



## **Regional Municipality of Waterloo**

### **Administration and Finance Committee**

#### **Minutes**

Tuesday, August 11, 2015

9:52 a.m.

Regional Council Chamber

150 Frederick Street, Kitchener

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Present were: Chair S. Strickland, L. Armstrong, D. Craig, T. Galloway, D. Jaworsky, H. Jowett, K. Kiefer, G. Lorentz, J. Mitchell, J. Nowak, K. Redman, K. Seiling, S. Shantz and B. Vrbanovic

Members absent: S. Foxtton

#### **Declarations of Pecuniary Interest under the “Municipal Conflict of Interest Act”**

S. Shantz declared a conflict with item 7.1, COR-TRY-15-73, One Time Capital Grant for Shalom Counselling Services, since her spouse has done some work for the organization.

#### **Public Hearing of Development Charges Complaint under Subsection 20(4) of the “Development Charges Act”, 1997**

**2.1 Report COR-FSD-15-13, Development Charges Complaint – Puddicombe House Inc./2464476 Ontario Inc.**

**2.2 Opening Address – Region of Waterloo**

Cathy Deschamps, Director, Financial Services and Development Financing, provided an overview of the process related to development charges complaints per the provincial legislation.

Richard Brookes, Solicitor, highlighted information contained in the submissions, including the Regional Certification of Development Charges; the plan drawing for the basement; the breakdown for the calculation of the Regional development charges; the applicable exemptions and definition for 'accessory building'; and, the correspondence received from the complainant.

R. Brookes advised that the staff position is that the vacant space, currently labelled as a mechanical room, will be developed as a spa in the future. Finance staff has consulted with Facilities staff and have determined that given the size of the building, 5000 square feet is more space than required for a mechanical room. Additionally, a mechanical room is already noted and identified on the plan drawing. He stated that the Regional Development Charges (RDCs) are structured in such a manner that calculations are based on a submitted building permit and not when the construction or renovation begins.

In response to a Committee question about deferral options for this project, Debra Arnold, Regional Solicitor, advised that there have been past instances of deferral but that is not the issue being discussed today. She cited the past instances and distinguished the circumstances of those instances from the exemption request from the complainant.

### **2.3 Opening Address – Puddicombe House Inc.**

Lyle Cressman spoke on behalf of the complainant, Nicholas Cressman. He stated that their position is that an incorrect definition has been applied to 'mechanical room' and that Area B01, as noted in the plan drawing, meets all the criteria for the purpose of a mechanical room. He stated that Regional staff have no right to determine the appropriate size for a mechanical room.

Mr. Cressman noted that the vacant area is not currently vacant; it contains a grease trap for the kitchen sewage disposal system. He advised that this area may be renovated in the future but there are no current plans to change it from a vacant area. In response to a Committee question about the required size for a mechanical room, Mr. Cressman confirmed that the additional 5000 square feet is required for heating and cooling equipment.

### **2.4 Committee Discussion**

In response to a Committee question about the process for refunding collected RDCs if the vacant area is never developed, Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer, advised that there is no refund process. He stated that the space under discussion is chargeable under the existing by-law and that the collected charges will be used for Regional development.

In response to a Committee inquiry about resolution options, R. Brookes stated that the hearing could adjourn until the next Council or Committee meeting to allow the complainant an opportunity to provide additional information.

N. Cressman added that any additional information has already been provided to the Region, including a plan drawing noting the mechanical room.

K. Seiling stated that the Regional by-law is being applied properly and is consistent with how other requests for exemptions have been dealt with by Regional Council.

L. Armstrong stated that he supports the complainant's position and suggested that if the mechanical room area is developed in the future, Wilmot Township staff will advise the Region and the RDCs for any developed area could be collected at that time.

## **2.5 Closing Address – Region of Waterloo**

R. Brookes stated that the onus is on the owner to provide evidence that an exemption is warranted and that the staff recommendation is based on the information provided by the complainant.

