

Council of the United Townships of Head, Clara, Maria 15 Township Hall Road, Stonecliffe, Ontario KOJ 2KO March 2, 2012



Re: Investigations in the Townships of Head, Clara, Maria

Dear Council,

We appreciate the opportunity to serve you in regards to the investigations conducted over the last 3 months. We wanted to clarify some misconceptions that appear to have resulted from the submitted reports.

- We stand by the accuracy of the findings in the reports. The public statement that the report is "only 80% accurate" is a misinterpretation. In the closed confidential discussion of Jan 26, 2012, the investigator indicated that <u>if</u> the group could imagine that even <u>if</u> the report was 90% or 80% accurate, then the interrelationship challenges within the Council and the workplace would be huge. This investigator was attempting to emphasize the enormity of the challenges of potential reconciliation as a result of the findings. It is troubling that elements of a closed, confidential discussion is now in the public domain.
- The investigator did not suggest that the Form 4's should have been backdated back in April of 2011, hence potentially avoiding the resultant fallout. In support of the Clerk's action, a comment was made that the Clerk could have done so, but did not. Again, to suggest this publically as a result of the closed confidential meeting is troubling.
- To suggest that the report(s) has less validity because of the perceived low number of individuals interviewed has no basis in fact. Twelve (12) individuals were interviewed, many twice. The investigator asked each person if they had any suggestions as to who else should be interviewed during the process. Any further names indicated were interviewed as a result. No other suggested names were brought forth. In most of the

situations, the respondents acknowledged the accuracy of the facts and issues explored. No further corroboration was required. And, the investigator was very conscious of the costs that could be incurred by interviewing more individuals than would be necessary.

The Delfi Group has fulfilled the obligations in the contract signed Dec 14, 2011 (attached) and has met the requirements of Resolution No: 02/12/11/011 and resolution # 16/12/11/1205 authorizing our investigation into the Code of Conduct complaints. The initial report was completed in 45 days and delivered on Jan 26/2012. The investigator attended a closed session of Council on Feb 17/2012 to discuss the findings of that initial report, however Council did not take advantage of this opportunity.

The second report into the Code of Conduct complaints was delivered on Feb 17/2012. The contract stipulated that the Council would receive the report in closed session so that discussion and feedback could occur, however Council opted for delivery in an open session. A revision was done as a result and the revised report was submitted on Feb 20/2012.

The media/communication protocol has been followed by the Delfi Group. No media interviews or disclosure to anyone outside of the process have occurred by the Delfi Group. The Delfi Group was not notified of the Feb 25/2012 Council meeting regarding the reports (report # 25/02/12/1201) as stated in the resolution.

This concludes our present engagement with the United Townships of Head, Clara, Maria. Please find the attached invoice for the completion of the second report.

Sincerely,

Dave Fisher

President,

The Delfi Group

Ray Bonenberg

Associate

The Delfi Group



March 02, 2012

Mr. David Darch, Director Public Works and Engineering County of Renfrew 9 International Drive Pembroke, Ontario K8A 6W5

Fax: 613 732 0087

Dear Dave:

The following are the comments of our municipality with regards to the Operations Committee proposal and subsequent recommendation and motion to County Council which details the transfer of 16 culverts and 18 bridges currently maintained by the County of Renfrew to 12 of the 17 partner lower tier municipalities. I recognize the County in the past assumed responsibility for these structures in some instances sight unseen and possibly without much fore thought as to the long term implications of the decision. The decision was made in the uncertain hurley burley times of "Who Does What". A time arguably driven by fuzzy ideology, unspoken threats and inconsistent inputs from the province as it made up policy on a moments' notice and on the fly.

As imputed to the discussion on February 22<sup>nd</sup> by longer term County Councilors, the intent of decision makers during this period was to ensure the burden of replacing some of these structures needed to be spread around to all members of the greater community. I would suggest to you this thought needs to remain carried forward. The replacement of these structures is an expensive undertaking. I can recall, in the late 1990's the bridge on what is now County Rd 71 being replaced about that time and it was a county project simply because the existing municipality, then known as Griffith and Matawatchan, would have had to close the road indefinitely. The local municipality could not afford it then and I can report to you our municipality could not afford it today.

Since then the County has continued to receive a share of the tax revenue generated by the properties served by the structures. In reviewing the detailed information provided by you it would be safe to assume the County would still be receiving the tax revenue, however small it may be, for the properties still being served by these structures. I would suggest to you when receiving the benefits the County need also to continue to share in the liabilities connected to serving these properties. Municipalities have the liabilities of road maintenance either on the roads the structures are located on, or on roads serving the areas, and also with providing fire service and waste disposal to the properties served by the structures.

