

TOWN OF FORT FRANCES

Fort Frances Municipal Non Profit Housing Corporation

AGENDA - March 14, 2019

MEETING - Committee Room, Civic Centre - Noon Session No. 1

Page

1. **Call to Order**
2. **Approval of Agenda as presented.**
 - 2.1 Session No. 1 dated March 14, 2019.
3. **Non-agenda Committee items which because of urgency cannot be deferred to a subsequent meeting, identified to be considered later in the meeting.**
 - 3.1 Overview of the definition of Use of Non-Agenda items from E. Slomke, Clerk.
4. **Disclosure of pecuniary interest and the general nature thereof**
 - 4.1 Overview of the definition of pecuniary interest as provided by the Municipal Conflict of Interest Act, RSO 1990. (E. Slomke, Clerk). 3 - 13
5. **Approval of Previous Minutes**
 - 5.1 Session No. 4 - Annual General Meeting dated December 13, 2018. 14 - 16
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 - 6.1 Orientation for New Members. 17 - 53
 - 1) Introduction of all members and stakeholders.
 - 2) Overview of Code of Conduct from E. Slomke, Clerk
 - 6.2 Mortgage Renewal - January 1, 2019 - CMHC Reference: 18-188-144 54 - 59
(materials previously distributed to members)
- this is a housekeeping resolution to confirm the direction of members that the Chair and Treasurer execute the Mortgage Agreement with CMHC with revised amortization schedule.
 - 6.3 Appointment of Treasurer. 60
 - 1) February 28, 2019 Letter of resignation from E. Slomke, Treasurer, FFMNPHC effective March 14, 2019 (will be received with

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2) Appointment of Treasurer to the Board of Directors.	
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Municipal Conflict of Interest Act

R.S.O. 1990, CHAPTER M.50

Historical version for the period May 30, 2017 to February 28, 2018.

Last amendment: 2017, c. 10, Sched. 3.

Legislative History: [+]

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Definitions

1 In this Act,

“child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family; (“enfant”)

“controlling interest” means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; (“intérêts majoritaires”)

“council” means the council of a municipality; (“conseil”)

“elector” means,

(a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and

(b) in respect of a school board, a person entitled to vote at the election of members of the school board; (“électeur”)

“interest in common with electors generally” means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; (“intérêt commun à tous les électeurs”)

“judge” means a judge of the Superior Court of Justice; (“juge”)

“local board” means a school board, board of directors of a children’s aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; (“conseil local”)

“meeting” includes any regular, special, committee or other meeting of a council or local board, as the case may be; (“réunion”)

“member” means a member of a council or of a local board; (“membre”)

“municipality” includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; (“municipalité”)

“parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family; (“père ou mère”)

“school board” means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; (“conseil scolaire”)

“senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; (“dirigeant”)

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. (“conjoint”) R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219; 2016, c. 23, s. 58.

Section Amendments with date in force (d/m/y) [+]

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2017, c. 10, Sched. 3, s. 1)

Principles

1.1 The Province of Ontario endorses the following principles in relation to the duties of members of councils and of local boards under this Act:

1. The importance of integrity, independence and accountability in local government decision-making.
 2. The importance of certainty in reconciling the public duties and pecuniary interests of members.
 3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
 4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise.
- 2017, c. 10, Sched. 3, s. 1.

Section Amendments with date in force (d/m/y) [+]

Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

(a) the member or his or her nominee,

- (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
- (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
- (iii) is a member of a body,

that has a pecuniary interest in the matter; or

(b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter.

R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).

Section Amendments with date in force (d/m/y) [+]

EXCEPTIONS

Where s. 5 does not apply

4 Section 5 does not apply to a pecuniary interest in any matter that a member may have,

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 4 of the Act is amended by striking out “Section 5 does not” at the beginning of the portion before clause (a) and substituting “Sections 5 and 5.2 do not”. (See: 2017, c. 10, Sched. 3, s. 2)

- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
- (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
- (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
- (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
- (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
- (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
- (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;
- (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
- (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;
- (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
- (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1).

Section Amendments with date in force (d/m/y) [+]

DUTY OF MEMBER

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 5 of the Act is amended by adding the following subsection: (See: 2017, c. 10, Sched. 3, s. 3)

Exception, consideration of penalty

(2.1) The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*:

1. Despite clauses (1) (b) and (c), the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
2. Despite subsection (2), in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration. 2017, c. 10, Sched. 3, s. 3.

When absent from meeting at which matter considered

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).

Section Amendments with date in force (d/m/y) [+]

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following sections before the heading "Record of Disclosure": (See: 2017, c. 10, Sched. 3, s. 4)

Written statement re disclosure

5.1 At a meeting at which a member discloses an interest under section 5, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be. 2017, c. 10, Sched. 3, s. 4.

Influence

5.2 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the municipality or local board, or by a person or body to which the municipality or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Exception

(2) However, if a municipality delegates a power to suspend the remuneration paid to a member under subsection 223.4 (5) of the *Municipal Act, 2001* or subsection 160 (5) of the *City of Toronto Act, 2006* to a person or body, and the person or body is considering exercising that power with respect to a member, subsection (1) of this section does not prevent the member from attempting to influence any decision or recommendation of the person or body that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y) [+]

RECORD OF DISCLOSURE

Disclosure to be recorded in minutes

6 (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

Idem

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section: (See: 2017, c. 10, Sched. 3, s. 5)

REGISTRY

Requirement to establish registry

6.1 (1) Every municipality and local board shall establish and maintain a registry in which shall be kept,

(a) a copy of each statement filed under section 5.1; and

(b) a copy of each declaration recorded under section 6. 2017, c. 10, Sched. 3, s. 5.

Access to registry

(2) The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine. 2017, c. 10, Sched. 3, s. 5.

Section Amendments with date in force (d/m/y) [+]

REMEDY FOR LACK OF QUORUM

Quorum deemed constituted

7 (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).

Application to judge

(2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

Power of judge to declare s. 5 not to apply

(3) The judge may, on an application brought under subsection (2), by order, declare that section 5 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3).

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, subsection 7 (3) of the Act is amended by striking out “section 5” and substituting “section 5, 5.1 or 5.2”. (See: 2017, c. 10, Sched. 3, s. 6)

Section Amendments with date in force (d/m/y) [+]

ACTION WHERE CONTRAVENTION ALLEGED

Who may try alleged contravention of s. 5 (1-3)

8 The question of whether or not a member has contravened subsection 5 (1), (2) or (3) may be tried and determined by a judge. R.S.O. 1990, c. M.50, s. 8.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 8 of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 7)

Application

8 (1) An elector, an Integrity Commissioner of a municipality or a person demonstrably acting in the public interest may apply to a judge for a determination of the question of whether,

(a) a member has contravened section 5, 5.1 or 5.2; or

(b) a former member contravened section 5, 5.1 or 5.2 while he or she was a member. 2017, c. 10, Sched. 3, s. 7.

Six-week period

(2) An application may only be made within six weeks after the applicant became aware of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Exception

(3) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if all of the following conditions are satisfied:

1. The applicant applied to an Integrity Commissioner for an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* in accordance with those sections.
2. The Integrity Commissioner conducted an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* and the Commissioner,
 - i. has advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. has not completed the inquiry within the time limit set out in subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006*, or
 - iii. has terminated the inquiry under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*.
3. The application under this section includes a copy of the applicant's statutory declaration made under subsection 223.4.1 (6) of the *Municipal Act, 2001* or under subsection 160.1 (6) of the *City of Toronto Act, 2006*.
4. The application under this section is made within six weeks after the earlier of the following,
 - i. the day the Commissioner advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. the last day on which the Commissioner is required under subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006* to complete the inquiry referred to in paragraph 2 of this subsection, and
 - iii. the day the inquiry was terminated under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

Same, application by Integrity Commissioner

(4) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if the applicant is an Integrity Commissioner and if the application relates to an inquiry conducted by the Commissioner under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

No application by Integrity Commissioner during regular election

(5) No application shall be made by an Integrity Commissioner of a municipality during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act. 2017, c. 10, Sched. 3, s. 7.

Limitation

(6) Despite subsections (2), (3) and (4), no application shall be made after the sixth anniversary of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Contents of notice of application

(7) The notice of application shall state the grounds for finding that the member or former member contravened section 5, 5.1 or 5.2. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y) [+]

Who may apply to judge

9 (1) Subject to subsection (3), an elector may, within six weeks after the fact comes to his or her knowledge that a member may have contravened subsection 5 (1), (2) or (3), apply to the judge for a determination of the question of whether the member has contravened subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 9 (1).

Contents of notice of application

(2) The elector in his or her notice of application shall state the grounds for finding a contravention by the member of subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 9 (2).

Time for bringing application limited

(3) No application shall be brought under subsection (1) after the expiration of six years from the time at which the contravention is alleged to have occurred. R.S.O. 1990, c. M.50, s. 9 (3).

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 9 of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 7)

Power of judge

9 (1) If the judge determines that the member or former member contravened section 5, 5.1 or 5.2, the judge may do any or all of the following:

1. Reprimand the member or former member.
2. Suspend the remuneration paid to the member for a period of up to 90 days.
3. Declare the member's seat vacant.
4. Disqualify the member or former member from being a member during a period of not more than seven years after the date of the order.
5. If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, if the party's identity is not readily ascertainable, to the municipality or local board, as the case may be. 2017, c. 10, Sched. 3, s. 7.

Same

(2) In exercising his or her discretion under subsection (1) the judge may consider, among other matters, whether the member or former member,

- (a) took reasonable measures to prevent the contravention;
- (b) disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner under the *Municipal Act, 2001* or the *City of Toronto Act, 2006* and acted in accordance with the advice, if any, provided to the member by the Commissioner; or
- (c) committed the contravention through inadvertence or by reason of an error in judgment made in good faith. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y) [+]**Power of judge to declare seat vacant, disqualify member and require restitution**

10 (1) Subject to subsection (2), where the judge determines that a member or a former member while he or she was a member has contravened subsection 5 (1), (2) or (3), the judge,

- (a) shall, in the case of a member, declare the seat of the member vacant; and
- (b) may disqualify the member or former member from being a member during a period thereafter of not more than seven years; and
- (c) may, where the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, where such party is not readily ascertainable, to the municipality or local board of which he or she is a member or former member. R.S.O. 1990, c. M.50, s. 10 (1).

Saving by reason of inadvertence or error

(2) Where the judge determines that a member or a former member while he or she was a member has contravened subsection 5 (1), (2) or (3), if the judge finds that the contravention was committed through inadvertence or by reason of an error in judgment, the member is not subject to having his or her seat declared vacant and the member or former member is not subject to being disqualified as a member, as provided by subsection (1). R.S.O. 1990, c. M.50, s. 10 (2).

Member not to be suspended

(3) The authority to disqualify a member in subsection (1) does not include the right to suspend a member. R.S.O. 1990, c. M.50, s. 10 (3).

Transition: disqualification

(4) A disqualification of a member of a school board under this section that would have continued after December 31, 1997 but for the dissolution of the school board continues for its duration with respect to membership on any board whose members are elected by members of the electoral group who elected the member. 1997, c. 31, s. 156 (2).

Definition

(5) In subsection (4),

“electoral group” has the same meaning as in Part VIII of the *Education Act* as the Part read on January 1, 1997. 1997, c. 31, s. 156 (2).

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 10 of the Act is repealed. (See: 2017, c. 10, Sched. 3, s. 7)

Section Amendments with date in force (d/m/y) [+]**Appeal to Divisional Court**

11 (1) An appeal lies from any order made under section 10 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1).

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, subsection 11 (1) of the Act is amended by striking out “section 10” and substituting “section 9”. (See: 2017, c. 10, Sched. 3, s. 8)

Judgment or new trial

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

Appeal from order or new trial

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

Section Amendments with date in force (d/m/y) [+]**Proceedings not invalidated but voidable**

12 The failure of any person to comply with subsection 5 (1), (2) or (3) does not of itself invalidate any proceedings in respect of any such matter but the proceedings in respect of such matter are voidable at the instance of the municipality or of the local board, as the case may be, before the expiration of two years from the date of the passing of the by-law or resolution authorizing such matter unless to make void the proceedings would adversely affect the rights of any person acquired under or by virtue of the proceedings who acted in good faith and without actual notice of the failure to comply with subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 12.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 12 of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 9)

Proceedings not invalidated but voidable

12 (1) A member's failure to comply with section 5, 5.1 or 5.2 does not invalidate any proceedings in respect of a matter referred to in those sections, but those proceedings are voidable in the circumstances described in subsection (2). 2017, c. 10, Sched. 3, s. 9.