## **2.6 Closing Address – Puddicombe House Inc.**

N. Cressman stated that the current RDC by-law doesn't stipulate a maximum or a minimum size for mechanical rooms, therefore he believes that the request for an exemption for the additional 5000 square foot mechanical room should be approved.

## **2.7 Recommendation of Committee**

Moved by K. Seiling

Seconded by K. Redman

That the Regional Municipality of Waterloo dismiss the Complaint of Puddicombe House Inc./2464476 Ontario Inc., dated June 2, 2015, attached as Appendix "A," in regards to the Regional Certification of Development Charges WIL-0007-15, pursuant to Report COR-FSD-15-13, dated August 11, 2015.

Carried

S. Strickland advised that the complainant will have the option to exercise appeal rights with the Ontario Municipal Board (OMB).

## Delegations

### **PDL-CAS-15-06**, Filling of Vacant Council Position

K. Seiling advised the Committee that new information about the estimated costs for a by-election has been provided by City of Kitchener and the estimated cost is in the range of \$150,000 to \$270,000.

i) Larry Wettlaufer, Kitchener, appeared before the Committee to express his support for a by-election to fill the vacancy. Copies of his [comments](#) were distributed to the Committee and a copy is appended to the original minutes. He outlined his reasons for supporting a by-election and provided examples where other municipalities have opted to fill Council vacancies with a by-election. He encouraged Regional Councillors to choose the by-election option.

In response to Committee questions, L. Wettlaufer stated that while he's appearing before the Committee as a concerned citizen, he would run as a candidate so that he might fulfill his late brother's term in office. He noted that voter turnout in by-elections is similar to the local turnout in regular elections. He expressed his belief that the potential cost of a by-election is worth the price of democracy.

ii) Jeff Pelich, Kitchener, stated that he has been involved with the Waterloo Region Labour Council and Better Choices but is appearing before Committee as an independent citizen. He expressed his support for Regional Council to fill the vacancy by appointment and summarized his objections to a by-election. He also stated that he would support the appointment of Elizabeth Clarke given the 2014 municipal election results.

iii) Birgit Lingenberg, Kitchener, shared her personal memories of the late Wayne Wettlaufer and requested that Regional Council appoint Elizabeth Clarke to the vacant position. She presented a petition asking that the Region not hold a by-election but instead use the funds that would have been spent on a by-election to support programs and services for low income people living in Kitchener and Waterloo; a copy of the petition is attached to the original minutes. The petition asks for consideration of new subsidized housing, a residence for single women, free or reduced bus passes, a homeless shelter and a food bank.

iv) Dennis Yanke, Kitchener, stated that he supports a by-election and offered his views on low voter turnout during municipal elections, as well as the benefits of filling the Council vacancy through a by-election. He voiced his belief that members of Regional Council shouldn't be making decisions about who should represent Kitchener on Council. He expressed his confusion about which level of local government would be financially responsible for a by-election.

In response to S. Strickland's inquiry about the financial impact of a by-election for the Region, Kris Fletcher, Director, Council and Administrative Services/Regional Clerk, cited the "Municipal Elections Act", Section 7(3), noting that the costs of a by-election are borne by the upper-tier municipality.

Moved by J. Mitchell

Seconded by H. Jowett

That the Council of the Regional Municipality of Waterloo declare the Regional Councillor – Kitchener seat formerly held by Wayne Wettlaufer vacant in accordance with the "Municipal Act, 2001";

And That the filling of the vacancy be referred to the August 19, 2015 Regional Council meeting for a decision on the options presented in Report PDL-CAS-15-06.

Carried

### **Presentations**

Craig Smith, Risk Manager, and Brian McEnhill, Risk and Insurance Analyst, provided a presentation to the Committee regarding Council Orientation - Waterloo Region Municipalities Insurance Pool; a copy of the [presentation](#) is appended to the original minutes. The presentation included an overview of the insurance pool structure, details about local claim deductibles for each of the local municipalities, the advantages of the pool, status and use of the pool's surplus, an overview of the insurance services and an update about advocacy efforts regarding joint and several liability.

### **Request to Remove Items from Consent Agenda**

There were no requests to remove any items from the Consent Agenda.

