



REGIONAL MUNICIPALITY OF WATERLOO ADMINISTRATION AND FINANCE COMMITTEE MINUTES

Tuesday, December 6, 2011
11:11 a.m.
Regional Council Chamber
150 Frederick Street, Kitchener, Ontario

Present were: Chair T. Galloway, L. Armstrong, J. Brewer, T. Cowan, D. Craig, R. Deutschmann, J. Haalboom, B. Halloran, R. Kelterborn, G. Lorentz, C. Millar, J. Mitchell, K. Seiling, S. Strickland, J. Wideman and C. Zehr

DECLARATIONS OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

None declared.

DELEGATIONS

The Committee brought forward item 3(i) on the agenda.

i) E-11-120/F-11-081, Waterworks Upgrade in Lloyd Brown (Township of North Dumfries) - Alternative Payment Arrangements

The submission from John Klompenhouwer, Lloyd Brown Settlement, was received for information.

Angela Hinchberger, Acting Chief Financial Officer, provided an overview of the report, including the history of the waterworks issue, the proposed changes to allow for alternate payment arrangements, the proposed by-law, and detail on how benefitting property owners would enter into an agreement with the Region to connect into the water system.

The Committee confirmed with Calvin Barrett, Director, Financial Services/Development Financing, that the original proposal to residents desiring to connect into the water system was to pay a flat fee of \$9,600.00 at any time in the next 8-10 years, and that the option is still available.

The Committee clarified with staff the rationale for the report's proposal to charge interest and/or account for inflation in construction costs for residents who may decide to opt into the water system in the future or to pay for the connection through installments. A. Hinchberger emphasized that the report's recommendation is for the consideration of the Committee and indicated that staff would be able to make any modifications from the recommendation that the Committee would see as necessary. A member of the Committee observed that the proposals put forward differ from similar past projects, and remarked upon these differences in the context of assuring fairness in the Region's dealings; they also spoke to the benefit of obtaining funds from residents hooking into the system sooner. Another member of the Committee spoke to the charging for interest and accounting for inflation in construction prices as contributing toward equity and fairness, in accounting for price differences over time and the benefits of being able to pay for connections at a later date or in installments.

The Committee confirmed with Thomas Schmidt, Commissioner, Transportation and Environmental Services, that when the work was completed on the waterworks that construction inflation was not seen as a significant issue in pricing at that time, and that the intent of staff was to adjust the price for connection at the end of the ten year period.

The Committee observed that any gain or loss of funds as a result of the nature of the transaction for residents opting into the water system would accrue entirely to the North Dumfries water system.

The Committee noted a similar parallel scenario of residents paying for local improvements such as sidewalks over a period of time, and expressed uncertainty as to whether interest is charged on those residents.

The Committee ascertained from T. Schmidt that presently there are lateral installations from the water main running to the property line of the homes, and that for residents of the area to connect to the lateral there would be a charge of \$9,600.00 which represents the cost of the lateral. As well, residents would incur costs in installing pipe from the property line to their home. T. Schmidt noted that in his experience, most municipalities would charge interest costs for the proposed payment arrangement, and C. Barrett observed that any administrative costs to add the installment payment to residents' water bills would be negligible.

i. Brian Campbell, Lloyd Brown Settlement

B. Campbell spoke to the report, asserting that the report gives the bulk of its attention to the collection of funds from residents opting into the water system. He remarked that communication from the Region with residents on this issue has been insufficient, as has the opportunity for residents to provide their input. He contended that the residents were never averse to the water system coming into the area, but rather the manner of it being forced upon residents in the settlement area, while emphasizing the cleanliness and quality of water from the existing wells. He questioned why certain residents in the past were able to obtain connections into the system without charge, while the report's proposal would have it otherwise for residents today; he suggested that any charge to residents should represent the cost of the lateral hookup, and that the Region absorb the costs for the water main. He observed that residents have little incentive to opt into the water system on the report's terms, and that the original proposal to residents is preferable to that put forward presently. He related that residents feel victimized by the process to date, repeating that communication with residents on the matter has been insufficient.