Declaring proceedings void

(2) Subject to subsection (3), if a member has failed to comply with section 5, 5.1 or 5.2 in respect of a matter referred to in those sections, the municipality or local board, as the case may be, may declare the proceedings to be void before the second anniversary of the date of the passing of the by-law or resolution authorizing the matter. 2017, c. 10, Sched. 3, s. 9.

Exception

(3) Subsection (2) does not apply if declaring the proceedings to be void would adversely affect the rights that any person who acted in good faith and without actual notice of the failure to comply with section 5, 5.1 or 5.2 acquired under or by virtue of the proceedings. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y) [+]

Other procedures prohibited

13 Proceedings to declare a seat vacant or to disqualify a member or former member for conflict of interest, or to require a member or former member to make restitution where a contravention has resulted in personal financial gain, shall be had and taken only under this Act. R.S.O. 1990, c. M.50, s. 13.

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, section 13 of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 9)

Other proceedings prohibited

13 (1) A proceeding that relates to a member's or former member's alleged conflict of interest and seeks a remedy described in subsection 9 (1) shall be brought only under this Act. 2017, c. 10, Sched. 3, s. 9.

Same

(2) Subsection (1) does not affect the power of a municipality or a local board to reprimand a member or suspend a member's remuneration under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y) [+]

GENERAL

Insurance

14 (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2).

Note: On March 1, 2019, the day named by proclamation of the Lieutenant Governor, subsection 14 (1) of the Act is amended by striking out "section 5" and substituting "section 5, 5.1 or 5.2" in the portion after clause (c). (See: 2017, c. 10, Sched. 3, s. 10 (1))

Insurance Act does not apply

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in such securities as a municipality may invest in under the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, as the case may be. R.S.O. 1990, c. M.50, s. 14 (3); 1996, c. 32, s. 76 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (3); 2007, c. 7, Sched. 27, s. 1.

Note: On March 1, 2018, the day named by proclamation of the Lieutenant Governor, subsection 14 (3) of the Act is repealed and the following substituted: (See: 2017, c. 10, Sched. 3, s. 10 (2))

Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in accordance with subsection 279 (2) of the *Municipal Act, 2001* or subsection 218 (3) of the *City of Toronto Act, 2006*, as the case may be. 2017, c. 10, Sched. 3, s. 10 (2).

Reserve funds

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

Local boards

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

Former members

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

Section Amendments with date in force (d/m/y) [+]

Conflict with other Acts

15 In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.

TOWN OF FORT FRANCES
Fort Frances Municipal Non-Profit Housing
Annual General Meeting

MINUTES

SESSION NO. # 4

December 13, 2018

The meeting of Fort Frances Municipal Non-Profit Housing Corporation of the Town of Fort Frances was held in the Committee Room, Civic Centre on December 13, 2018 from 12:00 Noon to 12:38 p.m.

PRESENT: C. Mallory, Chair; G. McBride, Councillor W. Brunetta, Councillor A. Hallikas, L. Slomke, Board Treasurer

ALSO PRESENT: S. Weir, Integrated Services Manager, RRDSSAB, F. Sinninghe, Financial Analyst, RRDSSAB, K. Lawson, Board Secretary

REGRETS: D. McTaggart

1. Call to Order 12:00 Noon

2. Non-agenda Committee items which because of urgency cannot be deferred to a subsequent meeting, identified to be considered later in the meeting. - None identified.

3. Disclosure of pecuniary interest and the general nature thereof. - None identified.

4. ADOPTION OF AGENDA

4.1 Annual General Meeting Agenda dated December 13, 2018.

21/18 Hallikas-Brunetta THAT the December 13th, 2018 Annual General Meeting agenda as prepared be approved.

CARRIED

5. Approval of Previous Minutes

5.1 Session No. 3 dated September 27, 2018.

22/18 Hallikas-Brunetta: THAT the minutes of the regular meeting dated September 27, 2018 be approved as distributed.

CARRIED

6. Items Referred

6.1 Issue Sheet - Investment Portfolio Rebalance - November 2018.

23/18 Brunetta-Hallikas: THAT the Issue Sheet dated November 2018 re: Investment Portfolio Rebalance from Wendy Tillbury, Finance Supervisor, RRDSSAB be received and the recommendation for the Fort Frances Municipal Non Profit Housing Corporation's rebalance of their investment asset mix as laid out in the report be approved.

CARRIED

7. New Business

7.1 Current 3rd Quarter Financial Statements:

i) September 2018 Fort Frances Municipal Non-Profit Housing Corporation Income Statement;

ii) Receivable Aging Report by Property as at September 30, 2018.
and

i) October 2018 Fort Frances Municipal Non-Profit Housing Corporation Income

Statement;

ii) Receivable Aging Report by Property as at October 31, 2018

- 24/18 Hallikas-Brunetta: THAT the financial statements for the months dated September 30th, 2018 and October 31st, 2018 be approved as presented by Rainy River District Social Services Administration Board.

CARRIED

- 7.2 2019 Draft Capital Budget (to be distributed). Sandra provided an overview of the budget document.

- 25/18 Brunetta-Hallikas: THAT the 2019 Draft Capital Budget as prepared and distributed by the RRDSSAB be approved.

CARRIED

- 7.3 2019 Draft Capital Repairs (to be distributed). Sandra provided an overview of the budget document.

- 26/18 Hallikas-McBride: THAT the 2019 Draft Capital Repairs Report as prepared and distributed by RRDSSAB be approved.

CARRIED

- 7.4 Mortgage Renewal (2019) - No documents have been received to date. Sandra and Fred will follow up. As the time line is drawing close, it may be necessary to have verbal approval to sign the mortgage documents once reviewed by RRDSSAB Treasury and follow up with a housekeeping resolution.

- 7.5 Appointment of Auditors for Current Year.

- 27/18 Hallikas-McBride: THAT the Board of the Fort Frances Municipal Non-Profit Housing Corporation appoint BDO Canada LLP as auditors for the year ended 2018.

CARRIED

- 7.6 Appointment of Officers for Ensuing Year.

- 1) President
- 2) Vice President
- 3) Treasurer
- 4) Secretary

- 28/18 Brunetta-McBride: THAT the following board members of the Fort Frances Municipal Non-Profit Housing Corporation be appointed as officers for 2018:

President: Gordon McBride
Vice President: Charleen Mallory
Treasurer: Lisa Slomke
Secretary: Kathy Lawson

CARRIED

8. Standing Items

- 8.1 Agenda Template. - reviewed.

9. Non-agenda Items - none identified.

10. Adjourn / Next Meeting Date - March 14, 2019

President / Chairperson

Secretary

TOWN OF FORT FRANCES

BY-LAW NO. 04/19

(Being a by-law to adopt a Code of Conduct for Members of Council, Local Boards and Committees of the Corporation of the Town of Fort Frances)

WHEREAS the Municipal Act, 2001, as amended, provides municipalities with the powers of a natural person to enable them to govern their affairs as they consider appropriate under this or any other Act and to enhance their ability to respond to municipal issues;

AND WHEREAS section 223.2 of the Act, as amended, authorizes a municipality to establish a code of conduct for members of the Council of the municipality;

AND WHEREAS the establishment of a Code of Conduct reflects the principles of transparent and accountable government;

AND WHEREAS ethics and integrity are essential to the effective and fair operation of government and to the assurance of public confidence and trust in government and in the political process;

AND WHEREAS elected officials are expected to perform their duties in a manner that promotes public confidence and avoids the improper use of their office;


AND WHEREAS Council deems it expedient to adopt a Code of Conduct for the Town of Fort Frances pursuant to the Act, as amended;

NOW THEREFORE Council for the Corporation of the Town of Fort Frances HEREBY ENACTS as follows:

1. That the "Code of Conduct" attached hereto as Schedule A to this by-law be approved.
2. That the Integrity Commissioner Inquiry Protocol attached hereto as Schedule B (with Appendix') to this by-law be approved.
3. In the event that a section or sections of this by-law are found by a Court of competent jurisdiction to be invalid or ultra vires, such section, sections or parts thereof shall be deemed to be severable, with all other sections or parts of this by-law remaining in the full force and effect.

This by-law shall come into force and take effect on the final passing thereof.

READ THREE TIMES and finally passed in open Council this 25th day of February 2019.


J. Caul, Mayor


E. Slomke, Clerk



Code of Conduct

Town of Fort Frances

Important Disclaimer: this protocol complies with the relevant provisions of the *Municipal Act, 2001*, SO 2001, c 25 (the “*Act*”). If you have any questions or concerns about this protocol or how to implement it, please contact Wishart Law Firm LLP. Wishart Law Firm LLP is not responsible for the results of any edit to this protocol other than as expressly authorized or directed by Wishart Law Firm LLP.

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1. Principles Upon Which This Code is Based

- 1.1 A municipality is a responsible level of government. Improving the quality of municipal governance and administration can best be achieved by encouraging high standards of conduct on the part of all Members. In particular, the public is entitled to expect the highest standards of conduct from the Members of its local government. In turn, adherence to these standards will protect and promote the Municipality's reputation and integrity.
- 1.2 Key statements of principle that underline this Code of Conduct are as follows:
- a) Council, and its Members are the leaders of the Municipality both inside and outside its geographic boundaries. Especially in an age of social media and electronic messaging, strong positive management of the reputation of the Municipality is needed. The statements and behavior of Council affect the Municipality's reputation as a place to live and do business. Conflict and inappropriate conduct among Members, staff, officers and members of the public, adversely affects the Municipality's reputation and is to be avoided. Put differently, Council has a strong role to protect and promote the Municipality and its reputation as an excellent place to live, work and do business;
 - b) Members must serve and be seen to serve their constituents in a conscientious and diligent manner;
 - c) Members must be committed to performing their functions with integrity, avoiding the improper use of the influence of their office, and conflicts of interest, both real and perceived;
 - d) Members are expected to conduct themselves and perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny;
 - e) Members must recognize and act upon the principle that democracy is best achieved when the operation of government is as transparent and accountable to the Public as possible;
 - f) Members shall seek to serve the public interest by upholding both the letter and spirit of the laws of Parliament and the Ontario Legislature, as well as the laws and policies adopted by the Municipal Council;

- g) Members must not use the status of their position to inappropriately influence the decision of another individual or body. For example, to obtain a personal advantage for the Member, the Member's parents, children, spouse, staff, friends, associates, business or otherwise; or to disadvantage another party.
- h) Members shall be respectful of the role of staff to provide advice with political neutrality and objectivity and without undue influence from a Member or Members.

2. Application of this Code

2.1 This Code of Conduct applies to every Member.

3. Definitions

3.1 In this Code of Conduct:

- a) "Benefit" means preferential treatment, privileged access, favours or other advantage including, but not necessarily limited to, invitations to sporting, cultural or social events, access to discounts and loyalty programs and promises of a new employment.
- b) "Ceremonial Gift" means official gifts provided as part of the culture or practices of communities or government within Canada or internationally, which although they may be given to a Member, are accepted by a Member on behalf of a municipality and become the property of a municipality.
- c) "Child" means a child born within or outside marriage and includes any adopted child, step child, foster child and a person whom a Member has a demonstrated a settled intention to treat as a child of his or her family;
- d) "Confidential Information" means any information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing, or has decided to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act* or any other law. Confidential Information also includes information of a corporate, commercial, scientific or technical nature received in confidence from third parties; personal information; information that is subject to solicitor-client privilege; information that concerns any confidential matters pertaining to personnel, labour relations, litigation, property acquisition, the security of the property of the Municipality or a Local

Board; and any other information lawfully determined by the Council to be confidential, or required to remain or be kept confidential by legislation or order.

