

MIDDLESEX COUNTY COUNCIL

MINUTES

Tuesday, November 26, 2024, 1:00 PM
Middlesex County Building
399 Ridout Street North, London

Members Present Warden DeViet
 Councillor Brennan
 Councillor Clarke
 Councillor Grantham
 Councillor Mayhew
 Councillor McMillan
 Councillor McGuire
 Councillor Ropp
 Councillor Smibert
 Councillor Burghardt Jesson

1. **CALL TO ORDER AND WARDEN'S REMARKS**

Warden DeViet called the meeting to order at 1:00pm.

Councillor Burghardt-Jesson was not in attendance when the meeting was Called to Order.

Warden DeViet addressed Council as follows:

We acknowledge that the land we stand upon today is the traditional territory of the Attawandaron (Add-a-won-da-run), Anishinabeg (Ah-nish-in-a-beg), Haudenosaunee (Hoden-oh-show-nee), and Lunaapeewak (Len-ahpay-wuk) peoples who have long standing relationships to the land, water and region of Southwestern Ontario. The local First Nation communities of this area include Chippewas of the Thames First Nation, Oneida Nation of the Thames First Nation, and Munsee-Delaware Nation.

We acknowledge the treaties that are specific to this area: Treaty 2 (McKee Purchase), Treaty 3 (Between the Lakes Purchase), Treaty 6 (London Township Purchase), Treaty 21 (Long Woods Purchase) and Treaty 29 (Huron Tract Purchase). We value the significant contributions, both in the past and the present of local and regional first nations of Turtle Island.

We acknowledge historic and ongoing injustices that indigenous peoples endure in Canada and we affirm our commitment to honouring indigenous voices, nations and cultures, and to moving forward in the spirit of reconciliation and respect.

2. PROVISION FOR DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None.

3. APPROVAL OF THE AGENDA

Moved by Councillor Ropp

Seconded by Councillor Smibert

THAT the following item be added to the Closed Session:

- Item 9.e.3 - 9.e.1 - Potential Litigation Matter;

AND THAT the Agenda be approved as amended.

Carried

4. ADOPTION OF MINUTES AND RECOMMENDATIONS OF THE COMMITTEE OF THE WHOLE

4.a Minutes of the November 12, 2024 Meeting of County Council

4.b Closed Session Minutes of the November 12, 2024 Meeting of County Council

Moved by Councillor Clarke

Seconded by Councillor Mayhew

THAT the Minutes of the November 12, 2024 Meeting of County Council and the Closed Session Minutes of the November 12, 2024 Meeting be approved as presented; and

THAT the recommendations made by Committee of the Whole as set out in the Minutes of the November 12, 2024 Meeting be adopted.

Carried

5. NEW BUSINESS

5.a ACTION ITEMS

5.a.1 North Middlesex Request from Capital Works Reserve Fund
(Middlesex County Loan Program)

Motion from Councillor Ropp

Moved by Councillor Ropp

Seconded by Councillor Brennan

THAT staff be directed to prepare a Loan Agreement between the Municipality of North Middlesex and the County of Middlesex for a loan in the amount of \$2,500,000 for the North Middlesex Parkhill Fire and Middlesex-London Paramedic Service Station for Council consideration.

Carried

6. INQUIRIES

None.

7. NOTICES OF MOTION

None.

8. COUNCILLOR'S COMMENTS AND OTHER BUSINESS

None.

9. COMMITTEE OF THE WHOLE

Moved by Councillor Smibert

Seconded by Councillor McMillan

THAT Committee of the Whole convene at 1:08pm.

Carried

9.a DELEGATIONS

9.a.1 Audit Findings Report for the Year Ended December 31, 2023

Delegation from Ian Jeffreys, Partner, KMPG and Dale Percival, CPA, KPMG

Moved by Councillor Clarke
Seconded by Councillor Grantham

THAT the Audit Findings Report for the Year Ended December 31, 2023 be received for information.

Carried

9.b REPORTS FROM COUNTY OFFICERS

None.

