

## TOWN OF FORT FRANCES

### MINUTES

### SESSION NO. #2

March 26, 2021

The meeting of Police Services Board of the Town of Fort Frances was held in the Civic Centre and virtually on March 26, 2021 from 0832 to 1016 hrs.

PRESENT: Chairperson , Councillor J. McTaggart, L. Hamilton, G. Rogozinski, Mayor J. Caul (ex-officio)

ALSO PRESENT: K. Haney, Deputy Clerk, Detachment Commander N. Schmidt, Staff Sargent Derek McLean, Randy Thoms (B93) Acting Superintendent, Chuck Wesley (0935-1007 hrs)

### REGRETS:

#### **1. Call to Order - 0832 hrs / Roll Call**

#### **2. Disclosure of pecuniary interest and the general nature thereof** None

#### **3. Approval of Agenda**

3.1 Agenda - 26 March 2021

3.1 Caul - Rogozinski THAT the Police Service Board approve the March 26, 2021 agenda as prepared

CARRIED

#### **4. Approval of Previous Board Minutes**

4.1 Session No. 1 - 29 January 2021 - Approved as presented

4.1 Caul - Hamilton: THAT the minutes of the Board meeting being Session No. 1 dated 29 January 2021 having been typed and distributed to members now be approved

CARRIED

#### **5. New Business**

5.1 Detachment Board Framework - Discussion held. Proposal due by June 7, 2021. Creation of working group first course of action. Councillor McTaggart, Mayor J. Caul, Deputy Clerk, K. Haney and Clerk, L. Slomke will meet to discuss initial correspondence to reach out to other nine municipalities for options as to what future composition could look like.

5.2 Letter S10 Update March 2021

5.2 Rogozinski - Hamilton: THAT the Police Services Board Committee receive the OPP governance update and framework and further that the Police Service approve the creation of a working group and that Mayor Caul and Councillor McTaggart sit on said group

CARRIED

5.3 Foot Patrols - no focus patrol implemented at this point rather a daily direction provided to members to be a part of the downtown core and remain visible. Downtown focus 0300-0600 hrs

**6. Standing Items**

- 6.1 Detachment Commander's Report - January & February (please find attached) - Sgt D. McLean reviewed the Detachment Commander's report on N. Schmidt's behalf.

**7. Information**

- 7.1 Information - Virtual Zone 1 Meeting - April 12 (morning) - Details specific to meeting will be forwarded at a later date

**8. Next Meeting Date**

23 April 2021

**9. In-Camera**

- 9.1 personal matters about an identifiable individual, including municipal or local board - selection process

- 9.1 Hamilton - Rogozinski 1007 to 1015 hrs - THAT Council now meet in-camera to address a matter pertaining to: personal matters about an identifiable individual, including municipal or local board employees; more specifically item 2.1 recruitment matter.

CARRIED

- 9.1 Caul-Hamilton: THAT the Fort Frances Police Services Board approve Councillor J. McTaggart sit on the recruitment panel for Detachment Commander selection

CARRIED

**10. Adjournment**

- 10.1 Meeting adjourned at 1016 hrs

- 10.1 Caul - Hamilton THAT this meeting of the Town of Fort Frances Police Services Board be now closed

CARRIED

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Councillor J. McTaggart  
(Chairperson)

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Board Secretary Karyn Haney

**Solicitor General**

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132-2021-404  
**By email**

March 18, 2021

Dear Heads of Council and First Nations Chiefs:

I am writing to provide you with an update on the new Ontario Provincial Police (OPP) detachment boards under the *Community Safety and Policing Act, 2019* (CSPA).

As you may remember, in February 2020, the Ministry of the Solicitor General conducted seven regional roundtable sessions across the province. Discussions at these sessions focused on new OPP-related regulatory requirements under the CSPA. Municipalities and First Nation communities receiving policing services from the OPP were invited to learn more about new OPP-related legislative and regulatory requirements and provide the ministry with feedback to inform the development of related regulatory proposals. In addition, we heard from many of you through various letters and engagement opportunities, including meetings with the Association of Municipalities of Ontario MOU Table and Rural Ontario Municipal Association about what you would like your new OPP detachment board to look like.

In response to your feedback, an OPP detachment board framework has been developed that we hope will provide municipalities and First Nation communities receiving direct and/or supplemental services from the OPP the flexibility to create a board that reflects your community and local needs.