### **Motion to Approve Items or Receive for Information**

Moved by K. Redman

Seconded by J. Nowak

That the following items be received for information:

- **COR-TRY-15-71**, Investment Position at June 30, 2015
- **COR-TRY-15-72**, Quarterly Summary of Tenders/Quotes, Requests for Proposals and Consultant Selections Approved by the Chief Administrative Officer

Carried

**Regular Agenda Resumes****Reports – Corporate Services****7.1 COR-TRY-15-73, One Time Capital Grant for Shalom Counselling Services**

Moved by K. Seiling

Seconded by B. Vrbanovic

Conflict:  
S. Shantz

That the Regional Municipality of Waterloo approve a one-time capital grant in the amount of \$25,000 for Shalom Counselling Services Incorporated to be funded from the Capital Levy Reserve Fund, as outlined in report COR-TRY-15-73 dated August 11, 2015.

Carried

**7.2 COR-FSD-15-14/PDL-LEG-15-49, Response to Bill 73 – Smart Growth for Our Communities Act, 2015**

Moved by T. Galloway

Seconded by L. Armstrong

That the Region of Waterloo take the following action with respect to Bill 73 – Smart Growth for our Communities Act, 2015:

- a. Indicate its support for the principle that “growth should pay for growth”
- b. Endorse the proposed amendments to the Development Charges Act, 1997 that:
  - i. Add transit to the list of services that are not subject to a mandatory 10% deduction
  - ii. Allow the use of a planned level of service for prescribed services
  - iii. Allow development charge recoveries for waste diversion
- c. Urge the Province to broaden the application of development charges by amending Bill 73 in order to:
  - i. Eliminate the mandatory 10% deduction for all other services
  - ii. Delete the list of ineligible municipal services
- d. Request the Province to:

- i. Delete Subsection 2(3) of Bill 73 that would allow the Province through regulations to mandate the use of area-specific development charges
  - ii. Add Transit to Subsection 5(5) to include public transit in the list of services for which Development Charges may be collected at the time of subdivision agreement
  - iii. Delete Subsection 5(c.2) of Bill 73 to remove the requirement to complete an Asset Management Plan in conjunction with the Development Charges Background Study
  - iv. Delete Section 8 of Bill 73, which would prevent municipalities from imposing charges on development other than the charges permitted by the Development Charges Act, and provide the Minister with broad powers of investigation into a municipality's affairs, potentially at the municipality's cost
  - v. Repeal Section 4 of the Development Charges Act to remove mandatory exemptions for industrial expansions
  - vi. Repeal Subsection 62(2) of the Development Charges Act to remove the requirement that new Development Charge bylaws must be enacted within 18 months of the changes coming into force
  - vii. Circulate draft regulations to the Development Charges Act to stakeholders for public consultation
- e. Request the Province commence a review of the role of the Ontario Municipal Board now in order to properly address the full range of issues faced by municipalities in responding to the requirements of a changing Provincial policy environment
  - f. Request the Province to amend Bill 73 so that conformity updates to official plans approved by the Province be exempt from appeals in their entirety
  - g. Forward this report to the Minister of Municipal Affairs and Housing, the Municipal Finance Officers' Association of Ontario and the Association of Municipalities of Ontario. [COR-FSD-15-14/PDL-LEG-15-49]

Carried

### **Information/Correspondence**

**8.1** Council Enquiries and Requests for Information Tracking List was received for information.

1940822

**Next Meeting – September 15, 2015****Motion to go into Closed Session**

S. Strickland advised that there is an additional item for the Closed Session dealing with the security of the property of the municipality.