9.c ACTION ITEMS

9.c.1 Modernizing the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Report from Marcia Ivanic, Manager of Legislative Services/County Clerk and Paul Shipway, General Manager of Strategic Initiatives & Innovation

Moved by Councillor Smibert
Seconded by Councillor Mayhew

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act, 1990 (MFIPPA) has not been comprehensively reviewed in over 30 years;

AND WHEREAS municipalities consider transparency an important tool for building and maintaining public trust and recognize the importance of continuously improving;

AND WHEREAS municipal administrators need legislation that supports effective local program delivery, is responsive to current technology, and reflects its original intent of open and accountable government;

AND WHEREAS MFIPPA presents several challenges for municipal staff, which can hinder its effectiveness and efficiency in serving the public;

AND WHEREAS municipalities should have updated legislation that ensures municipal resources are best allocated, increases trust in public institutions through strengthened accountability, transparency, and responsiveness, and addresses the needs of the digital era;

AND WHEREAS the Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO) has comprehensively reviewed MFIPPA and put forward recommendations in their submission *“Looking Ahead: A Proactive Submission to Modernize the Municipal Freedom of Information and Protection of Privacy Act”*;

BE IT RESOLVED THAT the Ministry of Public and Business Service Delivery be requested to review MFIPPA and consider recommendations as outlined by AMCTO within their submission, *“Looking Ahead: A Proactive Submission to Modernize the Municipal Freedom of Information and Protection of Privacy Act”*.

Carried

9.c.2 Artificial Intelligence (AI) Policy

Report from Chris Bailey, Director of Information Technology Services, Marcia Ivanic, Manager of Legislative Services/County Clerk and Paul Shipway, General Manager of Strategic Initiatives & Innovation

Moved by Councillor Smibert
Seconded by Councillor Grantham

THAT the Artificial Intelligence (AI) Policy Report be received for information;

AND THAT the Artificial Intelligence (AI) Policy be approved.

Carried

9.c.3 Award of Request for Tender – L-09-2024 - Supply and Delivery of One Articulated Power Loader with Four-Wheel-Drive and Four Cubic Yard Bucket

Report from Chris Traini, P.Eng., County Engineer/Deputy CAO

Moved by Councillor Ropp
Seconded by Councillor Clarke

THAT the Award of Request for Tender – L-09-2024 report be received for information;

AND THAT the County Engineer be authorized and directed to award the Request for Tender # L-09-2024 to Toromont Cat (Cat 950GC) in the amount of \$391,034.00 before taxes;

AND THAT the County Engineer be authorized to execute, on behalf of the County of Middlesex, all agreements and other documents necessary to implement this award on confirmation that such agreements and other documents be in a form satisfactory to the County Solicitor.

Carried

9.c.4 2023 Consolidated Financial Statements

Report from Cindy Howard, General Manager Finance and Community Services / Deputy CAO / Treasurer

Moved by Councillor Smibert
Seconded by Councillor McGuire

THAT the 2023 Consolidated Financial Statements report be received for information;

THAT the 2023 Consolidated Financial Statements of the Corporation of the County of Middlesex be accepted;

AND THAT the 2023 financial statements be posted on the County's website.

Carried

9.c.5 2023 Trust Financial Statements

Report from Cindy Howard, General Manager Finance and Community Services / Deputy CAO / Treasurer

Moved by Councillor McGuire
Seconded by Councillor Smibert

THAT the 2023 Trust Financial Statements report be received for information;

THAT the 2023 Trust Financial Statements of the Corporation of the County of Middlesex be accepted; and

AND THAT the 2023 Trust Financial Statements be posted on the County's website.

Carried

9.c.6 2023 Middlesex-London Paramedic Service Authority Financial Statements

Report from Cindy Howard, General Manager Finance and Community Services / Deputy CAO / Treasurer

Moved by Councillor Clarke

Seconded by Councillor Mayhew

THAT the 2023 Middlesex-London Paramedic Service Authority Financial Statements report be received for information;

THAT the 2023 Middlesex-London Paramedic Services Authority Financial Statements be accepted;

AND THAT the Financial Statements and Independent Auditor's Report will be included in the next Middlesex-London Paramedic Services Authority Board agenda.

Carried

9.c.7 2023 Middlesex County Library Financial Statements

Report from Cindy Howard, General Manager Finance and Community Services / Deputy CAO / Treasurer

Moved by Councillor McGuire

Seconded by Councillor Grantham

THAT the 2023 Library Financial Statements report be received for information;

THAT the Middlesex County Library Board Financial Statements for the year ending December 31, 2023 be approved;

AND THAT the 2023 surplus in the amount of \$52,932 be applied towards the 2024 library operating costs.