- e) “Council” means the Council of the Town of Fort Frances.
- f) “Gift” means free or discounted items or services and any item or service that would, viewed in light of all the circumstances, be regarded as a gift by a reasonable Person not including Ceremonial Gifts.
- g) “Hospitality” means the friendly reception and entertainment of guests, which may range from light refreshments at a meeting to expensive restaurant meals and sponsored travel or accommodation.
- h) “In-camera meeting” means a meeting, or part of a meeting, closed to the public pursuant to section 239 of the *Municipal Act, 2001*.
- i) “Information” includes a record or document written or otherwise;
- j) “Integrity Commissioner” means the Person appointed by by-law in accordance with section 223.3 of the *Municipal Act, 2001* and who is responsible for performing, in an independent manner, the functions assigned by the Municipality with respect to the application of the Code of Conduct for Members.
- k) “Local Board” means, for the purpose of this Code of Conduct, a local board other than:
 - i. A society as defined in subsection 2(1) of the *Child, Youth and Family Services Act, 2017*;
 - ii. A board of health as defined in subsection 1(1) of the *Health Protection and Promotion Act*;
 - iii. A committee of management established under the *Long-Term Care Homes Act, 2007*;
 - iv. A police services board established under the *Police Services Act* and/or the *Police Services Act, 2018*;
 - v. A board as defined in section 1 of the *Public Libraries Act*; and
 - vi. A corporation established in accordance with section 203 of the *Municipal Act, 2001*;

- l) “Member” means a member of Council, which shall include the Mayor/Reeve, members of Committees and members of Local Boards, unless, with respect to members of Local Boards, the context requires otherwise, and shall not include staff or ratepayers.
- m) “Officer(s)” means a person who holds a position of responsibility with definite rights and duties prescribed by statute or by-law.
- n) “Parent” means a person who has demonstrated a settled intention to treat a child as a part of his or her family whether or not that person is the natural parent of the child;
- o) “Person” includes a corporation, partnership, association and any other entity, as the context allows; and
- p) “Spouse” means an individual to whom an individual is married or with whom an individual is living in a conjugal relationship outside marriage.
- q) “Transparency” means that the municipality actively encourages and fosters stakeholder participation and openness in its decision-making processes. It means that the municipality’s decision-making process is open and clear to the public.

4. Compliance with Declaration of Office

- 4.1 Every Member shall act in accordance with his or her declaration of office sworn pursuant to section 262 of the *Municipal Act, 2001*. A copy of the Declaration of Office is attached as Schedule “A”.

5. Adherence to Council Policies and Procedures

- 5.1 Every Member shall observe and comply with every provision of this Code of Conduct, as well as all other policies and procedures adopted or established by Council.

6. Conduct at Meetings

- 6.1 Every Member shall conduct himself or herself properly and in a civil and respectful manner at meetings, and in accordance with the provisions of the Procedural By-law, this Code of Conduct, and other applicable law.

- 6.2 Members will respect the decision-making process. Members will attempt to accurately and adequately communicate the attitudes and decisions of Council, even if they disagree with a majority decision of Council.
- 6.3 Members shall strive to attend all Council Meetings. Any Member who is unable to attend a Council Meeting shall advise the clerk as soon as is reasonably possible of the reason for their absence.

7. Conduct Respecting Others

- 7.1 Every Member has the duty and responsibility to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment. The Member shall be familiar with, and comply with, the Municipality's Workplace Anti-Violence, Harassment and Sexual Harassment Policy.
- 7.2 A Member shall not use indecent, abusive or insulting words, tone or expressions toward any other Member, any municipal staff or any member of the public.
- 7.3 A Member shall not speak in a manner that is discriminatory to any individual, based on any protected grounds. Protected grounds include: citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, family status, marital status, sexual orientation, gender identity, and gender expression¹.

8. Conduct Respecting Staff and Officers

- 8.1 Under the direction of the senior administrative staff, and in accordance with the decisions of Council, staff and Officers are required to serve the municipal corporation as a whole. Every Member shall be respectful of the role of staff and Officers to provide advice based on political neutrality and objectivity and without undue influence from any Member or group of Members. Accordingly, no Member shall maliciously or falsely injure or impugn the professional or ethical reputation of any staff person or Officer.
- 8.2 Members shall acknowledge and respect the fact that staff carry out directions of Council, through senior staff, including but not limited to the treasurer, clerk, director of public works, and administer the policies of the Municipality. No Member shall perform, direct or attempt to undermine the duties of any staff person or Officer except in accordance with the Municipality's procedural by-law.

¹¹ See *Human Rights Code*, R.S.O. 1990, c.H.19

- 8.3 Every Member shall show respect for staff and Officers, and for their professional capacities and responsibilities.
- 8.4 No Member shall direct, instruct or compel any staff member or Officer to engage in partisan political activities or subject any staff member or Officer to threat or discrimination for refusing to engage in any such activity.
- 8.5 No Member shall use or attempt to further his or her authority or influence by intimidating, threatening, coercing, commanding or improperly influencing any staff person or Officer or interfering with that person's duties, including the duty to disclose improper activity.

9. Gifts, Benefits and Hospitality

- 9.1 For the purposes of this Code, Gifts, Benefits and Hospitality provided, with a Member's knowledge, to that Member's spouse, child or parent, or to his or her staff, that is connected directly or indirectly to the performance of the Member's duties, are deemed Gifts, Benefits and Hospitality provided to that Member.
- 9.2 No Member shall accept Gifts, Benefits and Hospitality connected directly or indirectly with the performance of his or her duties, unless permitted under one or more of the exceptions listed below:
- 9.3 Each of the following is recognized as an exception:
- a) compensation authorized by law;
 - b) Gifts, Benefits and Hospitality of the kind that normally accompanies the responsibilities of office and is received as an incident of protocol or social obligation;
 - c) a political contribution otherwise authorized and reported as required by law, in the case of a Member running for office;
 - d) services provided without compensation by a Person volunteering their time in a function that would not normally be provided for compensation;
 - e) a suitable memento of a function honouring the Member;

- f) food, lodging, transportation or entertainment lawfully provided by any Provincial, regional or local government or board or political subdivisions of any of them, by the Federal government, a foreign government, or by those organizing a conference, seminar or event where the Member is speaking or attending in an official capacity;
- g) food and beverage consumed at a banquet reception or similar event, if:
 - i. attendance by the Member is for a legitimate municipal purpose;
 - ii. the Person extending the invitation, or a representative of the organization holding the event, is in attendance; and
 - iii. the value is reasonable;
- h) communications to the office of a Member, even if such communication would, in the ordinary course, require a subscription; and
- i) a sponsorship or donation for a community event organized or run by a Member, or a third party on behalf of a Member, subject to the limitations set out in any applicable municipal policy.

9.4 Except for exception 9.3 (c) (political contributions allowable by law), these exceptions do not apply where Gifts, Benefits and Hospitality are provided by a lobbyist or a lobbyist's client or employer. In this provision, a lobbyist is an individual, organization or business who or that:

- a) lobbies, or causes the lobbying of, any public office holder of the Municipality, the municipal council or corporation or a Local Board;
- b) the Member knows is attempting or intending to lobby the Member or any of the public, Persons or bodies listed in paragraph (a); or
- c) is maintaining an active lobbyist registration with the Municipality, whether or not with respect to any specific or current subject matter.

9.5 The exceptions in section 9.3 do not apply to a gift from an anonymous sender. No Member shall accept a gift from an anonymous sender. Where a Member receives a gift from an anonymous sender, the Member will turn the gift in to the Clerk who will donate the gift to a charity/organization on the Municipality's approved donation list.

- 9.6 In the case of any of the recognized exceptions in sections 9.3 (b), (e), (f), (h) and (i), to enhance transparency and accountability with respect to Gifts, Benefits and Hospitality, if the value of the Gift, Benefit or Hospitality is over \$300, or if the total value of Gifts, Benefits and Hospitality received from any one source during the course of a calendar year exceeds \$300, the Member shall file, within 30 days of receipt, or of reaching the annual limit, a disclosure statement with the Municipality or with its Integrity Commissioner.
- 9.7 The disclosure statement must set out:
- a) the nature of all Gifts, Benefits, and Hospitality;
 - b) its source and date of receipt;
 - c) the circumstances under which it was given and received;
 - d) its estimated value or, if determinable, its exact value;
 - e) what the recipient intends to do with any gift; and
 - f) whether any gift will at some point be provided to the Municipality.
- 9.8 Every disclosure statement filed under this Code shall be made a public record and posted in a place available for public review.
- 9.9 Upon receiving a disclosure statement, the Municipality or the Integrity Commissioner, as the case may be, shall examine, or in the case of the Municipality, appoint a Person to examine, the disclosure statement to ascertain whether the receipt of any Gifts, Benefits, or Hospitality, in his or her opinion, acting reasonably, contravenes this Code. Making such determination shall include providing the Member an opportunity to provide an explanation as to why receipt of any Gift, Benefit or Hospitality at issue does not contravene this Code.
- 9.10 Should a determination be made that receipt of any Gift, Benefit or Hospitality contravenes this Code, the Member shall be directed to promptly return, dispose of, or reimburse the person giving the Gift, Benefit or Hospitality, for the full value thereof, as applicable or remit the value of any gift or benefit already consumed to the Municipality.

10. Confidential Information

- 10.1 **No Member shall disclose, release, sell or publish by any means directly or indirectly, to any person or to the public, any Confidential Information acquired by virtue of his or her office**, in any form including, but not limited to, written notes, reports, oral and video recording, pictures, electronic correspondence, and any form of social media except when required or authorized by Council or otherwise by law to do so.
- 10.2 No Member shall use Confidential Information for personal or private gain or benefit, or to disadvantage any other person or body.
- 10.3 Unless required by law, no Member shall disclose the substance of deliberations of meetings held *in-camera* and that are authorized to be held *in-camera* under the *Municipal Act, 2001* or any other legislation unless or until Council discloses such information at a meeting that is open to the public or otherwise releases such information to the public.
- 10.4 Without limiting the generality of the foregoing, no Member shall, without lawful authority, disclose or make personal use of any of the following types of Confidential Information:
- a) Information concerning litigation, negotiation or personnel or labour matters;
 - b) Information the publication of which may infringe on the rights of any person (e.g. source of a complaint where the identity of a complainant is given in confidence);
 - c) Price schedules in any contract, tender or proposal document while such remains Confidential Information;
 - d) Information deemed to be “personal information” under the *Municipal Freedom of Information and Protection of Privacy Act*; and
 - e) Any other information or statistical data required by law not to be released.
- 10.5 No Member shall obtain access, or attempt to gain access, to Confidential Information in the custody of the Municipality, Local Board or Committee except to the extent that such access is necessary for the performance of his or her duties and such access is not prohibited by Council or otherwise by law.

11. Use of Municipal Property, Services and Other Resources

- 11.1 No Member shall use, or permit the use of, municipal equipment, land, facilities, supplies, services, staff or other resource, including any municipally-owned information, website, or funds allocated for Member expenses, for any purpose or activity other than the lawful business of the municipal corporation. No Member shall seek or acquire any personal financial gain from the use or sale of Confidential Information, or of any municipally-owned intellectual property including any invention, creative writing or drawing, computer program, technical innovation, or any other information or item capable of being patented or copyrighted, for which property remains exclusively that of the Municipality.

12. Conduct of Election Campaign

- 12.1 Every Member shall comply with all applicable requirements of the *Municipal Elections Act, 1996* and with the Municipality's municipal or board resources rules and procedures established pursuant to section 88.18 of the *Municipal Elections Act, 1996*.
- 12.2 No Member shall use Confidential Information, facilities, equipment, supplies, services, or other resources of the Municipality, including any Member newsletter or website linked through the Municipality's website, for any election campaign or campaign-related activity. No Member shall undertake campaign-related activities on municipal property during regular working hours unless authorized by the Municipality.
- 12.3 No Member shall use the services of any person for election-related purposes during hours in which that person receives any compensation from the Municipality.

13. No Improper Use of Influence

- 13.1 No Member shall use the influence of his or her office for any purpose other than for the lawful exercise of his or her official duties and for municipal purposes.
- 13.2 No Member shall use his or her office or position to influence or attempt to influence the decision of any other person, for the Member's private advantage, the private advantage of the Member's parent, child, spouse, staff member, friend or associate, business or otherwise or the disadvantage of others. No Member shall attempt to secure preferential treatment beyond activities in which Members normally engage on behalf of their constituents as part of their official duties. No Member shall hold out the

prospect or promise of future advantage through the Member's supposed influence within Council in return for any action or inaction.

- 13.3 For the purposes of this provision "private advantage" does not include a matter:
- a) That is an interest in common with electors generally as defined in the *Municipal Conflict of Interest Act*;
 - b) that affects a Member, his or her parents/children or spouse, staff, friends or associates, business or otherwise, as one of a broad class of persons; or
 - c) that concerns the remuneration or benefits of a Member.
- 13.4 This provision does not prevent a Member from requesting that Council grant a lawful exemption from a policy.