Under this framework, municipalities and First Nation communities receiving direct and/or supplemental services from an OPP detachment are being asked to submit one proposal (per detachment) indicating the composition of their board and, if needed, a rationale for multiple boards and the composition of each additional board.

Municipalities and First Nations within a detachment are asked to work together to determine the composition of their board(s) as well as the manner in which they will submit their proposal to the ministry. For example, after determining the composition of the detachment board(s), municipalities and First Nations within a detachment area may select one municipality or First Nation to complete and submit the proposal.

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Dear Heads of Council and First Nations Chiefs  
Page 2

Proposals must meet base requirements set by the ministry, which include a minimum number of five members per board and a requirement that each board should be composed of 20% community representatives and 20% provincial appointees. To that end, municipalities and First Nations are not required at this time to identify the names of the individuals that will be participating on the detachment board. Rather, you are only asked to identify the number of seats each municipality and First Nation will be allocated on the detachment board as well as the number of community representatives and provincial appointments.

To streamline and support the proposal process, the ministry has developed a digital form that can be accessed using the link included [here](#).

The ministry will work with municipalities and First Nations to obtain outstanding information/proposals and support you in submitting a completed proposal. If, however, a proposal still does not meet the minimum requirements, or a proposal is not submitted and/or if no consensus is reached on the composition of the board then the ministry will determine the composition of the detachment board.

Completed proposals are to be submitted to the ministry by **Monday, June 7, 2021**.

We recognize the significant implications that the current COVID-19 emergency has had on municipalities and First Nations across the province. To this end, in addition to the written supporting material attached here, we are also pleased to work with you directly through virtual information sessions.

If you have questions related to OPP detachment boards under the CSPA, please contact Sarah Caldwell, Director of Community Safety and Intergovernmental Policy, at [sarah.caldwell@ontario.ca](mailto:sarah.caldwell@ontario.ca). If you have questions about the proposal process or would be interested in a virtual information session, please contact Joanna Reading, Senior Policy Advisor, at [joanna.reading@ontario.ca](mailto:joanna.reading@ontario.ca)

Sincerely,



Sylvia Jones  
Solicitor General

Enclosures

c: Chief Administrative Officers

Municipal Clerks



CONTEXT

- Ontario passed the *Comprehensive Ontario Police Services Act, 2019* (Bill 68) and established the *Community Safety and Policing Act, 2019* (CSPA) which, once in force, will repeal the *Police Services Act, 1990* (PSA).
- Section 67 of the CSPA requires there be **an Ontario Provincial Police (OPP) detachment board, or more than one OPP detachment board**, for each detachment of the OPP that provides policing in a municipality or in a First Nation community.
- The Ministry is required to develop a regulation related to the composition of each OPP detachment board. To achieve this, the ministry has developed an “OPP Detachment Board Framework”.



FRAMEWORK

- The new **OPP Detachment Board Framework** will provide civilian governance to 326 municipalities and 43 First Nations including those that:
  - Are directly policed by the OPP;
  - Employ their own First Nations Constables but receive administrative support from the OPP; and
  - Receive “OPP Dedicated” policing (i.e. North Caribou Lake and Wapekeka First Nation).
- By enhancing civilian governance, the **OPP Detachment Board Framework** under the CSPA will:
  - Ensure each municipality and First Nation receiving OPP services and supports has an opportunity to represent their local perspectives, needs, and priorities; and
  - Provide opportunities for municipalities and First Nations to collaborate on efforts to improve community safety.

