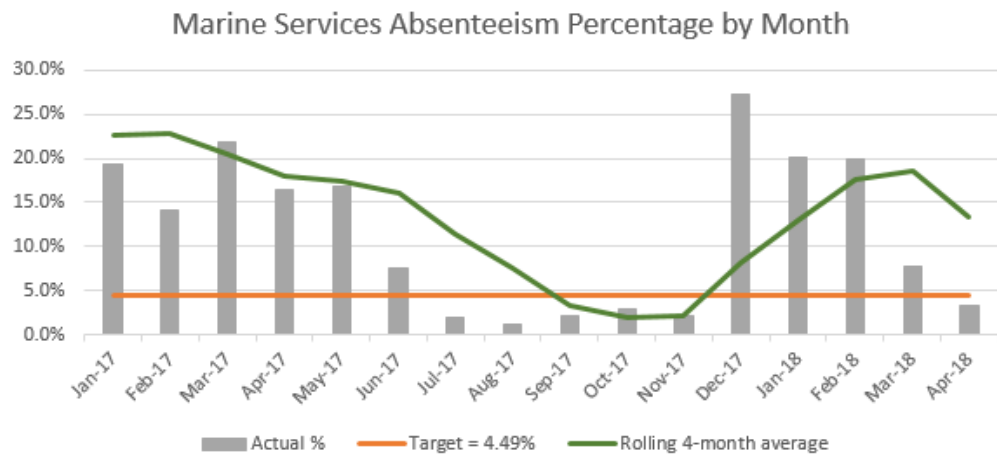
- Frontenac Paramedic Services continues to improve with a downward trend for both the days of absenteeism and the cost from the previous period, while more employees are reaching the target attendance.
- Improvement to Collective Agreement language, a decline in musculoskeletal injuries due to the power load stretchers and progressive management of attendance will continue to be monitored to effectively manage the issue. However, a focus on paramedic mental wellness will continue to be supported and monitored.



Marine Services (Union, CUPE 109)

Year	2017		2018	
Quarter	Jan-Apr	May-Aug	Sep-Dec	Jan-Apr
Total Employees	9	9	9	8
Employees Meeting Target	5	5	4	4
Percentage Meeting Target	55.6%	55.6%	44.4%	50.0%
Variance	-24%	-24%	-36%	-30%
Cost of Absenteeism	\$ 31,825	\$ 9,238	\$ 10,743	\$ 19,161

- Although this period shows a 75% increase in costs and absentee hours over the September to December period, there is a marked improvement in attendance starting in March and April of 2018 as shown below by the decline in absenteeism.

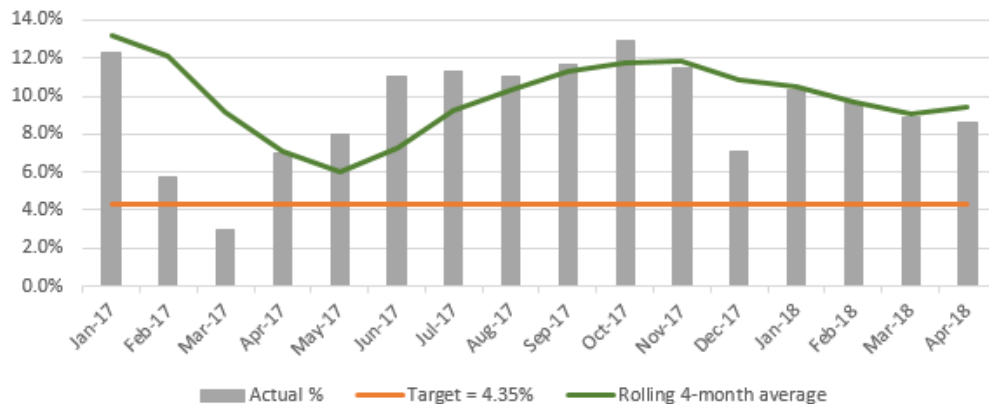


Fairmount Full-Time and Part-Time (Union, Nursing)

Year	2017		2018	
Quarter	Jan-Apr	May-Aug	Sep-Dec	Jan-Apr
Total Employees	79	79	79	82
Employees Meeting Target	51	49	47	53
Percentage Meeting Target	64.6%	62.0%	59.5%	64.6%
Variance	-15%	-18%	-21%	-15%
Cost of Absenteeism	\$ 37,581	\$ 64,722	\$ 71,755	\$ 64,243

- Fairmount nursing has improved in the current period with a downward trend for the days and costs of absenteeism, and an upswing in the staff meeting attendance targets.
- There is criteria in place to determine whether nursing staff are replaced for sick leave, which is different for nursing staff on day, evening and night shifts and for registered nursing staff. This is not a new practice.