14. Non-Compliance with this Code of Conduct – Sanctions

- 14.1 A Member found by the Integrity Commissioner to have contravened any provision of this Code, may be subject to one or more of the following consequences imposed by Council as referred to in the following:
- a) a reprimand;
 - b) suspension of the remuneration paid to the Member in respect of his or her services as a Member of the Council or Local Board, for a period of up to 90 days;
 - c) Other penalties, including, but not necessarily limited to:
 - i. Removal from membership of a Committee or Local Board;
 - ii. Removal as Chair of a Committee or Local Board;
 - iii. Require repayment or reimbursement of moneys received;
 - iv. Return of property or reimbursement of its value;
 - v. A request for an apology;
 - vi. Revocation of travel or another budget;
 - vii. Request for resignation; and

- viii. Trespass order restricting access except for Council Meetings.

15. No Reprisal or Obstruction in the Application or Enforcement of this Code

- 15.1 Every Member must respect the integrity of the Code of Conduct and inquiries and investigations conducted under it and shall co-operate in every way possible in securing compliance with its application and endorsement. Any reprisal or threat of reprisal against a complainant or any other person for providing relevant information to the Integrity Commissioner or any other person is prohibited. It is also a violation of the Code of Conduct to obstruct the Integrity Commissioner or any other municipal official involved in applying or furthering the objectives or requirements of this Code, in the carrying out of such responsibilities or pursuing any such objective.
- 15.2 Every Member shall cooperate with the Integrity Commissioner if the Integrity Commissioner conducts an inquiry concerning an alleged contravention of this Code.

16. Statutes and Policies Regulating the Conduct of Members

- 16.1 In addition to this Code of Conduct, the following Ontario legislation also governs the conduct of Members:
- a) the *Municipal Act, 2001* as amended;
 - b) the *Municipal Conflict of Interest Act*;
 - c) the *Municipal Elections Act, 1996*;
 - d) the *Municipal Freedom of Information and Protection of Privacy Act*;
 - e) the *Ontario Human Rights Code*; and,
 - f) the *Occupational Health and Safety Act*.
- 16.2 The following policies govern the conduct of Members:

Procedural By-Law	34/95
By-Law to Establish Boards/Committees of Council	53/16
Media Communication Policy	1.1
Social Media Conduct Policy	3.27

Use of Corporate Resources in Election Periods Policy	1.17
Workplace Harassment Policy	5.34.1
Workplace Violence Policy	5.34
Council/Staff Relations Policy	TBD

16.3 The *Criminal Code* also governs the conduct of Members.

16.4 A Member may become disqualified and lose his or her seat by operation of law, including being convicted of an offence under the *Criminal Code* or being found to have failed to comply with the *Municipal Conflict of Interest Act*, whether or not the conduct in question involves contravention of this Code of Conduct. In the case of any inconsistency between this Code and a Federal or Provincial statute or regulation the statute or regulation shall prevail. Should any provision of the Code become or be determined to be invalid, illegal or unenforceable, it shall be considered separate and several from the agreement and the remaining provisions shall remain in force.

17. Complaints Alleging Violation of This Code

17.1 Where a Member, a municipal employee, Officer, or a member of the public has reasonable grounds to believe that a Member(s) has contravened this Code, a complaint may be submitted to the Clerk's Department in the prescribed form which will be forwarded to the Municipality's Integrity Commissioner who will process it in accordance with the Integrity Commissioner Inquiry Protocol attached hereto as Schedule "B". The Complaint may also be submitted directly to the Integrity Commissioner in the event that such office is readily accessible.

17.3 Where a Member is found not to have contravened this Code, the Municipality is authorized to protect that Member against costs or expenses incurred by the Member as a result of the complaint proceedings.

DECLARATION OF OFFICE
(Section 232 of the *Municipal Act, 2001*)

I, _____, having been elected or appointed to the office
(name of person)

of _____
(name of office)

in the municipality of _____
(name of municipality)

do solemnly promise and declare that:

1. I will truly, faithfully and impartially exercise this office to the best of my knowledge and ability.
2. I have not received and will not receive any payment or reward, or promise thereof, for the exercise of this office in a biased, corrupt or in any other improper manner.
3. I will disclose any pecuniary interest, direct or indirect, in accordance with the *Municipal Conflict of Interest Act*.
4. I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second (or the reigning sovereign for the time being).

And I make this solemn promise and declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me)	
at the)	
.....)	_____
.....)	signature of declarant
on)	
20.....)	

Commissioner for taking Affidavits



Integrity Commissioner Inquiry Protocol

Town of Fort Frances

Important Disclaimer: this protocol complies with the relevant provisions of the *Municipal Act, 2001*, SO 2001, c 25 (the “*Act*”). Wishart Law Firm LLP recommends that legal advice be sought by the Integrity Commissioner or anyone acting under his or her authority in responding to an application or conducting an inquiry pursuant to this protocol. If you have any questions or concerns about this protocol or how to implement it, please contact Wishart Law Firm LLP. Wishart Law Firm LLP is not responsible for the results of any edit to this protocol other than as expressly authorized or directed by Wishart Law Firm LLP.

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1. Introduction

The Municipality has, pursuant to section 223.2 of the *Municipal Act, 2001*, established a Code of Conduct for members of council of the Municipality and members of its Local Boards.

The Municipality has appointed an Integrity Commissioner whose duties include, among other things, conducting inquiries in respect of alleged contraventions of the Code of Conduct and sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* (“*MClA*”).

The purpose of this protocol is to set out a framework for the Integrity Commissioner’s inquiries into allegations of contraventions of the Code of Conduct and sections 5, 5.1 and 5.2 of the *MClA* breaches.

2. Definitions

“**Applicant**” means the person who has submitted an application to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention by a Member of sections 5, 5.1 or 5.2 of the *MClA*.

“**Code of Conduct**” means a code of conduct established pursuant to section 232.2 of the *Municipal Act, 2001*.

“**Elector**” means a person entitled to vote at a municipal election in the Municipality.

“**Integrity Commissioner**” means the Integrity Commissioner appointed by Municipal Council and any individual acting under powers delegated to him or her in writing by the Integrity Commissioner.

“**Local Board**” means a Local Board other than:

- a. A society as defined in subsection 2(1) of the *Child, Youth and Family Services Act, 2017*;
- b. A board of health as defined in subsection 1(1) of the *Health Protection and Promotion Act*;
- c. A Committee of management established under the *Long-Term Care Homes Act, 2007*;
- d. A police service board established under the *Police Services Act, 2018*;
- e. A board as defined in section 1 of the *Public Libraries Act*; and,
- f. A corporation established in accordance with section 203 of the *Municipal Act, 2001*;

“Member” means a member of the municipal council and any person on his or her staff and/or a member of a Local Board or a Committee of the Municipality and any person on his or her staff.

“Requestor” means the person who has submitted a request to the Integrity Commissioner for an inquiry concerning an alleged contravention of the applicable Code of Conduct.

“Respondent” means the person who is alleged to have violated the Code of Conduct or sections 5, 5.1 or 5.2 of the *MClA* and whom an Integrity Commissioner inquiry application has been submitted.

3. Integrity Commissioner

3.1. Functions

The Integrity Commissioner reports to council and is responsible for performing in an independent manner, the functions assigned by the Municipality with respect to any of the following:

1. The application of the Code of Conduct for Members.
2. The application of any procedures, rules and policies of the Municipality and Local Boards governing the ethical behaviour of Members.
3. The application of sections 5, 5.1 and 5.2 of the *MClA* to Members.
4. Requests from Members for advice respecting their obligations under the Code of Conduct applicable to the Member.
5. Requests from Members for advice respecting their obligations under a procedure, rule or policy of the Municipality or of the Local Board, as the case may be, governing the ethical behaviour of Members.
6. Requests from Members for advice respecting their obligations under the *MClA*.
7. The provision of educational information to Members, the Municipality and the public about the Municipality’s Code of Conduct for Members and about the *MClA*.

3.2. Powers and duties

In carrying out the responsibilities described in section 3.1 above, the Integrity Commissioner may exercise such powers and shall perform such duties as may be assigned to him or her by the Municipality.

3.3. Delegation

After satisfying himself or herself that a person is fully capable of carrying out the Integrity Commissioner's powers or duties, the Integrity Commissioner may, in writing, delegate to any person, other than a member of council, any such duties or powers. For greater certainty, if the Integrity Commissioner delegates any duties or powers, the Integrity Commissioner may continue to exercise the delegated powers and duties despite the delegation.

3.4. Outside assistance

In performing any of his or her duties, the Integrity Commissioner may engage outside assistance or consult with the Municipality's legal counsel. When the Municipality's legal counsel is assisting the Integrity Commissioner their role is solely to assist the Integrity Commissioner and not any particular individual.

4. Requests for advice

4.1. Requests for advice shall be in writing

A request by a Member for advice from the Integrity Commissioner under paragraphs 4, 5 or 6 of section 3.1 above, shall be made in writing.

4.2. Advice shall be in writing

If the Integrity Commissioner provides advice to a Member under paragraphs 4, 5 or 6 of section 3.1 above, the advice shall be in writing.

4.3. Release of advice

Advice provided by the Integrity Commissioner to a Member under paragraphs 4, 5 or 6 of section 3.1 above may be released by the Integrity Commissioner:

1. With the Member's written consent; or
2. Without the Member's written consent if the Member releases part of the advice.

5. Inquiry by Integrity Commissioner re Code of Conduct

5.1. Request for inquiry

A request for inquiry may be made in writing to the Integrity Commissioner by a Member, staff or member of the public about whether a Member has contravened the Code of Conduct.

5.2. Request contents

A request for inquiry under section 5.1 above may be in the form set out in Schedule “A” or, otherwise, shall include sufficient information to set out a prima facie contravention of the applicable Code of Conduct, including, but not necessarily limited to, all of the following:

- The Requestor’s name and contact information.
- What happened – a description of the events or situation.
- When it happened – dates and times of the events or incidents.
- Where it happened – the location(s) where the events or incidents occurred.
- Who saw it happen – the names of any witnesses, if any.

5.3. Jurisdiction re workplace violence, harassment, and sexual harassment

Requests made under this section must specifically refer to alleged contraventions of the Code of Conduct by a Member. Allegations of workplace violence, harassment, and sexual harassment by a Member must be reported in the manner set out in the Town of Fort Frances Workplace Anti-Violence, Harassment and Sexual Harassment Policy and must be reported as provided thereunder and that policy shall exclusively apply in respect of any such report.

5.4. Request review

The Integrity Commissioner will conduct an initial review of the request to ensure that it is a proper allegation of a breach of the Code of Conduct. If, after the initial review, the Integrity Commissioner determines that the request is not properly an allegation of a breach of the Code of Conduct, there are insufficient grounds to believe that there has been a contravention of the Code of Conduct, or the Integrity Commissioner, determines that an inquiry is not appropriate for any other reason in the Integrity Commissioner's reasonable discretion, the Integrity Commissioner will dismiss the request. When determining if an inquiry is appropriate, the Integrity Commissioner may, among other things, take into account the date of the alleged breach. Further, the Integrity Commissioner shall, in his or her discretion, dismiss the request if, upon initial review, the Integrity Commissioner determines that the Requestor has not supplied the information set out in section 5.2. If the Integrity Commissioner does not dismiss a request for this reason, the Integrity Commissioner will advise the Requestor that he or she must supply additional information and shall take no further action until the Requestor supplies such information.

5.5. Powers on inquiry

The Integrity Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act, 2009*, in which case, notwithstanding anything to the contrary herein, those sections apply to the inquiry.

5.6. Information

The Municipality, its Local Boards and Committees shall give the Integrity Commissioner such information as the Integrity Commissioner believes to be necessary for an inquiry including free access to all books, accounts, financial records, electronic data processing records, reports, files and other papers, things or property belonging to or used by the Municipality, Committee or a Local Board. For greater certainty, providing the Integrity Commissioner with information concerning legal advice shall be deemed not to constitute a waiver of solicitor-client privilege.

5.7. Penalties the Municipality may impose

Council may impose any of the following penalties on a Member if the Integrity Commissioner reports to the Municipality that the Member has contravened the Code of Conduct:

1. A reprimand;
2. Suspension of the remuneration paid to the Member for a period of up to 90 days;

3. Other penalties, including, but not necessarily limited to:
 - a. Removal from membership of a Committee or Local Board;
 - b. Removal as Chair of a Committee or Local Board;
 - c. Require repayment or reimbursement of moneys received;
 - d. Return of property or reimbursement of its value;
 - e. Request for an apology to Council, the Requestor or other relevant party;
 - f. Revocation of travel or other budget;
 - g. Request for resignation;
 - h. Trespass Order restricting access except for Council Meetings.