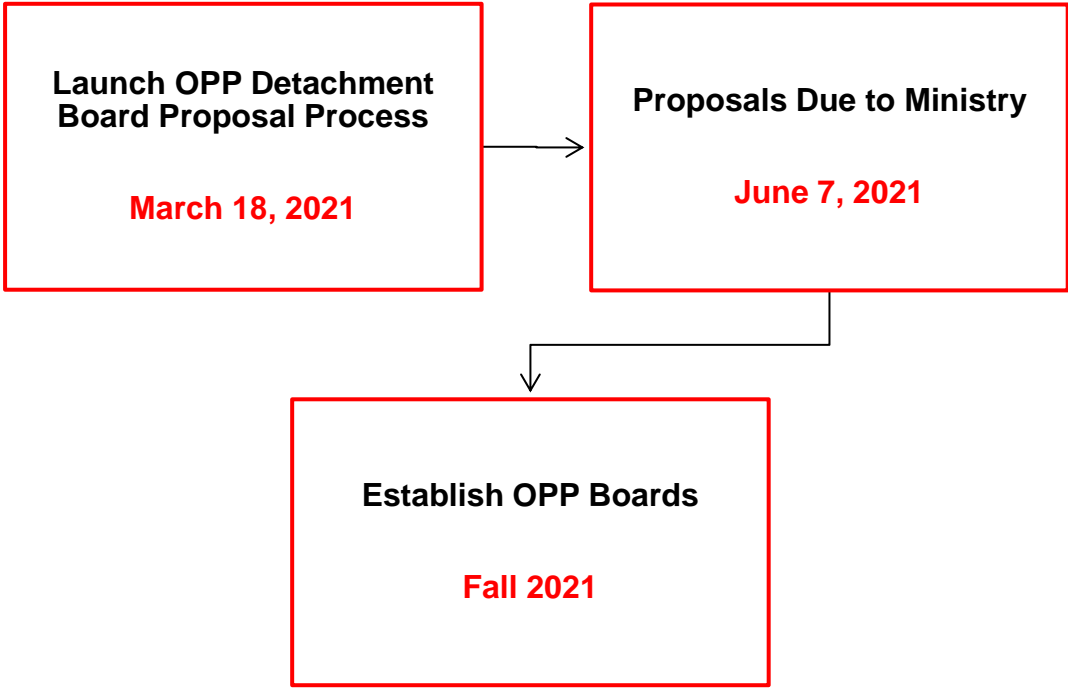


PROCESS

- To ensure the objectives of the **OPP Detachment Board Framework** are met, the ministry has developed a flexible approach that allows municipalities and First Nations to determine the preferred composition of their detachment board(s) by submitting a proposal using a digital form provided by the ministry.
  - Link to Digital Form: [OPP Board Proposal Form](#)
- Municipalities and First Nations within a detachment will be required to work together to develop and submit **one proposal** indicating the composition of their board(s). The proposal must meet the minimum composition requirements established by the ministry (**See Page 2 & Qs and As**).
- Municipalities and First Nations will not be required to identify the names of the individuals that will be participating on the detachment board but will be required to identify the number of seats each municipality and First Nation will be allocated on the detachment board as well as the number of community representatives and provincial appointments.
- The ministry will work with each municipality and First Nation to obtain outstanding information and provide support to ensure each detachment submits a completed proposal. However, a proposal does not meet the minimum requirements set by the ministry or a proposal is not submitted, and/or if a detachment is unable to come to a consensus, the ministry will determine the composition of the detachment board(s).
- The ministry is offering virtual information sessions for municipalities and First Nation communities to address outstanding questions and clarify concerns related to the proposal requirements and process, upon request.



TIMELINES



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# OPP DETACHMENT BOARD COMPOSITION REQUIREMENTS

## MINIMUM REQUIREMENTS

Minimum Size	5 members
Maximum Size	None
Community Representatives	20% Community Representation <ul style="list-style-type: none"><li>Province to appoint community representative(s) if municipal council/band council fail to appoint representatives by joint resolution.</li></ul>
Provincial Appointments	20% Provincial Appointees



## CONTACT INFORMATION

General Information/OPP Detachment Board Proposal Process	Community Safety and Intergovernmental Policy Branch Joanna Reading ( <a href="mailto:Joanna.Reading@ontario.ca">Joanna.Reading@ontario.ca</a> )
Civilian Governance Options for First Nations	Indigenous Engagement Unit Ashley O'Connell ( <a href="mailto:Ashley.OConnell@ontario.ca">Ashley.OConnell@ontario.ca</a> )

**Q1: What are the key differences between the section 10 board framework under the *Police Services Act* (1990) (PSA) and OPP detachment board framework under the *Community Safety Policing Act, 2019* (CSPA)?**