Moved by K. Kiefer

Seconded by L. Armstrong

That a closed meeting of Planning and Works, Administration and Finance and Licensing and Hearings Committees be held on Tuesday, August 11, 2015 immediately following Administration and Finance Committee in the Waterloo County Room in accordance with Section 239 of the Municipal Act, 2001, for the purposes of considering the following subject matters:

- a) receiving of advice that is subject to solicitor-client privilege and proposed or pending acquisition of land in the Township of Woolwich
- b) proposed or pending disposition of land in the City of Kitchener
- c) potential litigation and receiving of advice that is subject to solicitor-client privilege related to an agreement
- d) proposed or pending disposition of land in the City of Kitchener
- e) receiving of advice that is subject to solicitor-client privilege related to an agreement
- f) receiving of advice that is subject to solicitor-client privilege related to a court decision
- g) labour relations matter
- h) labour relations matter
- i) receiving of advice that is subject to solicitor-client privilege related to a by-law
- j) security of the property of the municipality

Carried

**Adjourn**

Moved by G. Lorentz

Seconded by H. Jowett

That the meeting adjourn at 11:35 a.m.

Carried

**Committee Chair**, S. Strickland

**Committee Clerk**, S. Natolochny

Good morning, Mr. Chairman and members of this committee.

Thank you for allowing me the opportunity to speak before you.

I'll commence with a sincere thank you to Region of Waterloo staff who prepared your research because they opened my eyes to information that I had overlooked.

Your staff presented information that shows a recommendation that I hope you will follow – referring the seat vacancy of my brother Wayne until August 19<sup>th</sup>'s Council Meeting.

They show Options that are available and how they have been filled in past vacancies, since 2000, among other municipalities. They show Financial Implications, as well.

I will address both of these issues here but in reverse order. My father fought in World War II for Canada against a dictatorship, fought for democracy and our inherent right to speak and to vote. There were approximately 37,000 Canadian military deaths during that war, but each Canadian knew at that time that democracy was worth fighting for and even dying for. This lesson has stayed with me and is the reason I am here today.

Some members of Council have expressed a position on how he/she will vote, but I encourage you to remain open on this issue.

Here are some compelling reasons you should vote for a by-election to replace Councillor Wettlaufer:

1. By-elections are held automatically at federal and provincial levels to replace a vacant seat, regardless of the convenience or cost. Why, because transparent democracy is worth it!
2. Recent vacant seats in other municipalities have had by-elections to fill them. Why, because those councils saw the value in democratic principles.

I checked the City of Mississauga as being the best example of a city similar to our Region – with a population of 507,096 and Mississauga 713,443.

Mississauga's Council chose a by-election and the #2 candidate in Ward 4, last year, did NOT win but placed #2 AGAIN when 26 people filed papers to run for the by-election just held in July!

Oakville had 10 Candidates run in its by-election after 3 ran in 2014. That is true DEMOCRACY.

3. As The Record correctly points out in their editorial supporting a by-election, how you treat this sets a precedent for other council vacancies. Otherwise, the electorate would see that council would be treating similar cases differently, and this could erode public trust and participation further.

One individual Tweeted to me that his support for appointing the next candidate applies to all of you! If Chairman Ken Seiling can't perform his duties tomorrow then Jay Aissa becomes the next Chairman of the Region for running #2 during the last election.

4. Looking at the size of Waterloo Region's budget for 2015 and the City of Kitchener's budget for 2015, we are looking at a cost that is less than 1/10<sup>th</sup> of 1% - 0.06% of Kitchener's budget and 0.0006% of Waterloo Region's budget! Council regularly makes multi-million dollar decisions and has a budget comparable in size to Canada's smallest province, Prince Edward Island. So, having a by-election is an important investment not only in democracy, but in fiscal accountability.
5. There is over three quarters of the term left – this has been cited by some as a reason to appoint, but the length of time left only truly supports a by-election, not an appointment. Were there only 6 months left to an election, I would not be standing before you as I understand the value of taxpayers' money.
6. The last argument underlies all the rest. Democracy, truly transparent democracy, costs time and effort. Regional council recognizes this when they allow a full 10 minutes for a delegation to present to committee.

The public trust is fragile and each successive election demonstrates that fewer people care about voting.