5.8. Penalties the Local Board may impose

A Local Board may impose any of the penalties described in section 5.7 above on a member of the Local Board if the Integrity Commissioner reports to the Local Board that, in his or her opinion, the member of the Local Board has contravened the Code of Conduct applicable to the Member of the Local Board, and if the Municipality has not imposed a penalty on the member of the Local Board under section 5.7 above in respect of the contravention.

5.9. Termination of inquiry when regular election begins

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, the Integrity Commissioner shall terminate the inquiry on that day. If an inquiry is so terminated, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election as set out in section 5 of the *Municipal Elections Act*, 1996, the person or entity who made the request or the Member or former Member whose conduct is concerned makes a written request to the Integrity Commissioner that the inquiry be commenced.

5.10. Other rules that apply during regular election

The following rules apply during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election, as set out in section 5 of that *Act*:

1. There shall be no requests for an inquiry about whether a member of council or of a Local Board has contravened the Code of Conduct applicable to the Member.

2. The Integrity Commissioner shall not report to the Municipality or Local Board about whether, in his or her opinion, a member of council or of a Local Board has contravened the Code of Conduct applicable to the Member.
3. The Municipality or Local Board shall not consider whether to impose the penalties referred to in sections 5.5 and 5.6 above on a member of council or of a Local Board.

6. Inquiry by Integrity Commissioner re s. 5, 5.1 or 5.2 of the *MCI*

6.1. *Application*

An Elector, or a person demonstrably acting in the public interest, may apply in writing to the Integrity Commissioner for an inquiry to be carried out concerning an alleged contravention of sections 5, 5.1 or 5.2 of the *MCI* by a Member.

6.2. *Content of application*

An application may be in the form set out in Schedule “B” or, otherwise, shall set out the reasons for believing that the Member has contravened sections 5, 5.1 or 5.2 of the *MCI* and include the Applicant’s name and contact information and a statutory declaration attesting to the fact that the Applicant became aware of the contravention not more than six weeks before the date of the application or, in the case where the Applicant became aware of the alleged contravention during the period of time described in paragraph 1 of section 6.6 below, a statutory declaration attesting to the fact that the Applicant became aware of the alleged contravention during that period of time.

6.3. *Review of application*

The Integrity Commissioner will conduct an initial review of the application to ensure that it complies with this section. If the application does not comply with this section, the Integrity Commissioner will advise the Applicant about the non-compliance in writing and the Integrity Commissioner shall take no further action unless or until the Applicant submits a compliant application. If upon initial review, the Integrity Commissioner determines that the application is not properly an application alleging contravention of sections 5, 5.1 or 5.2 of the *MCI* or there are no reasonable grounds to support the application, the Integrity Commissioner shall dismiss the application.

6.4. No application for inquiry during regular election

No application for an inquiry under this section may be made to the Integrity Commissioner during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election as set out in section 5 of that *Act*.

6.5. Application timing

An application under this section may only be made within six weeks after the Applicant became aware of the alleged contravention. No application shall be brought after the expiration of six years from the time at which the contravention is alleged to have occurred.

6.6. Exception

Despite section 6.5 above, an application may be made more than six weeks after the Applicant became aware of the alleged contravention if both of the following are satisfied:

1. The Applicant became aware of the alleged contravention six weeks before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election, as set out in section 5 of that *Act*.
2. The Applicant applies to the Integrity Commissioner under section 6.1 within six weeks after the day after voting day in a regular election, as set out in section 5 of the *Municipal Elections Act*, 1996.

6.7. Public meeting

If the Integrity Commissioner decides to conduct an inquiry, the Integrity Commissioner may have a public meeting to discuss the inquiry.

6.8. Powers on inquiry

The Integrity Commissioner may elect to exercise the powers under sections 33 and 34 of the *Public Inquiries Act*, 2009, in which case, notwithstanding anything to the contrary herein, those sections apply to the inquiry.

6.9. Information

The municipality and its Local Boards shall give the Integrity Commissioner such information as the Integrity Commissioner believes to be necessary for an inquiry including free access to all books, accounts, financial records, electronic data processing records, reports, files and other papers, things or property belonging to or used by the Municipality or a Local Board. For greater certainty, providing the Integrity Commissioner with information concerning legal advice shall be deemed not to constitute a waiver of solicitor-client privilege.

6.10. Termination of inquiry when regular election begins

If the Integrity Commissioner has not completed an inquiry before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, the Integrity Commissioner shall terminate the inquiry on that day.

6.11. No other inquiry in respect of the matter to commence without application

If an inquiry is terminated under section 6.10, the Integrity Commissioner shall not commence another inquiry in respect of the matter unless, within six weeks after voting day in a regular election as set out in section 5 of the *Municipal Elections Act, 1996*, the person who made the application or the Member or former Member whose conduct is concerned applies in writing to the Integrity Commissioner for the inquiry to be carried out.

6.12. Timing for completion of inquiry

The Integrity Commissioner shall complete the inquiry within 180 days after receiving the completed compliant application under section 6.1 above unless the inquiry is terminated under section 6.10 above.

6.13. Decision to apply to a judge upon completion of inquiry

Upon completion of the inquiry, the Integrity Commissioner may, if he or she considers it appropriate, apply to a judge for a determination as to whether the Member has contravened sections 5, 5.1 or 5.2 of the *MCI*A.

6.14. Notice to Applicant re decision not to apply to judge

The Integrity Commissioner shall advise the Applicant if the Integrity Commissioner will not be making an application to a judge.

6.15. Reasons re decision to apply to a judge

After deciding whether or not to apply to a judge, the Integrity Commissioner shall publish written reasons for the decision.

6.16. Costs

The Integrity Commissioner's costs of applying to a judge shall be paid by:

1. The municipality, if the Member is alleged to have contravened sections 5, 5.1 or 5.2 of the *MCLA* as member of council of the Municipality; or
2. The Local Board, if the Member is alleged have contravened sections 5, 5.1 or 5.2 of the *MCLA* as member of the Local Board.

7. Conduct of inquiry

The Integrity Commissioner may conduct such inquiry as he or she considers necessary in response to a compliant request or application under sections 5 or 6 above and such inquiry may include all or some of the following:

- Informing the Respondent of the application;
- Interviewing the Applicant, the Respondent, any person involved in the incident, and any identified witnesses;
- Interviewing any other person who may have knowledge of the incidents related to the application or any other similar incidents; and
- Reviewing any information the Integrity Commissioner believes necessary and document such review.

8. Reference to appropriate authorities

8.1. Referral of matter by Integrity Commissioner

If the Integrity Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of the Criminal Code of Canada or any other *Act*, the Integrity Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting investigation, including, but not limited to, police investigations and/or the charges have been finally disposed of, and shall

report the suspension to council. Contravention of any other *Act* includes, but is not limited to, contravention of the *Occupational Health and Safety Act*.

8.2. No derogation of rights

The provisions of this protocol in no way affect the right of anyone to:

- (a) contact the police, other law enforcement agency, or any other appropriate authority on their own initiative;
- (b) exercise their right(s) under any legislation; or
- (c) take any other available legal action.

9. Confidentiality

9.1. Integrity Commissioner's duty of confidentiality

The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality with respect to all matters that come to his or her knowledge in the course of performing his or her duties. This section prevails over the *Municipal Freedom of Information and Protection of Privacy Act*.

9.2. Confidentiality of those involved in inquiry

Out of respect for the relevant individuals, it is essential that the Applicant, Respondent, witnesses and anyone else involved in an inquiry conducted by the Integrity Commissioner hereunder maintain confidentiality throughout the inquiry and afterwards.

9.3. Disclosure required by law

Notwithstanding sections 9.1 or 9.2 above, information may be disclosed in a criminal proceeding, or as required by law.

9.4. Retention of records

The Integrity Commissioner and person providing outside assistance to the Integrity Commissioner pursuant to section 3.4 above, shall retain all records related to any application and any inquiry indefinitely.

10. Reports

10.1. Periodic report to council

If the Integrity Commissioner provides a periodic report to the Municipality on his or her activities, the Integrity Commissioner may summarize advice he or she has given, but shall not disclose confidential information that could identify a person concerned.

10.2. Report about conduct

After completing an inquiry, the Integrity Commissioner shall provide a written report to the Municipality or the Local Board (the “Report”).

The Integrity Commissioner may disclose in the Report, such matters as in the Commissioner’s opinion are necessary for the purposes of the Report. Where the Integrity Commissioner finds that there has been a contravention of the Code of Conduct, the Report may, at the Integrity Commissioner’s discretion, contain the following:

1. An outline of the Integrity Commissioner’s finding; and,
2. The terms of any recommended corrective action;

Where the Integrity Commissioner finds that there has been a contravention of the Code of Conduct, the Report must contain sufficient information for the Municipality or Local Board to determine whether or not to impose corrective action under section 5.7.

10.3. Report to Council or Local Board

Upon receipt of the Report, the Clerk shall indicate on the regular agenda of Council or the Local Board, notice of intent from the Integrity Commissioner to submit a Report for consideration at the following regular meeting.

The Respondent shall have the right of reply when the Report is considered by the Municipality or the Local Board.

Upon review of the Report, Council shall pass a resolution stating whether or not it intends to take action in response to the Report, and if so, what action Council will take.

10.4. Publication of reports

The Municipality and each Local Board shall ensure that reports received from the Integrity Commissioner by the Municipality or by the Local Board, as the case may be, are made available to the public upon request.

11. Bad Faith Applications or Requests

If a person or entity makes a request or application for an inquiry hereunder and the Integrity Commissioner determines such request or application is made in bad faith, notwithstanding anything to the contrary in protocol, the Integrity Commissioner may disclose all relevant information concerning the request or application to the Municipality such that the Municipality may pursue any recourse available against the individual or entity. Examples of bad faith include, but are not limited to, making a report knowing the allegations therein are untrue or making a report for an improper purpose.

12. Indemnity

The Municipality shall indemnify and save harmless the Integrity Commissioner, or any person acting under the instructions of the Integrity Commissioner, for costs reasonably incurred by either of them 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 duty or authority hereunder or an alleged neglect or default in the performance in good faith of such duty or a by-law passed under Part V.1 of the *Municipal Act, 2001*. For greater certainty, nothing in this section affects the application of section 448 of the *Municipal Act, 2001* with respect to a proceeding referred to in this section.

13. Protocol review

The Municipality will review this Policy as often as it deems reasonably necessary and will post the most current version of this protocol on its website.

SCHEDULE "A"

INTEGRITY COMMISSIONER REQUEST FOR INQUIRY CODE OF CONDUCT

This form will be used to request the Integrity Commissioner conduct an inquiry of an alleged Code of Conduct contravention	Submit completed complaint in a sealed envelope to: Integrity Commissioner Request for Inquiry Re Code of Conduct [Integrity Commission Contact Information]
---	--

REQUESTOR'S INFORMATION

Last Name:	First Name:
Street Address:	Municipality:
Postal Code:	Phone #:
E-mail Address:	Name of Member:

DETAILS OF ALLEGED CODE OF CONDUCT CONTRAVENTION

Date(s) of alleged Code of Conduct contravention:		
Provision(s) of Code of Conduct allegedly contravened:		
Facts constituting the alleged Code of Conduct contravention (please use separate page(s) if required)		
Name(s) and contact information of any witnesses:		
<input type="checkbox"/> I agree to release my identity with regard to this request <input type="checkbox"/> I do NOT agree to release my identity with regard to this request		
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; padding: 5px;">Signature:</td> <td style="width: 50%; border: none; padding: 5px;"> Date: Year: Month: Day: </td> </tr> </table>	Signature:	Date: Year: Month: Day:
Signature:	Date: Year: Month: Day:	

FOR OFFICE USE ONLY

Date Received Year: Month: Day:	Request #:	Comments:
Personal information contained on this form is collected under the authority of the <i>Municipal Freedom of Information and Protection of Privacy Act</i> and will be used for the purpose of requesting an inquiry.		

SCHEDULE "B"

INTEGRITY COMMISSIONER APPLICATION FOR INQUIRY *MUNICIPAL CONFLICT OF INTEREST ACT*

AFFIDAVIT OF _____ (insert full name) I,
 _____ (insert full name), of the (insert City, Town etc.)
 _____ (Municipality of residence) in the Province of Ontario.

