

**MUNICIPALITY OF CENTRAL MANITOULIN
OFFICE AND ADMINISTRATION COMMITTEE
MINUTES – August 22, 2023**

A video meeting of the Office and Administration Committee was held on August 22, 2023 with the following in attendance:

Chair Councillor Farquhar, Councillors Bisailon, Diebolt, Mitchell, Scott and D. Stephens, CAO/Clerk D. Deforge and 2 members of the public.

The meeting was called to order at 4:00 p.m.

MOTION: D. STEPHENS AND BISAILLON

That the agenda be approved as presented ...carried.

Councillor Scott declared an indirect pecuniary interest on item:

8 c Donation Request – 2023 Annual Hospital Bike Tour.

MOTION: D. STEPHENS AND BISAILLON

That the minutes of the last regular meeting of the Office and Administration Committee held on June 21, 2023 be approved...carried.

MOTION: BISAILLON AND FARQUHAR

That we recommend to Council to support the Municipality of Chatham-Kent in adopting the following resolution:

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the Municipality of Chatham-Kent, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;
6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments...carried.

MOTION: D. STEPHENS AND SCOTT

That we recommend to Council to donate \$600 to support the Sudbury Manitoulin Children's Foundation Send a Kid to Camp program...carried.

MOTION: D. STEPHENS AND FARQUHAR

That we recommend to Council to donate \$1000 to support the 23rd Annual Manitoulin Hospital Bike Tour...carried.

MOTION: D. STEPHENS AND SCOTT

That we recommend to Council to modify the minutes of the Property Committee of August 8, 2023 to better reflect the in Camera discussion as follows:

Original Motion

MOTION: D. STEPHENS AND R. STEPHENS

That the agenda be approved with the following changes:

Move:

6c. to 10b.

Review of Strategic priorities for Property Committee – Discussion: Property Committee related items on Draft Strategic Plan.

8a. to 5 Delegation

Email correspondence from Judith Jones dated July 24, 2023 – Manitoulin Phragmites Project/Winter Spider Eco-Consulting – Request for approval of 2023 sites along the Municipality's Road allowances...carried.

New Motion:

MOTION: D. STEPHENS AND R. STEPHENS

That the agenda be approved with the following changes:

Move:

8a. to 5 Delegation

Email correspondence from Judith Jones dated July 24, 2023 – Manitoulin Phragmites Project/Winter Spider Eco-Consulting – Request for approval of 2023 sites along the Municipality's Road allowances

Delete:

6c Review of Strategic priorities for Property Committee – Discussion: Property Committee related items on Draft Strategic Plan.

Addition:

10 b Personnel issues - Municipal Act 239 (1) (2) (b) personal matters about an identifiable individual, including municipal or local board employees; 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26...carried.

Original Motion:

MOTION: D. STEPHENS AND DIEBOLT

That the meeting be taken In Camera for discussions pertaining to:

- a) Friends of Mindemoya Old School Insurance Update - Municipal Act 239(1) (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.
- b) Strategic Plan Update - Municipal Act 239 (1) (2) (b) personal matters about an identifiable individual, including municipal or local board employees; 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26...carried.

New Motion:

MOTION: D. STEPHENS AND DIEBOLT

That the meeting be taken In Camera for discussions pertaining to:

- a) Friends of Mindemoya Old School Insurance Update - Municipal Act 239(1) (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.
- b) Personnel Issue - Municipal Act 239 (1) (2) (b) personal matters about an identifiable individual, including municipal or local board employees; 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26...carried.

MOTION: D. STEPHENS AND SCOTT

That we recommend to Council that the following resolution regarding childcare spaces be adopted:

WHEREAS access to quality licensed childcare is an essential component of Ontario's social and economic well-being and enables child to grow up with a sense of community; and

WHEREAS access to quality licensed childcare supports the ability for parents and guardians to attend work and school and supports the development of children; and

WHEREAS it has been further identified that there is an extreme shortage of childcare spaces both home-based and centre based not only across this Region but the Province as a whole; and

NOW THEREFORE the Council of the Municipality of Central Manitoulin recommends to the Province that amendments to the current regulations be made to allow licensed home-based childcare operators the ability to provide two (2) before and after school care spaces to school aged children, in addition the permitted six (6) full time childcare spaces; and

THAT in an effort to attract and retain qualified early childhood educators, that the Province review the current wage bracket for early childhood educators with implementation of an increase to wages to align with the services provided; and

THAT the Province provides more capital-based funding sources for the construction of new centre-based facilities; and

THAT the province considers increasing the current goal of thirty-three percent (33%) access ratio, to align better with the current provincial situation and anticipated population growth over the next ten (10) years; and

THAT these items be considered sooner rather than later, to assist in remedying the critical childcare shortage experienced on Manitoulin Island, and across the province; and

THAT this recommendation be forwarded to Hon. Doug Ford, Premier of Ontario | Hon. Michael Parsa, Minister of Children, Community & Social Services | Hon. Stephen Lecce, Minister of Education | Mr. Micheal Mantha MPP Algoma-Manitoulin | Municipalities of Ontario...carried.

MOTION: D. STEPHENS AND FARQUHAR

That we recommend to Council to accept the donation report to July 31, 2023...carried.

MOTION: SCOTT AND BISAILLON

That we recommend to Council that the year to date financial report for the Office and Administration Committee ending July 31, 2023 be approved...carried.

MOTION: BISAILLON AND D. STEPHENS

That we now go in camera to consider the following issues

- a) Municipal Act, Section 239(2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board - Land acquisition.
- b) Municipal Act, Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees – CAO/Clerk performance review...carried.

MOTION: BISAILLON AND SCOTT

That we now come out of in camera...carried.

The meeting was adjourned at 4:52 p.m. on a motion made by Councillor Scott.