Fairmount Nursing Absenteeism Percentage by Month



Fairmount Full-Time and Part-Time (Union, Non-Nursing)

Year	2017			2018
Quarter	Jan-Apr	May-Aug	Sep-Dec	Jan-Apr
Total Employees	34	34	34	31
Employees Meeting Target	23	27	25	22
Percentage Meeting Target	67.6%	79.4%	73.5%	71.0%
Variance	-12%	-1%	-6%	-9%
Cost of Absenteeism	\$ 45,808	\$ 7,822	\$ 8,013	\$ 13,406

- The number of staff meeting the attendance target has fallen slightly in this last 4-month period and there has been an upward trend in the rate of absenteeism since January 2018.

Fairmount Union, Non-Nursing, Absenteeism Percentage by Month

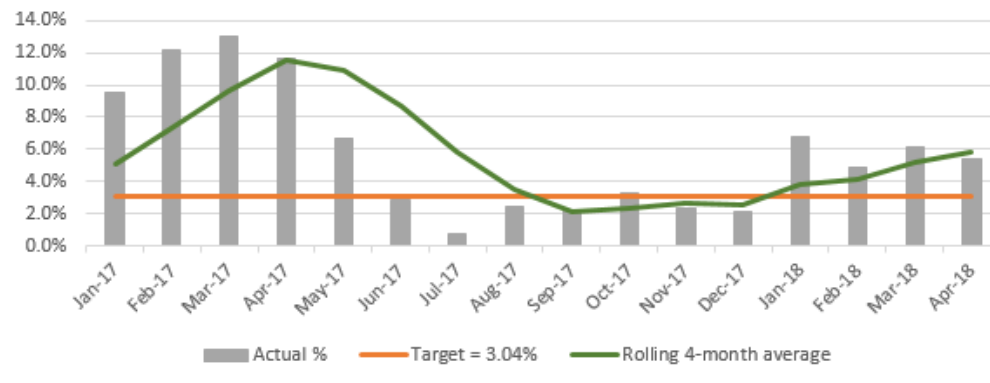


Table 2: Occupational Health from January to April 2018

Number of Cases	Corporate Services	ETS	Fairmount
Chronic Conditions	0	3	4
Non Occupational Injury/Hospitalization	0	2	2

Employees are not required to divulge the reason for their absence. These numbers are based on information that has been shared with the Occupational Health Nurse.

Hospitalization is any illness or condition that requires hospitalization such as surgery

Chronic is any condition that will never go away but can be managed with treatment. These will flare up and remain as is or worsen with time such as arthritis, mental health illness, substance abuse, cancer, chronic dermatitis, etc. Chronic conditions may require a few days off every few months for treatments, periods of absence periodically for weeks at a time such as if they are exacerbated seasonally, or occasional extended periods of absence.

Non-occupational illness/injury are cases of illness, injury or medical conditions of both a physical and psychological nature incurred by an employee outside of his/her work.

Sustainability Implications

It is acknowledged that costs related to attendance management are challenging. Management is pursuing attendance management programs and the audit of its processes to mitigate the financial impact.

Financial Implications

Absenteeism has a direct impact on the County's budget and staffing levels. With ongoing attendance management, it is the expectation of managers to regularly monitor employee attendance in order to reduce costs, increase productivity and morale.

Organizations, Departments and Individuals Consulted and/or Affected

Susan Brant, Director of Corporate Services/Treasurer
 Lisa Hirvi, Administrator of Fairmount Home
 Paul Charbonneau, Chief Paramedic/Director of Emergency Transportation Services
 Bonnie Carter, Occupational Health Nurse
 Lisa Moreland, Human Resources Generalist/Attendance Management Specialist

By-Law Number 2018-0024

of

The Corporation of the County of Frontenac

being a by-law to Appoint an Integrity Commissioner for the Corporation of the County of Frontenac

Whereas the *Municipal Act, 2001*, as amended provides that the powers of a municipal corporation are to be exercised by its Council through the adoption of by-laws;

And Whereas the *Municipal Act* authorizes the County to establish codes of conduct for members of Council and to appoint an Integrity Commissioner who reports to Council;

And Whereas County Council adopted a Code of Conduct for Council and members of Committees in 2013;