MAKE OATH AND SAY (or AFFIRM):

1. I have personal knowledge of the facts as set out in this affidavit, because: (insert reasons - e.g. I work for/I attended a meeting at which, etc.)
2. I have reasonable and probable grounds to believe that a Member, namely: (insert specify name of Member)

has contravened section(s) _____ (specify section(s) 5, 5.1 or 5.2) of the *Municipal Conflict of Interest Act*, RSO 1990, c M.50. The particulars of which are as follows:

(If more room is required, attach and initial extra pages to set out the statement of facts in consecutively numbered paragraphs, with each paragraph being confined as far as possible to a particular statement of fact. Exhibits should be labelled as Exhibit A, B, etc. and attached to this affidavit.)

3. I became aware of the alleged contravention:
 - ☐ not more than six weeks before the date of this application.
 - ☐ within the period of time beginning six weeks before nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act*, 1996, and ending on voting day in a regular election, as set out in section 5 of that *Act*.

This affidavit is made for the purpose of applying for an inquiry by the Integrity Commissioner and for no other purpose.

SWORN (or AFFIRMED) before me at the _____)
 City of _____, this _____ day of _____)
 _____, 20____. _____)
 _____)
 _____)
 _____)

A Commissioner etc.

Administration & Finance Division
Planning & Development Division
Phone: 807-274-5323
Fax: 807-274-8479

Mailing Address for All Divisions:
Civic Centre
320 Portage Avenue
Fort Frances, ON
P9A 3P9



Operations & Facilities Division
Phone: 807-274-9893
Fax: 807-274-7360

Community Services Division
Phone 807-274-4561
Fax: 807-274-3799

email: town@fortfrances.com
www.fort-frances.com

February 11, 2019

Canada Mortgage and Housing Corporation
Attn: Isabelle due Plessis, Acting Manager
Investment and Loan Processing
700 Montreal Road
Ottawa, Ontario
K1A 0P7

Dear Ms. Plessis:

Re: January 1, 2019 – Mortgage Renewal
CMHC Reference: 18-188-144

As per your request dated December 21, 2018, please find original (3) original agreements as executed by the Board Chair and Treasurer for the Fort Frances Municipal Non-Profit Housing Corporation, which includes the revised amortization schedule received from Birinder Rajput, Accounts Representative in a email dated January 25, 2019.

We look forward to receiving back one fully executed agreement. Please return to the undersigned.

Yours very truly,

ADMINISTRATION & FINANCE DIVISION



Kathryn M. Lawson, Deputy Clerk
Board Secretary, FFMNPH

/kl
(att'd)

c.c. Fort Frances Municipal Non-Profit Housing Mortgage File.

TERMS OF AGREEMENT AMENDING AND EXTENDING CHARGE/MORTGAGE

This Agreement made as of **January 1, 2019**

BETWEEN:

FORT FRANCES MUNICIPAL NON-PROFIT HOUSING CORPORATION

A company incorporated under the laws
of the Province of Ontario, and having an office
in the Town of Fort Frances

(hereinafter called the "Sponsor")

OF THE FIRST PART

- AND -

CANADA MORTGAGE AND HOUSING CORPORATION

A Federal Crown Corporation, established pursuant to an
Act of the Parliament of Canada, having an office
in the City of Ottawa, in the Province of Ontario

(hereinafter called "CMHC")

OF THE SECOND PART

WHEREAS the Sponsor is registered as owner in fee simple of those lands and premises situated in the Town of Fort Frances in the Province of Ontario, and legally described in:
PIN #56018-1656 (LT) PCL BLK 10-1-2 SEC SM34; LT 1 BLK 10 PL SM34 MCIRVINE; LT 2 BLK 10 PL SM34 MCIRVINE PT 1 48R3347; PT 2ND AV W PL SM33 MCIRVINE AKA VICTORIA AVE ABUTTING LOTS 1 & 2 BLK 10 PL SM 34; FORT FRANCES
PIN #56018-1661 (LT) PCL BLK 10-19-2 SEC SM34; N ½ LT 19 BLK 10 PL SM34 MCIRVINE; LT 20 BLK 10 PL SM34 MCIRVINE PT 8 48R3347; FORT FRANCES
PIN #56018-1662 (LT) PCL BLK 10-21-1 SEC SM34; LT 21 BLK 10 PL SM34 MCIRVINE; LT 22 BLK 10 PL SM34 MCIRVINE PT 7 48R3347; FORT FRANCES
PIN #56018-1663 (LT) PCL BLK 10-3-1 SEC SM34; LT 3 BLK 10 PL SM34 MCIRVINE; LT 4 BLK 10 PL SM34 MCIRVINE; LT 5 BLK 10 PL SM34 MCIRVINE PT 2 48R3347; FORT FRANCES
PIN #56018-1766 (LT) PCL STREET-4 SEC SM34; PT 2ND AV W PL SM33 MCIRVINE AKA VICTORIA AV BEING THE EASTERLY 7 FT, STOPPED UP AND CLOSED BY A28481 ABUTTING LOTS 3, 4 AND 5, BLK 10 SM34, PT 3 48R3347; FORT FRANCES (hereinafter called the "Charged/Mortgaged Property");

AND WHEREAS CMHC is the holder of that certain Charge/Mortgage dated March 3, 1993 and registered in the Land Registry Office of Rainy River (No. 48) (hereinafter called the "Land Registry Office"), on March 24, 1993, as Instrument Number A56016 in respect of the Charged/Mortgaged Property (hereinafter called the "Charge/Mortgage");

AND WHEREAS the Charge/Mortgage was amended by an Agreement Amending and Extending Charge/Mortgage made between the Sponsor and CMHC registered in the said Land Registry Office on March 9, 1999, as Instrument Number A72253 (hereinafter called the "Previous Agreement Amending and Extending Charge/Mortgage");

AND WHEREAS this document relates to Instrument Numbers A58564, A72021;

AND WHEREAS the principal, interest and all other sums secured by the Charge/Mortgage, as amended, mature and become due and payable on **January 1, 2019** (hereinafter called the "Interest Adjustment Date");

AND WHEREAS the parties wish to further amend the Charge/Mortgage and the Previous Agreement Amending and Extending Charge/Mortgage in the manner hereinafter set out.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the sum of \$2.00 of lawful money of Canada and other good and valuable consideration now paid by the Sponsor to CMHC, the receipt whereof is hereby acknowledged, the parties agree to amend the Charge/Mortgage and the Previous Agreement Amending and Extending Charge/Mortgage, effective as of the date noted above, as follows:

1. The "**Interest Adjustment Date**" is changed to **January 1, 2019**;

2. The **"Principal"** owing and unpaid as of the Interest Adjustment Date is changed to the sum of **\$544,810.81**;
3. The **"Interest Rate"** effective from the Interest Adjustment Date is changed to a rate of interest being **2.22%** per annum, calculated and compounded half yearly, not in advance;
4. The **"Maturity Date"** means the date on which the outstanding balance of principal, interest, and all other sums owing under the Charge/Mortgage, as amended, shall be due and payable, such date being **January 1, 2024**;
5. The **"Monthly Payment Amount,"** payable on the first day of the month following the Interest Adjustment Date and thereafter on the first day of each and every month to the Maturity Date, is changed to the sum of **\$5,102.38**;
6. All covenants, clauses, conditions provisos, powers and things whatsoever contained in the Charge/Mortgage and the Previous Agreement Amending and Extending Charge/Mortgage shall apply and relate to the extended term of repayment, the amended interest rate and all other amendments herein set out, as fully and in the same manner as if the said extended time for payment, amended interest rate and all other amendments had been fixed in and by the Charge/Mortgage, the intention being that this Agreement shall be read and construed along with and treated as part of the Charge/Mortgage which shall continue to be in full force and effect, except as expressly amended hereby, and nothing herein shall be deemed to constitute a novation of the indebtedness or obligations evidenced or secured by the Charge/Mortgage;
7. Nothing herein shall create any merger or alter the rights of CMHC as against any subsequent encumbrancer or other person interested in the Charged/Mortgaged Property, nor affect the liability of any person not a party hereto who may be liable to pay interest and/or the principal on account of the Charge/Mortgage or the rights of any such person, all of which rights are hereby reserved;
8. This Agreement and everything herein contained shall extend to and bind and enure to the benefit of the respective successors and assigns of each of the parties hereto

IN WITNESS WHEREOF the Sponsor has executed these presents, effective as of the day and year first above written.

**FORT FRANCES MUNICIPAL NON-PROFIT
HOUSING CORPORATION**

Per: _____

Name (Print): _____

Title: _____

Per: _____

Name (Print): _____

Title: _____

I/We have the authority to bind the corporation.
(affix Corporate Seal)

IN WITNESS WHEREOF CMHC has executed these presents, effective as of the day and year first above written.

CANADA MORTGAGE AND HOUSING CORPORATION

Per: _____

Name (Print): _____

Title: _____

Per: _____

Name (Print): _____

Title: _____

Kathy Lawson

From: Wendy Tilbury <wendy.tilbury@rrdssab.on.ca>
Sent: Friday, January 25, 2019 11:22 AM
To: Kathy Lawson; 'Sandra Weir'
Subject: FW: Acct # 18-188-144 Amortization Schedule
Attachments: CMHC # 18-188-144.pdf

Please find the amended schedule attached.

Wendy



Wendy Tilbury, CPA, CGA, MBA
Finance Supervisor

450 Scott Street, Fort Frances, ON, P9A 1H2
Telephone: (807) 274-5349 ext.244
Toll-Free: (800) 265-5349 ext.244
Fax: (807) 274-0678
E-Mail: wendy.tilbury@rrdssab.on.ca
Website: www.rrdssab.on.ca

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Birinder S. Rajput [mailto:brajput@cmhc-schl.gc.ca]
Sent: Friday, January 25, 2019 11:18 AM
To: wendy.tilbury@rrdssab.on.ca
Subject: RE: Acct # 18-188-144 Amortization Schedule

Hello,

Please see that attached schedule.

Please let me know if there are any issues.

Thank you

Birinder Rajput
Account Representative
Investments and Loan Processing
brajput@cmhc-schl.gc.ca
Telephone: 613 740-5864
Facsimile: 613 748-2404
[Canada Mortgage and Housing Corporation \(CMHC\)](http://Canada Mortgage and Housing Corporation (CMHC))
www.cmhc.ca

From: Wendy Tilbury <wendy.tilbury@rrdssab.on.ca>
Sent: January-25-19 11:58 AM
To: loansadm@cmhc.ca

Account Number: 18-188-144
 Loan Amount: \$544,810.81
 Interest Rate: 2.22%
 Payment Amount: \$5,102.38
 Payment Frequency: Monthly
 Amortization: 9 Years / 11 Months
 Start Date: 2019-01-01
 Maturity Date: 2028-12-01



Comments:

Payment Number	Date	Principal Amount	Interest Amount	End Balance	Monthly Payment
1	01/02/2019	\$4,079.86	\$1,022.52	540,730.95	\$5,102.38
2	01/03/2019	\$4,185.81	\$916.57	536,545.14	\$5,102.38
3	01/04/2019	\$4,095.36	\$1,007.02	532,449.78	\$5,102.38
4	01/05/2019	\$4,135.32	\$967.06	528,314.46	\$5,102.38
5	01/06/2019	\$4,110.81	\$991.57	524,203.65	\$5,102.38
6	01/07/2019	\$4,150.29	\$952.09	520,053.36	\$5,102.38
7	01/08/2019	\$4,126.32	\$976.06	515,927.04	\$5,102.38
8	01/09/2019	\$4,134.06	\$968.32	511,792.98	\$5,102.38
9	01/10/2019	\$4,172.83	\$929.55	507,620.15	\$5,102.38
10	01/11/2019	\$4,149.65	\$952.73	503,470.50	\$5,102.38
11	01/12/2019	\$4,187.95	\$914.43	499,282.55	\$5,102.38
12	01/01/2020	\$4,165.30	\$937.08	495,117.25	\$5,102.38
13	01/02/2020	\$4,175.66	\$926.72	490,941.59	\$5,102.38
14	01/03/2020	\$4,242.81	\$859.57	486,698.78	\$5,102.38
15	01/04/2020	\$4,191.42	\$910.96	482,507.36	\$5,102.38
16	01/05/2020	\$4,228.42	\$873.96	478,278.94	\$5,102.38
17	01/06/2020	\$4,207.18	\$895.20	474,071.76	\$5,102.38
18	01/07/2020	\$4,243.70	\$858.68	469,828.06	\$5,102.38
19	01/08/2020	\$4,222.99	\$879.39	465,605.07	\$5,102.38
20	01/09/2020	\$4,230.90	\$871.48	461,374.17	\$5,102.38
21	01/10/2020	\$4,266.70	\$835.68	457,107.47	\$5,102.38
22	01/11/2020	\$4,246.80	\$855.58	452,860.67	\$5,102.38
23	01/12/2020	\$4,282.12	\$820.26	448,578.55	\$5,102.38
24	01/01/2021	\$4,262.77	\$839.61	444,315.78	\$5,102.38
25	01/02/2021	\$4,268.47	\$833.91	440,047.31	\$5,102.38
26	01/03/2021	\$4,356.47	\$745.91	435,690.84	\$5,102.38
27	01/04/2021	\$4,284.65	\$817.73	431,406.19	\$5,102.38
28	01/05/2021	\$4,318.84	\$783.54	427,087.35	\$5,102.38
29	01/06/2021	\$4,300.80	\$801.58	422,786.55	\$5,102.38
30	01/07/2021	\$4,334.49	\$767.89	418,452.06	\$5,102.38
31	01/08/2021	\$4,317.01	\$785.37	414,135.05	\$5,102.38
32	01/09/2021	\$4,325.11	\$777.27	409,809.94	\$5,102.38