I have spoken with people who ran for Council in Kitchener, Waterloo and in Cambridge, people from the Muslim, Sikh, Chinese, Romanian, Greek, Portuguese and German communities. "WE" are all affected and 1 woman told me she is "just an average citizen" – isn't that from whom we want to hear? I spoke with individuals from the Youth in our community last night – people who work in the IT sector that forms the heart and soul of our growing Tech core and they all feel disengaged with our politicians. They see politicians as helping their own – "cronyism" as one person mentioned and "patriarchal, patronizing and demeaning" as I tried to salve another's opinion.

Sending the message that you are willing to by-pass an election would reinforce that message and tell people that their will does not matter.

Instead, I encourage you to consider sending the message that democracy does matter to this committee and council and that you are willing to stand up for it, just as brave women and men have done when they put their lives on the line.

Let me close by quoting my brother – "we cannot be democratic if we do not give people a choice". Thank you very much for permitting me this valued democratic right of mine – the right to speak to you here.

<http://www.regionofwaterloo.ca/en/regionalGovernment/resources/AF/FA2015-0811.pdf>

<http://warchronicle.com/numbers/WWII/deaths.htm>

[https://en.wikipedia.org/wiki/World\\_War\\_II\\_casualties](https://en.wikipedia.org/wiki/World_War_II_casualties)

<http://www.therecord.com/news-story/5787596-wettlaufer-family-pressing-for-byelection-to-fill-council-vacancy/>

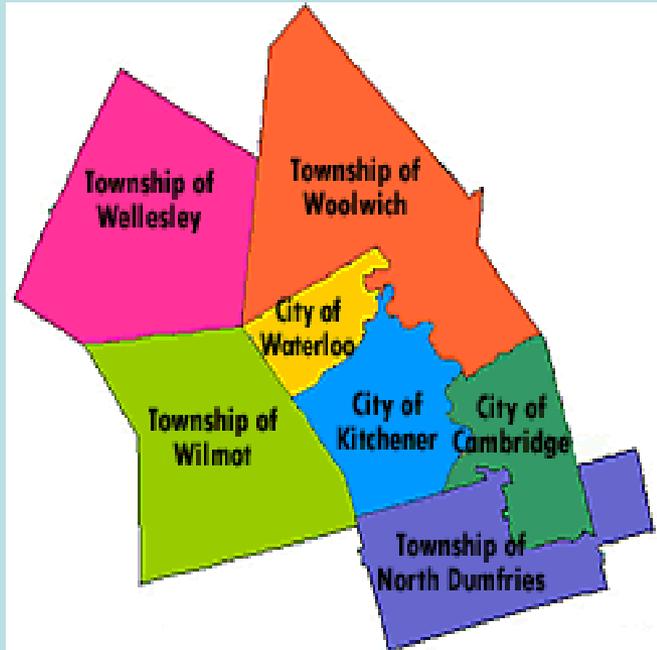
<http://www.therecord.com/opinion-story/5770158-call-byelection-to-fill-regional-council-vacancy/>

<http://www.therecord.com/opinion-story/5789238-region-should-hold-a-byelection/>

<http://www.jameshowe.ca/2015/07/07/hold-a-by-election-to-fill-vacancy-on-regional-council/>

[https://en.wikipedia.org/wiki/Prince\\_Edward\\_Island](https://en.wikipedia.org/wiki/Prince_Edward_Island)

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL



## ***COUNCIL ORIENTATION***

### **“History and Status of the Pool”**

Presented by:

**Craig Smith, C.I.P., R.F.  
Risk Manager**

**&**

**Brian McEnhill, C.R.M.  
Risk & Insurance Analyst**

# **WATERLOO REGION MUNICIPALITIES INSURANCE POOL**

## **What Is An Insurance Pool?**

**An association of municipalities who combine their resources for their common advantage in managing funds to finance recovery from accidental loss.**

# **WATERLOO REGION MUNICIPALITIES INSURANCE POOL**

## **Our Pool Structure:**

- **Formed June 1, 1998**
- **We are in our 18<sup>th</sup> year of operation**
- **Not a separate legal entity – name required for ease of operations**