The Committee discussed with B. Campbell the perceived pressure to hook into the water system.

ii. Garry Nickason, Lloyd Brown Settlement

G. Nickason provided the Committee with a handout outlining his concerns with the location of the lateral and the constraints in running a connection appropriately through to his property. [A copy of his handout is attached to the original minutes.](#) He asserted that connection to the existing lateral on Brown Avenue would result in significant costs, and that he would prefer to wait to connect if there were a future lateral installed along Roseville Road, citing his satisfaction with and quality of his existing well. He expressed concern at the communication from the Region in the past, while expressing appreciation for staff that had recently been in contact with him. He asked that staff speak with him about the prospect of a future connection along Roseville Road.

The Committee confirmed with G. Nickason that his understanding was that it is not mandatory for residents to hook into the system, with G. Nickason noting that the point was not clear until staff had communicated with him recently. G. Nickason indicated to the Committee that his main concern is the location of the lateral and his preference for a lateral along Roseville Road. T. Schmidt noted that a water main exists on the north side of Roseville Road and that placing a lateral on that main and connecting to the property in question would be relatively difficult and costly to do. T. Schmidt noted for the Committee some of the factors that would make the connection unduly costly.

The Committee debated the report and issues therein. It was noted that there are two issues related to carrying costs, those being inflation and interest charges. Various members of the Committee expressed differing opinions as to the appropriateness and fairness of charging interest for residents opting for an installment plan to pay for their connection fee, as well as noting that certain residents may not be able to afford the full cost of connecting at the present time. The Committee debated the benefits and tradeoffs between connecting to the system at various times and under various payment schemes, and having the benefit of either the water service or the accrued interest under the various scenarios. The Committee confirmed with Debra Arnold, Director, Legal Services/Regional Solicitor, that providing financial assistance to commercial entities is prohibited under the *Municipal Act*, but that the Region would be able to charge or not charge interest to residents.

Mike Murray, Chief Administrative Officer, suggested that staff would be able to clarify the recommendation and requested that the Committee provide clear direction to staff on the matters of charging residents for future construction inflation costs as well as for charging interest under the proposed payment arrangements. The Committee expressed apprehension at setting the rate of inflation to be accounted for in any eventual charges, citing the uncertainty in doing so and the potential for deviation from the actual inflation that may occur; it was suggested that a review of the issue occur in ten years, and that any accounting for inflation in the future should be left to Council at that time. The Committee was reminded that any subsidy to residents connecting under the proposal would be provided from the other already-connected residents of North Dumfries, as the water system in the area finances itself. The Committee observed that if errors were made in the process, it is the Region's responsibility to stand behind the process and absorb the impacts of those errors when they may occur.

There was no apparent consensus among Committee members with respect to this issue. It was noted that there is no conflict regarding the forgoing of any inflation charge and that there is disagreement on the issue of charging interest. The Committee indicated that staff should be directed to bring back a more detailed motion to the upcoming Council meeting as to the actions being taken on the matter at hand, and that the Committee would vote on whether to charge interest to residents who elect for an installment plan option to pay for their connection to the water system.

MOVED by J. Wideman
SECONDED by J. Brewer

THAT the Regional Municipality of Waterloo charge interest to benefitting property owners of the Lloyd Brown Settlement Area as identified in Report E-11-120/F-11-081 who enter into an installment payment plan to pay the connection charge for connecting into the water works;

AND THAT the interest rate for said owners be set at the Bank of Canada prime interest rate at the time of connection into the water system, plus one percent (+1%).

CARRIED

The Committee directed that staff bring forward a report to the December 14, 2011 Council meeting on the matter and reflecting the motion passed.