33	01/10/2021	\$4,358.06	\$744.32	405,451.88	\$5,102.38
34	01/11/2021	\$4,341.41	\$760.97	401,110.47	\$5,102.38
35	01/12/2021	\$4,373.86	\$728.52	396,736.61	\$5,102.38
36	01/01/2022	\$4,357.76	\$744.62	392,378.85	\$5,102.38
37	01/02/2022	\$4,365.94	\$736.44	388,012.91	\$5,102.38
38	01/03/2022	\$4,444.67	\$657.71	383,568.24	\$5,102.38
39	01/04/2022	\$4,382.48	\$719.90	379,185.76	\$5,102.38
40	01/05/2022	\$4,413.68	\$688.70	374,772.08	\$5,102.38
41	01/06/2022	\$4,398.99	\$703.39	370,373.09	\$5,102.38
42	01/07/2022	\$4,429.69	\$672.69	365,943.40	\$5,102.38
43	01/08/2022	\$4,415.56	\$686.82	361,527.84	\$5,102.38
44	01/09/2022	\$4,423.85	\$678.53	357,103.99	\$5,102.38
45	01/10/2022	\$4,453.79	\$648.59	352,650.20	\$5,102.38
46	01/11/2022	\$4,440.51	\$661.87	348,209.69	\$5,102.38
47	01/12/2022	\$4,469.94	\$632.44	343,739.75	\$5,102.38
48	01/01/2023	\$4,457.23	\$645.15	339,282.52	\$5,102.38
49	01/02/2023	\$4,465.60	\$636.78	334,816.92	\$5,102.38
50	01/03/2023	\$4,534.84	\$567.54	330,282.08	\$5,102.38
51	01/04/2023	\$4,482.49	\$619.89	325,799.59	\$5,102.38
52	01/05/2023	\$4,510.65	\$591.73	321,288.94	\$5,102.38
53	01/06/2023	\$4,499.37	\$603.01	316,789.57	\$5,102.38
54	01/07/2023	\$4,527.01	\$575.37	312,262.56	\$5,102.38
55	01/08/2023	\$4,516.31	\$586.07	307,746.25	\$5,102.38
56	01/09/2023	\$4,524.79	\$577.59	303,221.46	\$5,102.38
57	01/10/2023	\$4,551.65	\$550.73	298,669.81	\$5,102.38
58	01/11/2023	\$4,541.82	\$560.56	294,127.99	\$5,102.38
59	01/12/2023	\$4,568.17	\$534.21	289,559.82	\$5,102.38
60	01/01/2024	\$4,558.92	\$543.46	285,000.90	\$5,102.38

February 28, 2019

Fort Frances Municipal Non-Profit Housing Corporation
Attn: Kathy Lawson, Secretary

To Whom It May Concern:

Please accept this letter as my resignation from the Fort Frances Municipal Non-Profit Housing Corporation effective March 14, 2019. At this time, a full compliment of community representatives has been achieved, thus my participation as a voting member is no longer essential. The Board will be required to elect a new Treasurer upon my departure.

I will remain as a resource on behalf of the Town, but will no longer be a voting member.

Sincerely,

A handwritten signature in cursive script, appearing to read "E. Slomke".

Elizabeth (Lisa) Slomke

Fort Frances Municipal Non-Profit Housing Corporation
Income Statement
November 2018

		2018 Approved Budget	2018 YTD Actual (Unaudited)	\$ Variance	2018 YTD Budget	YTD \$ Variance
REVENUE						
	Revenue from Operations					
	Rent Revenue					
43-005-03	Rent	30,444.00	41,024.00	(10,580.00)	27,907.00	(13,117.00)
43-005-04	Miscellaneous	7,200.00	6,800.00	400.00	6,600.00	(200.00)
	Total Rent Revenue	37,644.00	47,824.00	(10,180.00)	34,507.00	(13,317.00)
	Tenant Recoveries					
43-020-03	Tenant Recoveries	0.00	461.96	(461.96)	0.00	(461.96)
	Sundry Revenue					
43-040-02	Sundry Revenue Other	0.00	0.00	0.00	0.00	0.00
43-040-07	Air Conditioner Charges	450.00	495.00	(45.00)	412.50	(82.50)
	Total Sundry Revenue	450.00	495.00	(45.00)	412.50	(82.50)
	Total Revenue from Operations	38,094.00	48,780.96	(10,686.96)	34,919.50	(13,861.46)
	Other Revenue					
45-500-01	Mun/Federal Subsidy (DSSAB)	102,854.00	94,282.87	8,571.13	94,282.83	(0.04)
	TOTAL REVENUE	140,948.00	143,063.83	(2,115.83)	129,202.33	(13,861.50)
EXPENSES						
	Corporate Costs					
	Interest & Other Expenses					
55-010-02	N. Profit Admin	5,311.00	4,915.56	395.44	4,868.42	(47.14)
55-010-03	N. Profit Mgmt.	13,030.00	12,058.79	971.21	11,944.17	(114.62)
55-010-08	Bank Service Charges	184.00	77.53	106.47	168.67	91.14
	Total Interest & Other Expenses	18,525.00	17,051.88	1,473.12	16,981.25	(70.63)
	Total Corporate Costs	18,525.00	17,051.88	1,473.12	16,981.25	(70.63)
	Services					
55-411-03	RGI & App Fee	2,444.00	2,239.38	204.62	2,240.33	0.95
55-443-02	Credit/Collection Expenses	200.00	190.00	10.00	183.33	(6.67)
	Corporate Services					
55-456-06	Legal	0.00	0.00	0.00	0.00	0.00
55-456-07	Audit	7,349.00	7,367.23	(18.23)	6,736.58	(630.65)
	Total Corporate Services	7,349.00	7,367.23	(18.23)	6,736.58	(630.65)
	Insurances					
55-490-03	Property General Liability Ins.	3,435.00	3,081.42	353.58	3,148.75	67.33
55-490-05	Directors/Officers Liab. Ins.	417.00	374.91	42.09	382.25	7.34
55-490-07	Property/Boiler Ins.	625.00	544.25	80.75	572.92	28.67
	Total Insurances	4,477.00	4,000.58	476.42	4,103.92	103.34
	Total Services	14,470.00	13,797.19	672.81	13,264.17	(533.02)
55-520-02	Office Supplies	0.00	0.00	0.00	0.00	0.00
56-101-03	Allocation to Capital Reserve	8,317.00	7,519.38	797.62	7,623.92	104.54

Fort Frances Municipal Non-Profit Housing Corporation
Income Statement
November 2018

		2018 Approved Budget	2018 YTD Actual (Unaudited)	\$ Variance	2018 YTD Budget	YTD \$ Variance
Materials & Services Operating						
Building Operating						
56-207-02	Building Operating General	4,000.00	342.16	3,657.84	3,666.67	3,324.51
56-207-04	Build - O - Flooring Repairs	3,195.00	0.00	3,195.00	2,928.75	2,928.75
56-207-03	Build - O - Mtce Supplies	0.00	0.00	0.00	0.00	0.00
56-207-06	Build - O - Glazing/Windows	0.00	0.00	0.00	0.00	0.00
56-207-07	Build - O - Locksmithing	0.00	62.32	(62.32)	0.00	(62.32)
56-207-13	Build - O - Janitorial Supplies	0.00	0.00	0.00	0.00	0.00
56-207-14	Build - O - General Hardware	2,000.00	0.00	2,000.00	1,833.33	1,833.33
56-207-16	Build - O - Move Out Repairs	5,000.00	0.00	5,000.00	4,583.33	4,583.33
	Total Building Operating	14,195.00	404.48	13,790.52	13,012.08	12,607.60
Electrical Operating						
56-216-02	Electrical Operating General	300.00	71.23	228.77	275.00	203.77
56-216-08	Elect - O - Annual Inspections	1,850.00	1,795.66	54.34	1,695.83	(99.83)
	Total Electrical Operating	2,150.00	1,866.89	283.11	1,970.83	103.94
Grounds Operating						
56-231-02	Grounds Operating General	100.00	763.20	(663.20)	91.67	(671.53)
Equipment Operating						
56-225-02	Equip - O - General	0.00	0.00	0.00	0.00	0.00
56-225-03	Equip - O - Stove/Fridge Repair	750.00	213.70	536.30	687.50	473.80
	Total Equipment Operating	750.00	213.70	536.30	687.50	473.80
Life Safety System						
56-235-03	Life - O - Emergency	100.00	0.00	100.00	91.67	91.67
Heating & Ventilation Operating						
56-237-02	Heating & Vent Oper. General	600.00	0.00	600.00	550.00	550.00
56-237-06	Heating - O - Furnace Cleaning	1,000.00	839.52	160.48	916.67	77.15
56-237-08	Heating - O - Annual Inspections	0.00	0.00	0.00	0.00	0.00
	Total Heating & Ventilation Oper.	1,600.00	839.52	760.48	1,466.67	627.15
Plumbing Operating						
56-238-02	Plumbing Operating General	400.00	180.88	219.12	366.67	185.79
56-238-12	Plumbing - O - Hot Water Heater	120.00	0.00	120.00	110.00	110.00
	Total Plumbing Operating	520.00	180.88	339.12	476.67	295.79
Painting Operating						
56-240-02	Painting Operating General	0.00	0.00	0.00	0.00	0.00
56-240-03	Painting - O - Units/Move Out	1,000.00	0.00	1,000.00	916.67	916.67
	Total Painting Operating	1,000.00	0.00	1,000.00	916.67	916.67
Waste Removal						
56-250-02	Waste Removal General	200.00	96.74	103.26	183.33	86.59
	Total Materials & Services Operating	20,615.00	4,365.41	16,249.59	18,897.08	14,531.67
Utilities						
56-310-02	Electricity	318.00	78.27	239.73	291.50	213.23
56-315-02	Fuel	239.00	65.72	173.28	219.08	153.36
56-320-02	Water	3,649.00	8,470.00	(4,821.00)	3,344.92	(5,125.08)
	Total Utilities	4,206.00	8,613.99	(4,407.99)	3,855.50	(4,758.49)

Fort Frances Municipal Non-Profit Housing Corporation
Income Statement
November 2018

		2018 Approved Budget	2018 YTD Actual (Unaudited)	\$ Variance	2018 YTD Budget	YTD \$ Variance
Major Costs						
56-405-02	Municipal Property Taxes	13,910.00	13,269.60	640.40	12,750.83	(518.77)
56-440-02	Debentures/Mortgage Interest	12,088.00	11,133.03	954.97	11,080.67	(52.36)
56-440-03	Debenture/Mortgage Principle	48,818.00	44,697.69	4,120.31	44,749.83	52.14
Total Major Costs		74,816.00	69,100.32	5,715.68	68,581.33	(518.99)
TOTAL EXPENSES		140,949.00	120,448.17	20,500.83	129,203.25	8,755.08
TOTAL SURPLUS (DEFICIT)		(1.00)	22,615.66	(22,616.66)	(0.92)	(22,616.58)

Fort Frances Municipal Non-Profit Housing Corporation
Receivable Aging Report by Property
As at November 30, 2018