Carried

9.c.8 2023 Surplus Report

Report from Cindy Howard, General Manager Finance and Community Services / Deputy CAO / Treasurer

Moved by Councillor Clarke

Seconded by Councillor Mayhew

THAT the 2023 Surplus Report be received for information;

AND THAT the year-end surplus from the 2023 operating accounts in the amount of \$1,749,283 be transferred to the tax rate stabilization reserve.

Carried

9.c.9 Ontario Municipal Partnership Fund 2025

Report from Cindy Howard, General Manager of Finance & Community Services / Deputy CAO / County Treasurer

Moved by Councillor Smibert

Seconded by Councillor Clarke

THAT the Ontario Municipal Partnership Fund 2025 report be received for information.

Carried

9.d CORRESPONDENCE AND INFORMATION ITEMS

9.d.1 MPAC: 2024 Fall Economic Statement

9.d.2 Strathmere Lodge Monthly Census Report - October 2024

Report from Brent Kerwin, Strathmere Lodge Administrator

9.d.3 Correspondence from the Mayor of the Town of Aurora - Fair Share Motion

Moved by Councillor Smibert
Seconded by Councillor McGuire

THAT items 9.d.1 to 9.d.3 be received for information.

Carried

9.e CLOSED SESSION

Moved by Councillor Clarke
Seconded by Councillor Smibert

THAT the next portion of the meeting be closed at 1:54pm in order to consider the following:

9.e.1 - Appeal to Consent Application B-07/2024. A litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to the appeal, in accordance with subsections 239(2)(e) and (f) of the *Municipal Act, 2001*, as amended;

9.e.2 - Human Resources Matter. A personal matter pertaining to identifiable individuals, including municipal employees, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to the human resources matter, in accordance with subsections 239(2)(b) and (f) of the *Municipal Act, 2001*, as amended; and

9.e.3 - Potential Litigation Matter. A litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to the potential litigation matter, in accordance with subsections 239(2)(e) and (f) of the *Municipal Act, 2001*, as amended

Carried

9.e.1 Appeal to Consent Application B-07/2024

9.e.2 Human Resources Matter

Councillor Burghardt-Jesson entered the meeting at 2:55pm.

9.e.3 Potential Litigation Matter

Moved by Councillor Clarke
Seconded by Councillor Brennan

THAT Committee of the Whole rise from Closed Session at 3:19pm.

Carried

Moved by Councillor Grantham
Seconded by Councillor McMillan

THAT Committee of the Whole recess for ten minutes.

Carried

Councillor Smibert exited the meeting at 3:35pm.

Committee of the Whole resumed from recess at 3:26pm.

9.f RISE AND REPORT FROM CLOSED SESSION

Moved by Councillor McGuire
Seconded by Councillor Brennan

THAT staff be directed to pursue the appeal of the Township of Adelaide Metcalfe Application B-07/2024 before the Ontario Land Tribunal.

Defeated

Moved by Councillor Clarke
Seconded by Councillor Grantham

THAT staff be directed to withdraw the appeal of the Township of Adelaide Metcalfe Application B-07/2024 before the Ontario Land Tribunal.

Carried

Warden DeViet reported that direction was provided to the Warden with respect to Item 9.e.2 and a verbal update was provided regarding Item 9.e.3.

Moved by Councillor Mayhew
Seconded by Councillor McMillan

THAT Committee of the Whole rise at 3:29pm.

Carried

10. BY-LAWS

10.a #7310 - A BY-LAW to Confirm the Proceedings of the November 26, 2024 Meeting of County Council

Moved by Councillor McMillan
Seconded by Councillor Brennan

THAT the by-law be given a first and second reading.

Carried

Moved by Councillor Mayhew
Seconded by Councillor McGuire

THAT the by-law be given a third and final reading.

Carried

11. ANNOUNCEMENTS

11.a Next Meetings

- Thursday, December 5, 2024 - Inaugural Meeting
- Tuesday, December 10, 2024
- Tuesday, January 14, 2025

Warden DeViet expressed thanks to Council and staff for their guidance and support throughout her term as Warden.

12. ADJOURNMENT

Moved by Councillor Brennan

Seconded by Councillor Grantham

THAT the meeting adjourn at 3:31pm.

Carried

Marci Ivanic, County Clerk

_____, Warden