REPORTS – Chief Administrative Officer

a) CA-11-008, Evaluation of the Waterloo Regional Tourism Marketing Corporation

The Committee ascertained from M. Murray that the source of funding for the corporation has been gradually moved to 100% coming from the operating budget, with interim funding arrangements in the past. The Committee confirmed with A. Hinchberger that there is a budget issue paper to increase the contribution to the Capital Levy Reserve Fund from which one time capital expenditures are funded; she noted that a large portion of one time capital expenditures are funded from the surplus, which is being drawn upon to fund the Tax Stabilization Reserve Fund which is presently funding Ontario Works expenditures due to the relatively high caseloads.

The Committee asked Lucille Bish, Director, Community Services, whether any surveying has been completed with regard to the attractiveness of the Region's tourism offerings, and she responded that a survey related to heritage gardens, trails and waterways has been completed in the past, and that board members of the Corporation are drawn from the industry and bring their perspectives to the work of the Corporation.

MOVED by C. Zehr
SECONDED by T. Cowan

THAT the Regional Municipality of Waterloo continue to provide funding and support for the Waterloo Region Tourism Marketing Corporation (WRTMC), as described in Report CA-11-008, dated December 6, 2011, with another evaluation of WRTMC activities and financial support to be completed in 2015.

CARRIED

b) CA-EM-11-002, Appointment of Regional and Deputy Regional Fire Coordinators

MOVED by G. Lorentz
SECONDED by B. Halloran

THAT the Regional Municipality of Waterloo appoint William Chesney, City of Cambridge Fire Chief, as Regional Fire Coordinator, and Lyle Quan, City of Waterloo, General Manager of Protective Services/Fire Chief, and Tim Beckett, City of Kitchener Fire Chief, as Deputy Regional Fire Coordinators effective January 1, 2012 to December 31, 2014, as outlined in Report CA-EM-11-002 dated December 6, 2011.

CARRIED

REPORTS – Corporate Resources

c) CR-CLK-11-019, Implementation of the *Accessibility for Ontarians with Disabilities Act, 2005* Integrated Accessibility Standard

Received for information.

Gary Sosnoski, Commissioner, Corporate Resources, provided an overview of the report, noting the proposed actions and timelines.

The Committee inquired as to the cost of compliance with the integrated accessibility standard, and Vanessa Lopak, Social Planning Associate, responded that overall compliance costs for items such as training, resources and technology are currently expected to be in the range of \$200,000-300,000; costs of compliance that are more specific to transportation-related issues could approach \$5 million. She emphasized that such estimates are very preliminary and that more research will be undertaken in the next year on the implementation budgets.

The Committee confirmed that no financial support from the province to assist in compliance with the standard is expected. Kris Fletcher, Director, Council and Administrative Services, related that staff have consistently raised the issue of financial support with the province on the matter, with repeated response in the negative. The Committee expressed dissatisfaction at the absence of financial support or any commitment to provide any such support, and indicated that communication to the province on the matter should continue.

d) CR-FM-11-025, Solar Photovoltaic Renewable Energy Initiative – Impact of OPA FIT and MicroFIT Program Review

Received for information.

G. Sosnoski provided an overview, noting that the report responds to a request from the Committee to report on Regional progress with respect to the initiative and also on the rates offered under the programs. He observed that the Region is well-situated presently in its progress on the projects undertaken, and noted that the province is reviewing the rates on offer under the programs in light of the reduction in costs for solar panels and inverters.

G. Sosnoski noted that within the report, there is an implied direction to staff that similar such projects will be undertaken in the future provided that the new projects have zero impact upon the Regional levy, and with staff generally proceeding with projects and executing contracts as long as any rate reductions announced by the province do not exceed 20% of the current rate.

The Committee requested that staff provide a report if changes are made to the rates offered under these programs.

The Committee requested that a letter be sent to the province under the signature of the Regional Chair regarding the treatment of projects which are presently caught within the queue of the Ontario Power Authority, with respect to securing the rates on offer at the time of application.