# **WATERLOO REGION MUNICIPALITIES INSURANCE POOL**

## **Our Pool Structure:**

- **Group purchase of insurance by all 8 Municipalities**
- **Operate under a Subscribers' Agreement which was executed by each Council at Pool formation**

# COUNCILS

City of Kitchener    City of Waterloo    City of Cambridge    Region of Waterloo    Twp. of North Dumfries    Twp. of Wellesley    Twp. Of Wilmot    Twp. of Woolwich

**Advisory Board**  
(Area Treasurers and Cambridge's Director of Legal Services)

**Insurance Pool**  
(Operations / Administration)

- External Experts**
- Adjusting
  - Risk Management
  - Actuaries
  - Insurance Placement
  - Legal
  - Auditors
  - Consultants

City of Kitchener    City of Waterloo    City of Cambridge    Region of Waterloo    Twp. of North Dumfries    Twp. of Wellesley    Twp. of Wilmot    Twp. of Woolwich

# OPERATIONAL STAFF

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

The Pool operates out of the City of Kitchener  
Reporting to the  
**Pool Advisory Board**

**Risk Manager**

Risk & Claims  
Analyst

Risk & Claims  
Assistant

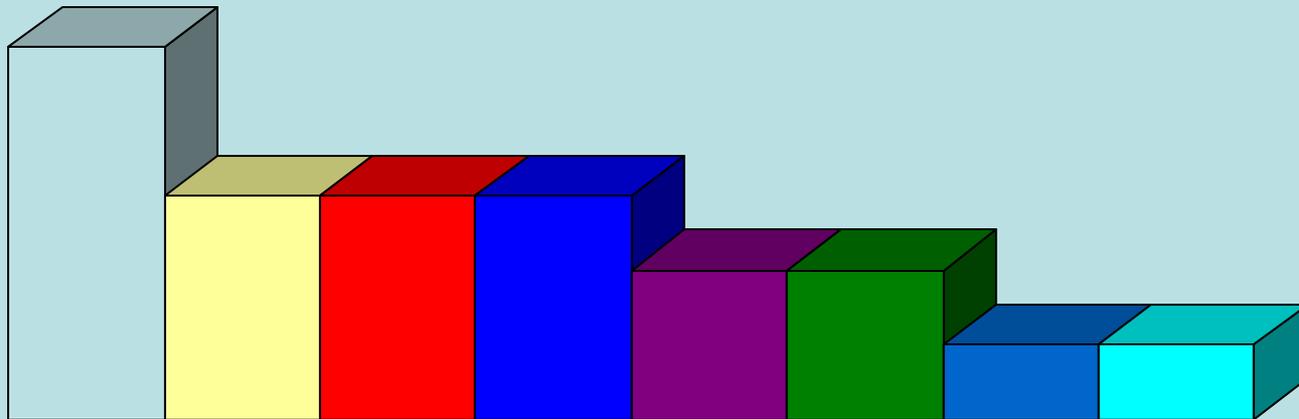
Administrative  
Assistant

Two Claims  
Investigator  
& Loss Control  
Inspectors

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

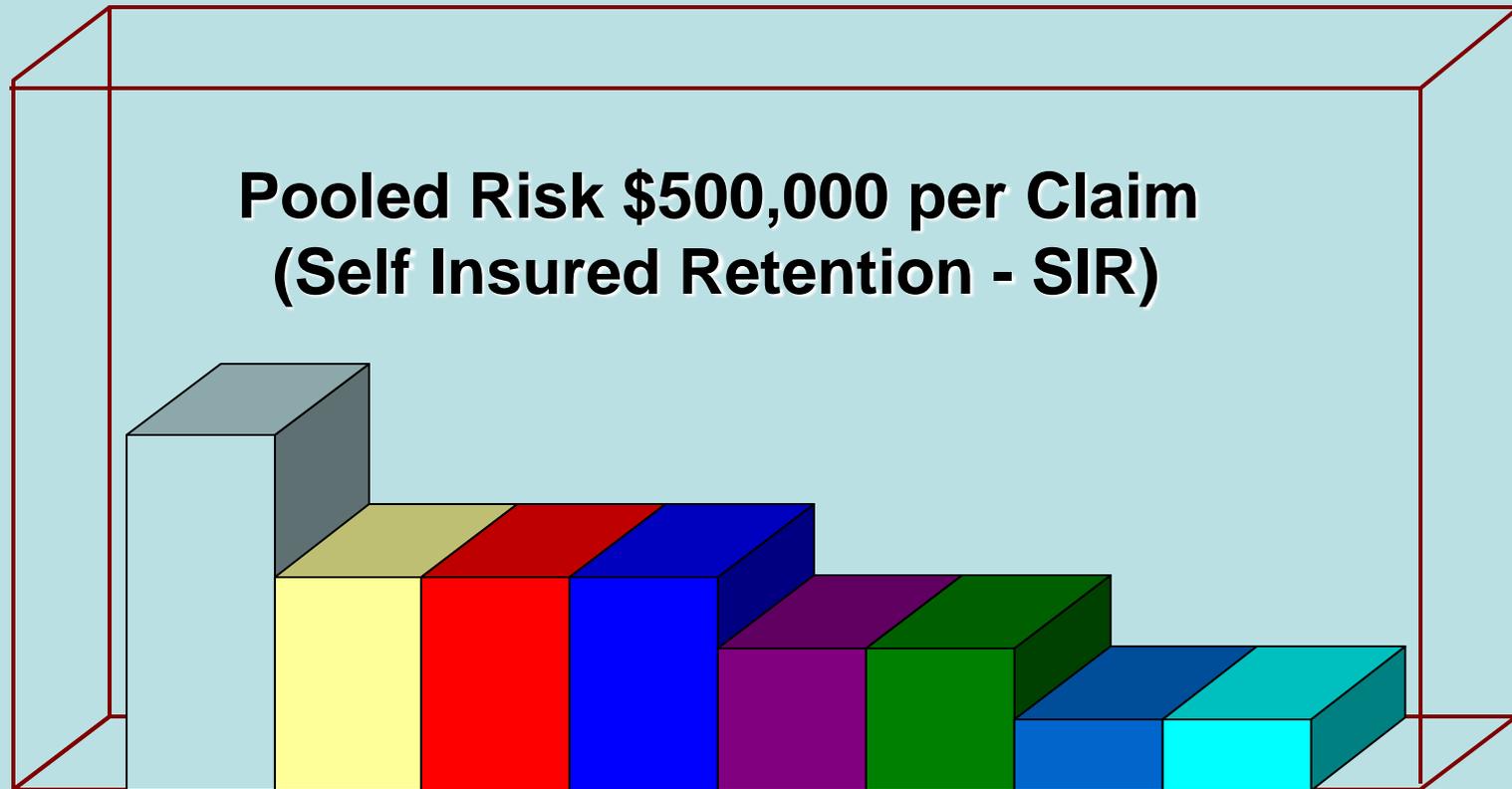
## Each Municipality has a Local Claim Deductible

- Region has a \$250,000 deductible
- Three Cities have a \$50,000 deductible
- Wilmot/Woolwich Townships have a \$10,000 deductible
- Wellesley/ND Townships have a \$5,000 deductible



**Local Deductibles**

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL



**Local Deductibles**

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## Property Insurance Tower:

\$600 M ....

Property Insurance  
Boiler & Machinery  
Electronic Data Processing  
Fine Arts

## Casualty Insurance Tower:

\$50 M ....

General Liability  
Auto Liability  
Non-Owned Auto Liability  
Errors & Omissions  
Crime  
Environmental Liability

\$500,000 ....