And Whereas the Integrity Commissioner will assist the County and local municipalities in a review and update of the Council Code of Conduct for Council and Local Board Procedure, as well as the creation of a Council-Staff Relations Policy, an Integrity Commissioner Complaint Policy and/or Procedure and any other procedures, rules and policies of the municipality and local boards governing the ethical behavior of members of Council and of Local Boards;

And Whereas an Integrity Commissioner is responsible for performing in an independent manner the functions assigned by the municipality;

And Whereas by March 1, 2019, the *Municipal Act*, pursuant to Part V.1, Accountability and Transparency, will oblige all municipalities in Ontario to appoint an Integrity Commissioner whose powers and duties are out in the *Municipal Act, 2001*;

Now Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac enacts as follows:

1. **That** Aird Berlis through its lead John Mascarin is hereby appointed as the County of Frontenac Integrity Commissioner pursuant to Part V.1, Accountability and Transparency, of the *Municipal Act*.
2. **That** upon appointment Aird Berlis will have all the functions, powers and duties of an integrity commissioner as set out in Part V.1, Accountability and Transparency, of the *Municipal Act*, and in addition such functions, powers and duties as may be assigned by Council from time to time.
3. **That** the County of Frontenac hereby indemnifies and saves harmless the Integrity Commissioner or any person acting under the instructions of the Integrity Commissioner for costs reasonably incurred in connection with the defence of a proceeding if the proceeding

relates to an act done in good faith in the performance or intended performance of a function, duty or authority under Part V.1 of the *Municipal Act*, or a by-law passed thereunder, or an alleged neglect or default in the performance in good faith of the function, duty or authority.

4. **That** all actions taken and required to be taken by the Warden and Clerk on behalf of the Corporation of the County of Frontenac to complete this matter including the execution of the Agreement and any other associated documentation are hereby authorized, confirmed and ratified.
5. **That** should any sections of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.
6. **That** this By-law shall come into force and take effect upon the date of final passing.

Read a First and Second Time this 18th day of July, 2018.

Read a Third Time, Signed, Sealed and Finally Passed this 18th day of July, 2018.

The Corporation of the County of Frontenac

Ron Higgins, Warden

Jannette Amini, County Clerk

By-Law Number 2018-0025

of

The Corporation of the County of Frontenac

being a by-law to Authorize a Medical Tiered Response Agreement between the County of Frontenac Paramedic Services and its member municipalities.

Whereas, Section 11 (1) of *The Municipal Act* provides a broad authority to single-tiered municipalities to provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas, Section 116 (1) provides a municipality with the authority to establish emergency communication systems for emergency response purposes; and

Whereas the Frontenac Paramedic Services and the Fire Services for the Townships of North Frontenac, Central Frontenac, South Frontenac, and Frontenac Islands, through the Corporation of the County of Frontenac wish to enter into new Tiered Response Agreements;

Now Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac enacts as follows:

1. **That** the Warden and Clerk be authorized to enter into a Medical Tiered Response Agreement with the Townships of North Frontenac, Central Frontenac, South Frontenac, and Frontenac Islands;
2. **That** this By-law shall come into force and take effect upon the date of final passing.

Read a First and Second Time this 18th day of July, 2018.

Read a Third Time, Signed, Sealed and Finally Passed this 18th day of July, 2018.

The Corporation of the County of Frontenac

Ron Higgins, Warden

Jannette Amini, Clerk

By-Law No. 2018-0026

of

The Corporation of the County of Frontenac

being a by-law to delegate authority under Section 23.1 (1) of the *Municipal Act* to the Chief Administrative Officer (acquisition of the Parham Ambulance Base)

Whereas Section 9, 10, and 11 of the *Municipal Act* provides natural person powers and spheres of jurisdiction to municipalities;

And Whereas Section 23.1 (1) of the *Municipal Act* authorizes municipalities to delegate its powers and duties to a person or body subject to the restrictions set out in this Part;

And Whereas the Council of the County of Frontenac at its meeting held July 18, 2018 deemed it necessary to delegate its authority under Section 23.1 (1) of the *Municipal Act* to the Chief Administrative Officer to finalize the acquisition of the Parham Ambulance Base:

Now Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac hereby enacts as follows:

1. **That** Kelly Pender, Chief Administrative Officer, be delegated the authority to delegate to staff the following administrative and contractual authority with respect to the property acquisition of the Parham Ambulance Base as follows:
 - i. Authority to the Chief Paramedic/Director of Emergency and Transportation Services to proceed with the negotiations within the parameters provided by Council and acquisition of the Parham Ambulance Base as described;
 - ii. Authority to the Manager of Legislative Services/Clerk to execute undertakings, certificates, statements, declarations and such other documents as required for the completion of the acquisition the Parham Ambulance Base and related work;
 - iii. Authority to the Director of Corporate Services/Treasurer to borrow from the County asset replacement reserve the cost of the acquisition, to be replenished over its 20 year useful life cycle as an annual allocation to the reserve.
2. **That** the delegated authority shall be revoked should County Council not be subject to the Restricted Acts set out in Section 275 (2) of the *Municipal Act*; and,
3. **That** this By-law shall come into force and take effect on July 27, 2018.

Read a First and Second Time this 18th day of July, 2018.

Read a Third Time, Signed, Sealed and Finally Passed this 18th day of July, 2018.

The Corporation of the County Of Frontenac

Ron Higgins, Warden

Jannette Amini, Clerk

County of Frontenac



FRONTENAC

**A By-Law of the
Corporation of the County of Frontenac
to Regulate Parking
By-Law No. 2018-0027**

Enacted by County Council July 18, 2018

Consolidated Copy

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Schedules

Number	Description
---------------	--------------------

- | | |
|----|--|
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By-Law Number 2018-0027

of

The Corporation of the County of Frontenac

being a by-law to regulate and control the parking of vehicles in the County of Frontenac on County owned lands.

Whereas subsection 11(3) of the *Municipal Act, 2001*, permits an upper-tier municipality to pass by-laws, subject to the rules set out in subsection (4), respecting matters within the spheres of jurisdiction one being Highways, including parking and traffic on highways and Parking, except on highways; and,

Whereas pursuant to the provisions of subsection 11(11) of the *Municipal Act, 2001* provides an upper-tier municipality with a non-exclusive sphere of jurisdiction to control parking in municipal parking lots and structures; and,

Whereas subsection 102 of the *Municipal Act* authorizes the Council of municipalities to pass by-laws designating parking spaces for accessible parking and to prohibit the use of such spaces by other vehicles; and

Whereas the Council of the Corporation of the County of Frontenac deems it expedient to regulate and control the parking of vehicles in the County of Frontenac on County owned lands;

Now Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac hereby enacts as follows:

Part I - Interpretation

1. Title

This By-law shall be known and may be referred to as the County of Frontenac's Parking By-law

2. Definitions

For the purposes of this By-law, the following definitions shall apply:

- a) "Accessible Parking Permit" means a permit issued under the *Highway Traffic Act* or a permit, numbered license plate or other marker or device issued by another Provincial jurisdiction and recognized under the *Highway Traffic Act*.
- b) "By-law Enforcement Officer means" a By-law Enforcement Officer of the Corporation of the County of Frontenac and any other officer authorized by the Corporation of the County of Frontenac for the enforcement of By-laws in the County of Frontenac.
- c) "County" means the Corporation of the County of Frontenac.
- d) "Council" means the Council of the Corporation of the County of Frontenac.

- e) "Heavy vehicle" means a commercial motor vehicle having a weight when unloaded of 3 tons or more, or when loaded of 5 tons or more, but does not include a passenger vehicle, an ambulance, a vehicle of Police or Fire Departments, a municipal vehicle, a bus.
- f) "Highway Traffic Act" Unless modified or changed herein, words or expressions used in this by-law have the same meaning as given or used in the *Highway Traffic Act*, as amended.
- g) "Motor Vehicle" includes an automobile, motorcycle, motor assisted bicycle, unless otherwise indicated in this by-law, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only rails or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement or husbandry of road-building machine within the meaning of the *Highway Traffic Act*, as amended.
- h) "Park or Parking", when prohibited, means the standing of a vehicle, whether occupied or not.
- i) "Parking Lot" means an area of land controlled by the County which has been arranged, laid out or improved to provide for the parking of motor vehicles.
- j) "Provincial Offences Officer" means a Police Officer, Peace Officer or other person appointed to enforce the by-laws of the Corporation.
- k) "Trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily draw, propelled or moved upon such highway, and except for a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
- l) "Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

3. Time

Notwithstanding the Time Act, c. T. 9, R.S.O. 1990, as amended, so long as the time commonly observed in the County is one hour in advance of standard time, the times mentioned in this by-law shall be reckoned in accordance with the time so commonly observed and not Standard Time

4. Schedules and Severability

- (a) The schedules attached to this by-law shall be read with and form part of this by-law.
- (b) Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be illegal the same shall not affect the validity of the by-law as a whole or in part thereof, except for that which was declared to be invalid.