REPORTS – Human Resources

e) CA-HR-11-014, Addition to Human Resources Policy Manual

MOVED by J. Wideman
SECONDED by S. Strickland

THAT the Regional Municipality of Waterloo approve the policy statement for the following new Human Resources policy:

*Emergency Workplace Response Information for Employees with Disabilities
(HR I-39) (#1036544v4)*

CARRIED

REPORTS – Finance

f) F-11-079, OMBI 2010 Performance Benchmarking Report

Received for information

M. Murray provided an overview of the report, noting that the Region is a founding member of OMBI and citing the benefits of the performance tracking in the initiative. He noted the uses of the measures and emphasized that the report contains only a portion of OMBI measures, with a multitude of performance measures being collected and used for both OMBI benchmarking and internal performance measurement. The Region is above the median on most measures, while below the median on certain other measures such as response times for emergency medical services.

The Committee noted that municipalities compile their measures differently and asked as to the comparability of the measures in the report; M. Murray affirmed that the measures therein are comparable, with municipal staff participating in the initiative having invested a great deal of time to ensure such comparability.

The Committee made note of the environmental impact of the hard copies of the OMBI report, and M. Murray indicated that fewer copies have been made available in that manner with more steering toward electronic circulation; he will relate those concerns back to the OMBI group.

A member of the Committee expressed concern at the Region's comparatively low transit revenues as a proportion of transit costs; they suggested that the Region could become more aggressive at making improvements on that measure.

The Committee pointed out that the variety of approaches that municipalities can take with respect to raising revenues, or specific local priorities in delivering particular services, adds uncertainty to the comparison of the OMBI measures.

g) F-11-080, Water and Wastewater Retail Billing Procedures and Administrative Charges

The Committee clarified with C. Barrett the purpose and nature of certain fees listed within the report.

MOVED by J. Wideman
SECONDED by G. Lorentz

THAT the Regional Municipality of Waterloo take the following action related to its Water and Wastewater Retail billing procedures and administrative charges:

1. Approve the establishment of common billing and collection procedures for the administration and collection of retail water and wastewater revenue for the Townships of North Dumfries and Wellesley, pursuant to Report F-11-080, dated December 6, 2011;
2. Approve the proposed administrative charges for administering the retail water and wastewater program in the Townships of North Dumfries and Wellesley, pursuant to Report F-11-080, dated December 6, 2011;

3. Amend the Fees and Charges By-Law 11-015 to incorporate the administrative charges approved in Report F-11-080, effective March 1, 2012.

CARRIED

- h) F-11-082, Summary of Consultant Proposals Approved by the Chief Administrative Officer

Received for information.

INTERDEPARTMENTAL REPORTS

- j) P-11-100/F-11-083, Regional Funding for Arts and Culture Organizations

L. Bish observed that the report responds to Council direction to review municipal funding for arts and culture organizations, and provided an overview of the report including the proposed actions, impacts, and history of funding.

The Committee confirmed with L. Bish that the report's recommendation is to fund the four core groups with adjustment for inflation, and to fund no other groups.

The Committee ascertained that the four identified groups would be able to apply for funding from the Region of Waterloo Arts Fund, as that body is arms-length from the Region with its own assessment criteria for funding applications. The Committee suggested that the Arts Fund be made aware of the funding to the core organizations.

MOVED by K. Seiling

SECONDED by J. Mitchell

THAT the Regional Municipality of Waterloo take the following actions with respect to the 2012 Grants to Arts and Culture Organizations, as further described in Report P-11-100/F-11-083, dated December 6, 2011:

- a) subject to 2012 budget approval, approve funding for the core arts and cultural organizations as recommended in Report P-11-100/F-11-083 subject to the receipt of audited financial statements;
- b) allocate an amount of \$33,000 to the Creative Enterprise Enabling Organization (CEEO) on the condition that this amount be matched by funding from other sources and awarded to local arts and culture organizations through a competitive process;
- c) direct staff to continue to explore options for streamlining and rationalizing municipal funding for arts and culture organizations within Waterloo Region; and
- d) not consider new applications for funding of arts and culture operational grants until the study of municipal arts and cultural funding is completed and implemented.