Legal Entity	Property	Current	0 - 30	31 - 60	61 - 90	91 - 120	Over 120	Pre-Payments	Total Owed
FFMNP (Christie) (808880001)									
		0.00	0.00	0.00	0.00	0.00	0.00	-0.07	-0.07
		0.00	0.00	0.00	0.00	0.00	0.00	-921.00	-921.00
		406.00	406.00	0.00	0.00	0.00	0.00	0.00	406.00
		0.00	0.00	0.00	0.00	0.00	0.00	-82.50	-82.50
Total For 808880001		406.00	406.00	0.00	0.00	0.00	0.00	-1,003.57	-597.57
FFMNP (Victoria) (808880002)									
		0.00	0.00	0.00	0.00	0.00	0.00	-743.00	-743.00
		0.00	0.00	0.00	0.00	0.00	0.00	-7.00	-7.00
		0.00	0.00	0.00	0.00	0.00	0.00	-183.00	-183.00
		208.20	0.00	0.00	0.00	0.00	208.20	0.00	208.20
		135.00	135.00	0.00	0.00	0.00	0.00	0.00	135.00
		0.00	0.00	0.00	0.00	0.00	0.00	-605.00	-605.00
		40.00	40.00	0.00	0.00	0.00	0.00	0.00	40.00
		1,206.00	1,024.00	182.00	0.00	0.00	0.00	0.00	1,206.00
		-2.00	0.00	0.00	0.00	0.00	-2.00	0.00	-2.00
Total For 808880002		1,587.20	1,199.00	182.00	0.00	0.00	206.20	-1,538.00	49.20
Grand Total		1,993.20	1,605.00	182.00	0.00	0.00	206.20	-2,541.57	-548.37

Unit Availability Details

FFMNP.all (3088all)
 As Of: 11/30/2018
 Showing Pre-Leased: No
 Showing Occupied: No
 Group By: UnitType

Unit	Tenant	Tenant Rent Monthly	Unit Rent Monthly	Tenant Deposit	Unit Status Deposit	Days Make Vacant Ready	Move In	Hold	Hold Until	Notice	Move Out	Lease Sign	Lease From	Lease To
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Fort Frances Municipal Non-Profit Housing Corporation
Income Statement
December 2018

		2018 Approved Budget	2018 YTD Actual (Unaudited)	\$ Variance	2018 YTD Budget	YTD \$ Variance
REVENUE						
	Revenue from Operations					
	Rent Revenue					
43-005-03	Rent	30,444.00	44,784.00	(14,340.00)	27,907.00	(16,877.00)
43-005-04	Miscellaneous	7,200.00	7,400.00	(200.00)	6,600.00	(800.00)
	Total Rent Revenue	37,644.00	52,184.00	(14,540.00)	34,507.00	(17,677.00)
	Tenant Recoveries					
43-020-03	Tenant Recoveries	0.00	461.96	(461.96)	0.00	(461.96)
	Sundry Revenue					
43-040-02	Sundry Revenue Other	0.00	0.00	0.00	0.00	0.00
43-040-07	Air Conditioner Charges	450.00	495.00	(45.00)	412.50	(82.50)
	Total Sundry Revenue	450.00	495.00	(45.00)	412.50	(82.50)
	Total Revenue from Operations	38,094.00	53,140.96	(15,046.96)	34,919.50	(18,221.46)
	Other Revenue					
45-500-01	Mun/Federal Subsidy (DSSAB)	102,854.00	102,854.00	0.00	94,282.83	(8,571.17)
	TOTAL REVENUE	140,948.00	155,994.96	(15,046.96)	129,202.33	(26,792.63)
EXPENSES						
	Corporate Costs					
	Interest & Other Expenses					
55-010-02	N. Profit Admin	5,311.00	5,364.54	(53.54)	4,868.42	(496.12)
55-010-03	N. Profit Mgmt.	13,030.00	13,160.22	(130.22)	11,944.17	(1,216.05)
55-010-08	Bank Service Charges	184.00	85.38	98.62	168.67	83.29
	Total Interest & Other Expenses	18,525.00	18,610.14	(85.14)	16,981.25	(1,628.89)
	Total Corporate Costs	18,525.00	18,610.14	(85.14)	16,981.25	(1,628.89)
	Services					
55-411-03	RGI & App Fee	2,444.00	2,443.00	1.00	2,240.33	(202.67)
55-443-02	Credit/Collection Expenses	200.00	380.00	(180.00)	183.33	(196.67)
	Corporate Services					
55-456-06	Legal	0.00	0.00	0.00	0.00	0.00
55-456-07	Audit	7,349.00	7,367.23	(18.23)	6,736.58	(630.65)
	Total Corporate Services	7,349.00	7,367.23	(18.23)	6,736.58	(630.65)
	Insurances					
55-490-03	Property General Liability Ins.	3,435.00	3,375.04	59.96	3,148.75	(226.29)
55-490-05	Directors/Officers Liab. Ins.	417.00	410.82	6.18	382.25	(28.57)
55-490-07	Property/Boiler Ins.	625.00	593.80	31.20	572.92	(20.88)
	Total Insurances	4,477.00	4,379.66	97.34	4,103.92	(275.74)
	Total Services	14,470.00	14,569.89	(99.89)	13,264.17	(1,305.72)
55-520-02	Office Supplies	0.00	0.00	0.00	0.00	0.00
56-101-03	Allocation to Capital Reserve	8,317.00	8,203.00	114.00	7,623.92	(579.08)

Fort Frances Municipal Non-Profit Housing Corporation
Income Statement
December 2018

		2018 Approved Budget	2018 YTD Actual (Unaudited)	\$ Variance	2018 YTD Budget	YTD \$ Variance
Materials & Services Operating						
Building Operating						
56-207-02	Building Operating General	4,000.00	1,531.40	2,468.60	3,666.67	2,135.27
56-207-04	Build - O - Flooring Repairs	3,195.00	0.00	3,195.00	2,928.75	2,928.75
56-207-03	Build - O - Mtce Supplies	0.00	0.00	0.00	0.00	0.00
56-207-06	Build - O - Glazing/Windows	0.00	0.00	0.00	0.00	0.00
56-207-07	Build - O - Locksmithing	0.00	62.32	(62.32)	0.00	(62.32)
56-207-13	Build - O - Janitorial Supplies	0.00	0.00	0.00	0.00	0.00
56-207-14	Build - O - General Hardware	2,000.00	0.00	2,000.00	1,833.33	1,833.33
56-207-16	Build - O - Move Out Repairs	5,000.00	0.00	5,000.00	4,583.33	4,583.33
	Total Building Operating	14,195.00	1,593.72	12,601.28	13,012.08	11,418.36
Electrical Operating						
56-216-02	Electrical Operating General	300.00	71.23	228.77	275.00	203.77
56-216-08	Elect - O - Annual Inspections	1,850.00	1,795.66	54.34	1,695.83	(99.83)
	Total Electrical Operating	2,150.00	1,866.89	283.11	1,970.83	103.94
Grounds Operating						
56-231-02	Grounds Operating General	100.00	763.20	(663.20)	91.67	(671.53)
Equipment Operating						
56-225-02	Equip - O - General	0.00	0.00	0.00	0.00	0.00
56-225-03	Equip - O - Stove/Fridge Repair	750.00	213.70	536.30	687.50	473.80
	Total Equipment Operating	750.00	213.70	536.30	687.50	473.80
Life Safety System						
56-235-03	Life - O - Emergency	100.00	0.00	100.00	91.67	91.67
Heating & Ventilation Operating						
56-237-02	Heating & Vent Oper. General	600.00	0.00	600.00	550.00	550.00
56-237-06	Heating - O - Furnace Cleaning	1,000.00	839.52	160.48	916.67	77.15
56-237-08	Heating - O - Annual Inspections	0.00	0.00	0.00	0.00	0.00
	Total Heating & Ventilation Oper.	1,600.00	839.52	760.48	1,466.67	627.15
Plumbing Operating						
56-238-02	Plumbing Operating General	400.00	180.88	219.12	366.67	185.79
56-238-12	Plumbing - O - Hot Water Heater	120.00	0.00	120.00	110.00	110.00
	Total Plumbing Operating	520.00	180.88	339.12	476.67	295.79
Painting Operating						
56-240-02	Painting Operating General	0.00	0.00	0.00	0.00	0.00
56-240-03	Painting - O - Units/Move Out	1,000.00	0.00	1,000.00	916.67	916.67
	Total Painting Operating	1,000.00	0.00	1,000.00	916.67	916.67
Waste Removal						
56-250-02	Waste Removal General	200.00	96.74	103.26	183.33	86.59
	Total Materials & Services Operating	20,615.00	5,554.65	15,060.35	18,897.08	13,342.43
Utilities						
56-310-02	Electricity	318.00	78.27	239.73	291.50	213.23
56-315-02	Fuel	239.00	65.72	173.28	219.08	153.36
56-320-02	Water	3,649.00	10,164.00	(6,515.00)	3,344.92	(6,819.08)
	Total Utilities	4,206.00	10,307.99	(6,101.99)	3,855.50	(6,452.49)

Fort Frances Municipal Non-Profit Housing Corporation
Income Statement
December 2018

		2018 Approved Budget	2018 YTD Actual (Unaudited)	\$ Variance	2018 YTD Budget	YTD \$ Variance
Major Costs						
56-405-02	Municipal Property Taxes	13,910.00	13,269.60	640.40	12,750.83	(518.77)
56-440-02	Debentures/Mortgage Interest	12,088.00	12,087.92	0.08	11,080.67	(1,007.25)
56-440-03	Debenture/Mortgage Principle	48,818.00	48,818.32	(0.32)	44,749.83	(4,068.49)
Total Major Costs		74,816.00	74,175.84	640.16	68,581.33	(5,594.51)
TOTAL EXPENSES		140,949.00	131,421.51	9,527.49	129,203.25	(2,218.26)
TOTAL SURPLUS (DEFICIT)		(1.00)	24,573.45	(24,574.45)	(0.92)	(24,574.37)

Fort Frances Municipal Non-Profit Housing Corporation
 Receivable Aging Report by Property
 As at December 31, 2018

Legal Entity	Property	Current	0 - 30	31 - 60	61 - 90	91 - 120	Over 120	Pre-Payments	Total
		Owed	Owed	Owed	Owed	Owed	Owed		Owed
FFMNP (Christie) (80888001)									
		0.00	0.00	0.00	0.00	0.00	0.00	-0.07	-0.07
		0.00	0.00	0.00	0.00	0.00	0.00	-731.00	-731.00
		402.00	402.00	0.00	0.00	0.00	0.00	0.00	402.00
		107.50	107.50	0.00	0.00	0.00	0.00	0.00	107.50
Total For	80888001	509.50	509.50	0.00	0.00	0.00	0.00	-731.07	-221.57
FFMNP (Victoria) (80888002)									
		0.00	0.00	0.00	0.00	0.00	0.00	-560.00	-560.00
		0.00	0.00	0.00	0.00	0.00	0.00	-7.00	-7.00
		208.20	0.00	0.00	0.00	0.00	208.20	0.00	208.20
		318.00	183.00	135.00	0.00	0.00	0.00	0.00	318.00
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		160.00	160.00	0.00	0.00	0.00	0.00	0.00	160.00
		2,040.00	834.00	1,024.00	0.00	182.00	0.00	0.00	2,040.00
		-2.00	0.00	0.00	0.00	0.00	-2.00	0.00	-2.00
Total For	80888002	2,724.20	1,177.00	1,159.00	0.00	182.00	206.20	-567.00	2,157.20
Grand Total		3,233.70	1,686.50	1,159.00	0.00	182.00	206.20	-1,298.07	1,935.63

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As Of: 12/31/2018

Showing Occupied: No

Unit
Tenant

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FORT FRANCES MUNICIPAL NON-PROFIT HOUSING CORPORATION

Template of Meeting Business

Meeting # 1 – 1st Quarter

- prior year 4th quarter financial statements
- current year capital forecast
- current year operating forecast

Meeting #2 – 2nd Quarter

- current year 1st quarter financial statements
- draft Financial Audit for prior year

Meeting #3 – 3rd Quarter

- current year 2nd quarter financial statements
- consideration of market rent increase
- Mortgage renewal (2019)

Meeting # 4 – 4th Quarter – AGM

- current year 3rd quarter financial statements
- appointment of auditors for current year
- appointment of Officers for ensuing year
- RFP for Property Management (2020)