**A1:**

- The OPP currently polices 326 municipalities. Of these, only those under a section 10 agreement have access to civilian governance. This means there are 178 municipalities that do not participate on a board and as a result do not have access to civilian governance.
- Under the CSPA, all municipalities receiving OPP policing services will have the opportunity to participate on an OPP detachment board.
- In terms of the roles and responsibilities of board members, the role of OPP detachment boards will include additional responsibilities not required for section 10 boards under the PSA (1990) such as:
  - considering any community safety and well-being plan adopted by a municipality that receives policing from the detachment;
  - establishing local policies, in consultation with the detachment commander, with respect to policing in the area receiving policing from the detachment; and
  - ensuring local action plans prepared by the detachment commander address the objectives and priorities determined by the board.
- Under the CSPA, OPP detachment board members will be required to:
  - consult with the OPP Commissioner on the selection of a detachment commander;
  - monitor the performance of the detachment commander; and
  - provide an annual report to the municipalities and band councils served by the OPP.
- OPP detachment boards will also provide a venue for the municipalities and First Nations within a detachment area to coordinate and collaborate on strategies to address common issues that is not present under the PSA.

**Q2: What does the transition to the new OPP detachment board framework mean for municipalities and First Nations currently receiving policing services by the OPP?**

**A2:**

- Until the Act comes into force, the ministry will continue to renew section 10 agreements that are set to expire in 2021.
- However once the CSPA comes into force all existing section 10 agreements will be terminated, and Section 10 boards will be dissolved.
- To do this, the ministry is committed to providing sufficient time and adequate supports to municipalities currently participating on a Section 10 board or, in the case of municipalities that receive OPP policing without a formal agreement/contract (i.e. Section 5.1 municipality), a Community Policing Advisory Committees (CPAC) as they dissolve their current board structures and transition to the new OPP detachment board model.

**Q3: When will the CSPA come into force?**

**A3:**

- The ministry is working towards the act being proclaimed in early 2022.

**Q4: Which municipalities and First Nations are included in the OPP detachment board framework?**

**A4:**

- The OPP detachment board framework provides civilian governance to the municipalities and First Nations receiving policing from OPP detachments.
- More specifically, the framework includes 326 municipalities currently policed by the OPP.
- The First Nations included in this framework include the 43 First Nations that:
  - are directly policed by the OPP (i.e., zone policing without a funding agreement);
  - employ their own First Nations Constables but receive administrative support from the OPP (i.e., “OPP-Administered” policing under the Federal First Nations Policing Program (FNPP)); and
  - receive “OPP-Dedicated” policing (i.e. Stream Two agreements under the FNPP).

**Q5: What role will municipalities and First Nations have with respect to the OPP Detachment Board proposal process?**

**A5:**

- Municipalities and First Nations in each OPP detachment area will be required to submit one proposal indicating the composition of their board and the rationale for multiple boards and the composition of each additional board, if multiple boards are being recommended.
- The ministry will only accept one proposal per detachment.
- Municipalities and First Nations within a detachment will be required to work together and determine the approach for developing and submitting their proposal to the ministry.
  - For example, after determining the composition of the detachment board(s), the municipalities and First Nations within a detachment may select one municipality or First Nation to complete and submit the proposal.

**Q6: What information is the ministry requesting in the proposal form?****A6:**

- Municipalities and First Nations within a detachment area will be required to submit a proposal indicating the composition of their board(s).
- Municipalities and First Nations will not be required to identify the names of the individuals that will be participating on the detachment board. Rather, they will be required to identify the number of seats each municipality and First Nation will be allocated on the detachment board as well as the number of community representatives and provincial appointments.
- If a municipality and/or First Nation chooses not to participate on a detachment board and forfeits their seat, they will be required to indicate this in the proposal.

**Q7: Factors to consider when requesting more than one detachment board.****A7:**

- The CSPA allows an OPP detachment to establish one, or more than one, OPP detachment board.
- Detachments that are considering requesting more than one detachment board should consider factors such as:
  - Geography (e.g. distance between municipalities and First Nations);
  - Variations in population size and;
  - The number of municipalities and First Nations within an OPP detachment; and
  - Service demands (e.g. calls for service).
- However, if proposing more than one OPP detachment board, municipalities and First Nations should also consider challenges associated with recruiting board members (e.g. inability to fill vacancies) and the costs associated with operating additional boards.

**Q8: Will municipalities/First Nations that are receiving policing and/or supports and services by two OPP detachments be allowed to participate on both OPP detachment boards?****A8:**

- Yes. Municipalities and First Nations that are receiving policing and/or supports and services by two OPP detachments can participate on both OPP detachment boards, or can choose to participate on only one OPP detachment board.
- Representation must be determined in collaboration with the other municipalities and First Nations within the OPP detachment, as a consensus on the composition of the OPP detachment board is required.
- Municipalities that wish to be represented on both OPP detachment boards will be required to cover the costs associated with participating on two boards (i.e. operational costs).