CARRIED

OTHER BUSINESS

- a) Council Enquiries and Requests for Information Tracking Sheet was received for information.

NEXT MEETING – January 10, 2011

ADJOURN

MOVED by G. Lorentz
SECONDED by J. Mitchell

THAT the meeting adjourn at 12:50 p.m.

CARRIED

COMMITTEE CHAIR, *T. Galloway*

COMMITTEE CLERK, *M. Grivicic*

December 6, 2011

Mr. Chairman and Council Members

Property Aerial View of [REDACTED] Cambridge, ON. [REDACTED]

Brown Settlement Waterloo County Installation of Water Lateral Location.

Topic

Location of the Lateral on the above Property

September 19, 2011

COMMENT SHEET



LLOYD BROWN WATER DISTRIBUTION EXTENSION

PUBLIC INFORMATION CENTRE

THURSDAY, SEPTEMBER 15, 2011

Roseville Community Centre

Please complete the following information:

Name:	GARRY & LEILANI NICKASON
Address:	[REDACTED]
Postal Code:	[REDACTED]
Phone & email:	[REDACTED]

Please indicate your preference for connecting to the water distribution system as outlined below:

- I will connect to the water distribution system.
- I will connect to the water distribution system **ONLY IF** financing is available through the Region of Waterloo.
- I will **NOT** connect to the water distribution system.

If you have any additional comments please write them below:

OUR WATER SITUATION IS 100% SATISFACTORY - THE LLOYD BROWN SUBDIVISION SHOULD HAVE SURVEYED THE TIME - TO SEE HOW MANY RESIDENTS WOULD LIKE TO HAVE CITY WATER

A GOOD SECTION OF RESIDENTS ARE RETIRED + OF AN OLDER AGE - THE COSTS OF HAVING THE WATER CONNECTED IS OUT OF QUESTION -

WE ARE HOPING YOU WILL PUT THIS SCENARIO TO REST IF WE DECIDE TO GET CITY WATER WE WILL CALL YOU.

Thank you for your interest and time, please place your comment sheet in the comment box.
DO NOT CALL US.

COLLECTION NOTICE

Personal information requested on this form is collected under the authority of the Municipal Act, and will be used to assist the Region of Waterloo in making a decision on this project. Any personal information such as name, address, telephone number, and property location included in a submission from the public becomes part of the public record for this matter. Questions regarding this collection of this information should be forwarded to the Region's staff member indicated above.

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Date Sept. 19, 2011

██████████ The following text can be observed as shown in the diagram attached.

Where was the survey reference for the water distribution for this property?

The original flag on the tap off was in line with our septic field and tank. Union Gas service had their line location marked with a yellow flag. The construction red flag location was next to gas line flag.

I called Mr. Morris explained the problem and a person was sent to our property. The red flag was moved and placed, (looking in from ██████████ towards the center of the garage. This again was not permissible as the tank and house sewage line was in this path.

We explained that city water had to run around the north end adjacent to Roseville Road and down on the west side of the house to the south end. We also suggested that the construction company run a line west to a tap off lateral. This then would have given us a parallel run behind the house to the southernmost corner, as required.

There then was a standoff, first the budget was set and no runs were scheduled along Roseville Road.

The red flag was then placed in the center between two driveways. Trenching now would cross the north driveway and not severely injure the tree roots.

Our Statement at this time was we would never use this located tap off. This requires trenching, equivalent to two-thirds of the perimeter of the house. These distances are shown on the drawing.

If the other western related properties had been included with ours then we would not have had this problem as it exists today with a survey.

We have wonderful water from our well and laboratory records prove it. Our water has a likeness to an underground spring feeding the house. Why should we change?

With your understanding, when another budget is struck on the properties not included ██████████ then, we also will be served a lateral from across the Roseville Road.

We are pleased to have had this opportunity to speak to you regarding our cost concerns and also that we may receive a favourable reply.

Yours sincerely,

Garry and Leilani Nickason

██████████
Cambridge, ON. ██████████

Email: ██████████