Self Insured Retention (SIR) / Local Deductibles

# **WATERLOO REGION MUNICIPALITIES INSURANCE POOL**

## **Advantages**

- **Stability of pricing**
- **Broader coverage**
- **Strategic claims handling and control**
- **Proactive Risk Management Services**
- **Expert Insurance Advice**

# **WATERLOO REGION MUNICIPALITIES INSURANCE POOL**

## **Advantages (continued)...**

- **Lower costs - operating / overhead**
- **Surplus - unused, pre-funded loss reserves from the Pooled layer**
- **Investment Income**
- **Own experience drives cost of risk**

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## History of Pool Operations:

On June 1, 1998 all eight municipalities in Waterloo Region joined the Waterloo Region Municipalities Insurance Pool. This innovative risk-financing venture continues to be a highly effective method by which the municipalities have enjoyed:

- Pro-active risk management services and strategic control of claims

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## History of Pool Operations (continued)...

- Stability in insurance pricing.  
(The combined premiums paid by all of the municipalities in **1997/98 (Pre-Pool)** was **\$4,128,448**. Now **18 years later** the premium levy assessed by the WRMIP in **2015/16** is **\$5,151,685**. This amount is only a **25% increase over the Pre-Pool amount**. This represents an average increase of less than **1.4% per year!**)

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## Status of Pool Operations:

- The current Levy of \$5,151,686 is comprised of Insurance premiums; approx. \$2,200,000 for the pre-funding of claims in the SIR layer; and Administration Expenses
- The Pool is able to earn investment income on the pre-funded SIR layer of \$2,200,000 which off-sets Pool expenses (2013/14 = **\$345,137**) (\*est. 2014/15 = **\$340,000**) \*The Pool's Financial Statements will be completed in September (est. 2015/16 = **\$290,000**)
- The pre-funded SIR layer that is not required to pay claims remains in the municipalities' surplus. The **Surplus** as of May 31, 2014 was **\$2,687,974**

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## Status of Pool Operations (continued)...

- A strong surplus is required to avoid a retro-assessment which would be required if the claim liabilities exceeded the claim reserves and insurance coverage available.
- The Pool's May 31, 2014 surplus of **\$2,687,974** is estimated to be approximately **90%** of the actuarial recommended capital adequacy to avoid a retro-assessment.
- The Pool has **financial strength** and **budget stability!**

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## Services We Provide:

- **INSURANCE PLACEMENT**
- **RISK MANAGEMENT SERVICES**
- **CLAIMS  
ADMINISTRATION**



# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## INSURANCE PLACEMENT:

- **INSURER:** Frank Cowan Company Program  
(Guarantee Co. of North America)
- **RENEWAL DATE:** June 1, 2015
- **CONSULTANT:** Axxima Actuaries and Insurance  
Management Advisors
- **AUDITORS:** KPMG

# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## RISK MANAGEMENT SERVICES:

Risk Management is the process of making and carrying out decisions that will *minimize* the adverse effects of *accidental* losses upon a municipality.



# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## Risk Management Services:

1. Program Review
2. Special Event Review
3. Inspection Program
4. Contract Review:
  - Tenders
  - RFP's
  - Purchase Orders
  - Legal Agreements



# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## CLAIMS ADMINISTRATION:

- Liability claims are the most significant concern for municipalities.
- They result from negligent acts
- They can be unpredictable in frequency and severity



# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## Legal Counsel and Adjusting Services assisting the Pool with Claims Administration:

- Legal Counsel:
  - Madorin, Snyder LLP
  - Giffen LLP
  - Lee LLP
- Adjusting Services:
  - In-House Claims Investigators
  - Cunningham Lindsey Canada Ltd.
  - Crawford Adjusters Canada Ltd.



# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## ADVOCACY BY THE POOL

**Joint & Several Liability:** a Defendant who is held just **1%** liable for a Plaintiff's injuries or damages **may** also have to **pay the share of any other** defendant who cannot afford to pay a legal judgment.



# WATERLOO REGION MUNICIPALITIES INSURANCE POOL

## ADVOCACY BY THE POOL

### **Steadman Vs. County of Lambton (Jan. 2015)**

- Claim was in Nuisance and not Negligence  
What is the difference?
- Brief facts of the case:  
Damage to crops / Depreciated value of property  
Court awarded \$107,352
- Action by OGRA
- Pool's recommendation
- Support statutory change



**WATERLOO REGION MUNICIPALITIES  
INSURANCE POOL**

**QUESTIONS?**