Our staff have travelled out and reviewed the four structures proposed to be downloaded to us. The two culverts could be replaced with the \$50,000 provided per structure. The two bridges could not. They are not in need of immediate upgrade but the future costs would be beyond the financial and practical means of this municipality. Culvert replacements can likely be completed using municipal forces. The bridges cannot be replaced without great expense and utilization of specialized or extensive and expensive consultants.

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By a walk around estimate the bridge replacement will be in the neighborhood of \$300,000 plus each when one factors in the engineering, the consultation and possible development of plans regarding Fisheries, Waterways, A Scoped or Full Environmental Assessment process and Species at Risk. The emerging federal legislation and policy on road salt also is of concern. This has the potential to be another expensive study. The end result is the \$50,000 proposed for bridges would not likely cover the costs if the studies prior to actual construction were necessary. When coupled with the culverts the total liability is approximately 1/6<sup>th</sup> of our annual budget. In short we inherit an unexpected and unplanned for liability which tightens an already challenging and lengthy infrastructure replacement program.

I also note in your presentation and information the County would continue to supply the biannual mandatory inspection of the bridges. I applaud your intention and believe you will carry that out. I am unsure what would happen in 2020 and years beyond as ten years can often separate intention from reality as fiscal pressures emerge during subsequent budget exercises.

I would suggest the following re-working of the resolution tabled February 22, 2012:

## **RESOLUTION NO. OP-CC-12-02-11**

THAT staff be directed to amend the current Bridge Policy AND FURTHER THAT those bridge and culvert structures that are situated on dead-end roadway systems and/or seasonal road systems be transferred back to the appropriate local municipality, subject to a compensation payment of \$350,000 per bridge structure and \$50,000 per culvert structure if the costs of rehabilitation are not impacted by provincial or federal environmental, habitat, fisheries or waterways legislation. Structures rehabilitated/replaced in the 2007-2011 timeframe would not receive compensation;

AND FURTHER THAT the County of Renfrew sign a 20 year contract with each municipality to include the annual mandated inspections of the bridges at no cost to the downloaded municipalities in the County of Renfrew bridges inspection program;

AND FURTHER THAT the method of financing the compensation payment (lump-sum or otherwise) will be determined following debate/discussion by Council on the above-noted amendments to the Bridge Policy and after the completion of the audit of the 2011 financial statements for the County of Renfrew. Financing options include: Payment from accumulated surplus (reserves); issuance of debt; and/or annual levy requirements.

As an alternative, I would suggest changing the motion and policy to one reflecting downloading the culverts in the 10 affected municipalities with an acceptable rate of compensation provided they feel comfortable their staff can complete the task of replacement. I would further suggest the acceptance of the structures by the local municipalities would be accompanied by bylaw with the terms of agreement. In my opinion this is necessary to ensure clarity in the future should there be an issue with future councils not quite having all of the information when they seek clarification.

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The suitable rate of compensation is likely in the range suggested by the original recommendation but should be clarified with visits to each site and a sign off with the municipal staff. I recognize this will mean more work but I think the end result will be a better and more trusting relationship between staff at the county and local level and also between the county and the smaller communities as an issue noted was not all communities are being down loaded County of Renfrew liabilities.

Thank you for taking time to review our comments and good luck with tabulating the responses in some form of coherent document.

Sincerely,

Peter R. Emon

Mayor

Reeve Walter Stack & Council CC. Mayor David Thompson & Council Mayor Richard Rabishaw & Council Warden Bob Sweet & Council Reeve Audrey Green & Council Mayor Raye-Anne Briscoe & Council Mayor Jennifer Murphy & Council Reeve Norm Lentz & Council Reeve Tammy-Lea Stewart & Council Mayor Donald Eady & Council Mayor Janice Visneskie & Council Mayor Jack Wilson & Council Mayor David Shulist & Council Mayor Mary Campbell & Council Mayor Harold Weckworth & Council Reeve Donald Rathwell & Council

## Public Awareness Meeting

March 18, 2012

## The Endangered Species Act

will affect YOU! Find out how.



When: March 18, 2012, 1-4 pm

Where: Lindsay Agricultural Bldg

354 Angeline Street, South

Lindsay, Ontario K9V 4W5

(Hwy. 7 at Angeline St. South

## **Guest Speakers:**

Randy Hillier, MPP, Jack MacLaren, MPP, Tom Black, President OLA. Also attending: Laurie Scott, MPP, Barry Devolin MP, Ross MacMaster, President, Durham, York, Victoria Landowners, Glen Campbell(farmer)

CONTACT: Sharon Stewart 1-705-438 3800 1-705-878-2882