Part II – General Regulations

5. Accessible Parking

- i. Council may establish parking areas in County parking lots which are to be used solely for the parking of vehicles which display an accessible parking permit.
- ii. The said parking areas shall be clearly marked as areas set aside for the parking of vehicles displaying an accessible parking permit.
- iii. The said accessible parking permit shall be displayed on the sun visor or on the dashboard of the vehicle so that the international symbol of access for the disabled, the permit number and the expiry date of the permit are clearly visible from the outside of the vehicle.”
- iv. Those areas and locations listed on Schedule “1” are designated as accessible parking areas.
- v. No person, firm or corporation shall park, or permit to be parked, a vehicle in an accessible parking area unless said vehicle is equipped with an accessible parking permit.
- vi. No person, corporation nor organization shall display an Accessible Parking Permit in any vehicle unless that person, corporation or organization is operating a vehicle which is being used to pick up or transport the holder of a disabled person parking permit.
- vii. No person shall,
 - a) Have in his or her possession an accessible parking permit that is fictitious, altered or fraudulently obtained;
 - b) display an accessible parking permit otherwise than in accordance with this By-law; or
 - c) fail or refuse to surrender an accessible parking permit in accordance with this By-law;
 - d) Every person having possession of an accessible parking permit shall, upon the demand of a police officer, police cadet or By-law enforcement officer surrender the permit for reasonable inspection to ensure that the provisions of this By-law are being complied with;
 - e) An officer or cadet to whom an accessible parking permit has been surrendered may retain it until disposition of the case if the officer or cadet has reasonable ground to believe that the permit,
 - a. was not issued under the *Highway Traffic Act*;
 - b. was obtained under false pretenses;
 - c. has been defaced or altered;

- d. has expired or been cancelled; or
 - e. is being or has been used in contravention of this By-law.
 - viii. A police officer, police cadet or provincial offences officer upon discovery of any vehicle parked or left in contravention of this Section, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by Part III of the *Repair and Storage Liens Act, 1990*.
6. **Prohibiting Heavy Vehicles**
- Heavy vehicles are prohibited in County owned parking lots where signs are erected and on display.
- No person, firm or corporation shall park, or permit to be parked, a heavy vehicle in a County owned parking lot, identified in Schedule "2" hereto.
7. **Parking Prohibited – signs erected**
- In addition to the foregoing provisions of this by-law, the parking of vehicles is prohibited when properly worded signs have been erected:

Part III – Offences and Penalties

8. **Voluntary Payment of Penalties**
- a) **Form of Notice**
- Where a vehicle is found to be in contravention of the parking provisions of this by-law, the Issuing Officer may issue and place on the vehicle a serially numbered Parking Infraction Notice in the form prescribed by the Provincial Offences Act.
- The serially numbered Parking Infraction Notice shall state:
- 1. the license number and description of the vehicle;
 - 2. the nature of the alleged infraction;
 - 3. the date, time and place of the alleged infraction;
 - 4. the minimum fee provided herein for the violation;
 - 5. that the owner thereof may within seven (7) days pay the minimum fee provided for the infraction by taking it or forwarding it to the County of Frontenac Administrative Office, 2069 Battersea Road, Glenburnie between 08:30 hours and 16:00 hours, exclusive of Saturdays, Sundays and holidays, if permissible as identified in Schedule "3";
 - 6. that the owner thereof shall within fifteen (15) days pay the set fine provided for the infraction by taking it or forwarding it to the County of Frontenac Administrative Office, 2069 Battersea Road, Glenburnie between 08:30 hours and 16:00 hours, exclusive of Saturdays, Sundays and holidays.
- b) **Copies of Forms**

The Parking Infraction Notice mentioned in Subsection (a) above shall be prepared as required and the Issuing Officer shall attach one copy to the vehicle and deliver the other copy or copies to the By-law Enforcement Office of the County Administrative Office.

c) Recovery

If voluntary payment is not made in accordance with the procedure set out on the Parking Infraction Notice provided for in subsection (a) above, the Provincial Offences Act, as amended shall apply.