**Q9: What is considered a “completed” proposal?****A9:**

- Each detachment will be required to complete one proposal using the digital form provided by the ministry. The link to the digital form can be found here: [Ontario Provincial Police Board \(OPP\) Proposal Form](#).
- A completed proposal must be submitted using the digital form provided by the ministry and meet the minimum composition requirements provided by the ministry.
- The ministry will work with each detachment to obtain outstanding information/proposals and support them in submitting a completed proposal.
- If however in the end if a proposal does not meet the minimum requirements set by the ministry or a proposal is not submitted, and/or if a detachment is unable to come to a consensus, the ministry will determine the composition of the detachment board.

**Q10: What support will the ministry provide municipalities and First Nations throughout the OPP detachment board proposal process?****A10:**

- Virtual information sessions, led by the ministry, will be made available upon request for municipalities and First Nation communities to address outstanding questions and clarify concerns related to the proposal requirements and process.
- If your detachment is interested in a virtual information session, or have other inquiries related to the OPP detachment board proposal process, please forward your request to the ministry to Joanna Reading via email at [Joanna.Reading@ontario.ca](mailto:Joanna.Reading@ontario.ca).

**Q11: What is the purpose of provincial appointments on OPP Detachment Boards?****A11:**

- Provincial appointees will provide advice to the board as public representatives whose appointments are independent of municipal/band councils.
- However, to ensure members of the detachment board are reflective of the communities they serve, the municipalities/First Nation Chief and Councils will have the ability to nominate individuals for consideration as provincial appointees.



**Q12: Will the government address the current backlog in provincial appointments?****A12:**

- We know there are concerns related to the number of vacant provincial appointments and the length of time these appointments remain unfilled.
- We have made significant progress in reducing the backlog of provincial appointments. Since our government took office in 2018, we have filled approximately 124 provincial appointment vacancies on section 10 boards.
- We will continue to work with municipalities and First Nations to ensure provincial appointees are recruited and appointed in a timely manner.

**Q13: Why are First Nations with Self-Administered Police Services not included in the OPP detachment board framework?****A13:**

- First Nations that receive policing from a Self-Administered First Nation Police Service (SA FNPS) are not included in the OPP detachment board framework as they are already represented on boards and/or have their own police governing authorities.  
In addition, SA FNPS boards have existing relationships and alternate methods to communicate their input to the OPP with respect to supports and services the OPP provides to their communities.

**Q14: Are there other civilian governance options for First Nation communities that are captured within the OPP detachment board framework?****A14:**

- As an alternative to participating on an OPP Detachment board, under the CSPA First Nations have the option to request to form a First Nation OPP Board.
- Where a First Nation or multiple First Nations has entered into an agreement with the Minister for the provision of policing and other specified services by the Commissioner, the First Nation(s) may request that the Minister constitute a First Nation OPP board.
- A First Nation OPP board would perform similar functions and responsibilities as an OPP Detachment board by providing advice and oversight over the policing services provided by the OPP to a First Nation community or communities.
  - This includes determining objectives and priorities, supporting development of the strategic plan, and advising the Detachment Commander with respect to policing provided to a First Nation community or communities.
  - A First Nation OPP board could also establish local policies, in consultation with the OPP, with respect to the detachment's provision of policing.
- Please contact Ashley O'Connell, Indigenous Engagement Unit, Ministry of the Solicitor General at [Ashley.OConnell@ontario.ca](mailto:Ashley.OConnell@ontario.ca) for more information on requesting a First Nation OPP Board.

**ADDITIONAL INFORMATION****Q15: What training will OPP detachment board members be required to complete?****A15:**

- Members cannot perform their duties or exercise any of their powers until they have successfully completed the training identified in the CSPA.
- More specifically, like all other boards and councils governed under the CSPA, OPP detachment board members will be required to successfully complete training with respect to:
  - human rights and systemic racism;
  - the diverse, multiracial and multicultural character of Ontario society;
  - the rights and cultures of Indigenous peoples; and
  - any other training prescribed by the Solicitor General.