9. Minimum and Maximum Penalties

a) Amount

For any contravention of those infractions set out in Schedule "3" to this by-law the minimum penalty shall be set out in Column 3 and the set fine shall be the amount approved under the Provincial Offences Act, as amended.

b) General Penalty

Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

c) Owner Penalties

The owner of any vehicle which is found in contravention of any of the parking or stopping provisions of this by-law is guilty of the offence and is liable to the penalty or fines provided by law for such contravention unless at the time of such contravention the vehicle was in the possession of some person other than the owner without the owner's consent.

Part IV – Application and Administration

10. Enforcement and Authority

a) Enforcement

This by-law may be enforced by Police Officers, Peace Officers and By-law Enforcement Officers of the County of Frontenac.

b) Parking Control Devices

The Chief Administrative Officer of the County of Frontenac, or his designates are hereby authorized to place, erect and maintain such authorized signs as may be necessary to give effect to the provisions of this by-law or which are authorized by the Schedules to this by-law.

The Chief Administrative Officer of the County of Frontenac, or his designates are further authorized for a temporary period not exceeding 30 days to place, erect and maintain such authorized signs as are not otherwise authorized by this by-law, but are required for safety reasons.

All parking control signs erected and/or on display as of the effective date of this by-law whether identified in any schedule to this by-law or not shall be deemed to be authorized signs for the purposes of this by-law.

c) Unauthorized Signs

Unless otherwise permitted, no person shall place, maintain, or display upon or in view of any County Parking Lot any sign, signal, marking or device which purports to be or is an imitation of or resembles any parking control device.

11. Short Title

This by-law may be cited as "The Parking By-law".

12. That this By-law shall come into force and take effect upon the date of final passing.

Read a First and Second Time this 18th day of July, 2018.

Read a Third Time, Signed, Sealed and Finally Passed this 18th day of July, 2018.

The Corporation of the County of Frontenac

Ron Higgins, Warden

Jannette Amini, Clerk

Corporation of the County of Frontenac
By-Law Number 2018-0027: Parking
Schedule "1", Subsection 5
Accessible Parking - Signs on Display

Name and/or location of lands	Number of Parking Stalls Required for the Exclusive Use of Handicapped Persons	Amending By-law
Verona Trail Head Parking Lot	2	

**Corporation of the County of Frontenac
By-Law Number 2018-0027: Parking
Schedule "2", Subsection 6
Heavy Trucks Prohibited – Signs on Display**

Controlled Area	Sides of Highway
Verona Trail Head Parking Lot	All

**The Corporation of the County of Frontenac
By-Law Number 2018-0027: Parking
Schedule "3"; Subsection 9
Penalties – Amounts (Part II Provincial Offences Act; Set Fine Schedule)**

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offense	Column 3 Voluntary Payment Payable Within 7 Days	Column 4 Set Fine
1	Parked – where prohibited	Section 6	N/A	\$100.00
2	Parked – in a disabled persons parking space	Section 5 v.	\$300.00	\$350.00

By-Law No. 2018-0027

of

The Corporation of the County OF Frontenac

being a by-law to confirm all actions and proceedings of County Council on
July 18, 2018

Whereas Section 8 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act* or any other Act; and;

Whereas Subsection 2 of Section 11 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction described in the Table to Subsection 2 subject to certain provisions, and;

Whereas Section 5 of the *Municipal Act, S.O. 2001, c. 25* and amendments thereto provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 shall be exercised by its council and by by-law unless the municipality is specifically authorized to do otherwise; and;

Whereas the Council of the County of Frontenac deems it expedient to confirm its actions and proceedings;

Now Therefore Be It Resolved That the Council of the Corporation of the County of Frontenac hereby enacts as follows:

1. **That** all actions and proceedings of the Council of the County of Frontenac taken at its regular meeting held on July 18, 2018 be confirmed as actions for which the municipality has the capacity, rights, powers and privileges of a natural person.
2. **That** all actions and proceedings of the Council of the County of Frontenac taken at its regular meeting held on July 18, 2018 be confirmed as being matters within the spheres of jurisdiction described in Subsection 2 of Section 11 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto.
3. **That** all actions and proceedings of the Council of the Corporation of the County of Frontenac taken at its regular meeting held on July 18, 2018 except those taken by by-law and those required by by-law to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.

4. **That** this by-law shall come into force and take effect as of the final passing thereof.

Read a First and Second Time this 18th day of July 2018.

Read a Third Time and Finally Passed, Signed and Sealed this 18th day of July 2018.

The Corporation of the County Of Frontenac

Ron Higgins, Warden

Jannette Amini, Clerk