**Q16: Will municipalities be able to request enhanced OPP policing services (e.g., beyond basic “adequate and effective” policing) under the CSPA?****A16:**

- Under the CSPA, municipalities that receive policing from the OPP may enter into agreements for enhanced policing services.
- Municipalities will continue to be responsible for funding and implementing enhancements.

**Q17: Once the CSPA is in force, will municipalities within a detachment receive one billing statement (i.e., a single invoice for the entire detachment)?****A17:**

- There will be no substantive changes to the billing process.
- Municipalities will continue to be billed individually.

**Q18: Will there be an opportunity to provide additional feedback on other OPP-related matters for regulation?**

**A18:**

- All OPP-related matters for regulation will be posted on the Ontario Regulatory Registry for public comment.



**CONFIDENTIAL**

March 11, 2021

Greetings Section 10 OPP Board Members,

Allow us to share with you the latest CONFIDENTIAL information regarding the future of OPP governance, to help you prepare for and organize local solutions for OPP governance in the future according to our Government connections.

1. We expect the new Community Safety and Policing Act (CSPA) to come into effect next year (2022). When it does, Section 10 agreements will be terminated, and section 10 boards will be dissolved. They will be replaced by one or more OPP detachment board for each OPP detachment, in accordance with section 67 of the CSPA.
2. Solicitor General staff assert that the CSPA seeks to provide every one of the 326 municipality and 43 First Nation community receiving OPP municipal policing services with greater civilian governance of police, by having the opportunity to represent their local perspectives, needs, and priorities. This, in turn, is intended to increase the responsiveness and transparency of OPP policing in these communities. Today only about 150 of these communities are represented in the police governance structure, while over 200 communities are not.
3. Following consultations like OAPSB's day-long OPP Governance Summit hosted last winter (where Section 10 board members from across Ontario discussed OPP detachment boards with the Solicitor General's staff who are drafting the regulations), the Ministry now plans to allow local municipalities and First Nation communities the flexibility to determine the composition of their local detachment boards, taking into consideration the unique factors impacting their local OPP detachment (e.g. geography, population size, and service demands).
4. The Ministry will provide certain criteria, which must be met before the Ministry will grant final approval of the composition of the various OPP detachment boards. We expect the Ministry to establish criteria like:
  - a minimum of 5 members on each board (no maximum)
  - community representatives selected by joint resolution of the involved councils
  - provincial appointments similar to those on municipal police boards

OPP governance has been one of our main advocacy areas for many years. We are extremely proud in our success, in partnership with other Associations, in bringing about a large number of our members' interests in the new Act, including:

- bringing police governance to 200 more communities,
- ensuring that local factors and local decisions drive the composition of future OPP detachment boards,

- preserving in legislation local OPP police board authority to determine local policing objectives, and
- creating a framework for synchronizing detachment board plans with OPP GHQ Orillia plans, at the detachment level.

These features are in the best interests of our members as well as communities they serve, and we are extremely proud to have succeeded on everyone's behalf. Going forward, we will continue to collaborate with the Solicitor General's staff and the OPP to ensure effective board transitions and board training, updating our members as we go. OPP Detachment Boards will be featured prominently in this year's Spring Conference.

Meanwhile, in a recent survey Directors identified the following benefits of membership in OAPSB:

- By advocating for public safety legislative changes, with one voice, on behalf of all members, we all stand a greater chance of influencing the government agenda (as we have demonstrated above!)
- By providing members with up-to-date information on changes to legislation and regulations, our members are better informed, better prepared and more empowered
- By providing training resources and references on-line, our members have better access to skills development and learning
- By providing networking and information exchange opportunities at zone meetings, conferences and seminars, our members are better informed and validated
- By providing advice where and when requested, our members can get discrete help whenever they ask
- By responding to members' needs and requests, our members are better assisted and supported
- By providing leadership among police boards, our members are better represented
- By partnering with the leadership of other Associations, our membership strength and influence is multiplied

We see all of these benefits applying to every section 10 board this year, every transition to detachment boards, and every future detachment board.

In closing, we hope you find this update useful, and that you will be able to participate in our upcoming virtual Spring Conference and AGM, May 26-28.

Thank you sincerely for your service in police governance.

A handwritten signature in black ink, appearing to read 'Patrick Weaver'.

Patrick Weaver  
OAPSB Chair

A handwritten signature in black ink, appearing to read 'Fred Kaustinen'.

Fred Kaustinen  
OAPSB Executive Director