



The Regional Municipality of Durham

Finance & Administration Committee Agenda

Regional Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Wednesday, December 12, 2018

9:30 AM

1. Declarations of Interest

2. Election of Finance & Administration Committee Vice-Chair

3. Statutory Public Meetings

There are no statutory public meetings

4. Delegations

There are no delegations

5. Presentations

5.1 D. Beaton, Commissioner of Corporate Services, re: Corporate Services Overview and Orientation

5.2 N. Taylor, Commissioner of Finance, re: Finance Department Overview and Orientation

5.3 S. Austin, Director, Corporate Policy and Strategic Initiatives, W. Leonard, Director, Durham Emergency Management Office (DEMO) and S. Munns, Director, Corporate Communications Office, re: Office of the Chief Administrative Officer Overview and Orientation

6. Administration

6.1 Correspondence

6.2 Reports

A) Corporate Records Retention By-law ([2018-A-1](#))

3 - 34

- | | |
|--|---------|
| B) OMERS Participation by Head of Council By-Law Amendment
(2018-A-2) | 35 - 37 |
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7. Finance

7.1 Correspondence

7.2 Reports

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|---|---------|
| A) Temporary Borrowing By-Law for 2019 (2018-F-1) | 38 - 39 |
| B) 2019 Interim Regional Property Tax Levy (2018-F-2) | 40 - 42 |
| C) By-Law for the Appointment of Municipal Auditor (2018-F-3) | 43 - 46 |
| D) Revised Timetable for the 2019 Regional Business Plans and
Budgets (2018-F-4) | 47 - 51 |

8. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered

9. Confidential Matters

There are no confidential matters to be considered

10. Other Business

11. Date of Next Meeting

Tuesday, January 15, 2019 at 9:30 AM

12. Adjournment

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The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Corporate Services
Report: [#2018-A-1](#)
Date: December 12, 2018

Subject:

Corporate Records Retention By-law

Recommendation:

That Finance and Administration Committee recommends to Regional Council:

That Records Retention By-law #65-2017, be repealed and replaced with the Records Retention By-law in the form included as Attachment #1 to this report.

Report:

1. Purpose

- 1.1 The purpose of this report is to repeal Records Retention By-law #65-2017 and replace it with an updated Records Retention By-law (in the form attached hereto as Attachment #1) which includes a Summary of Changes to Schedule 'A' of the by-law as part of the regulatory by-law review process and compliance with legislative requirements.

2. Background

- 2.1 The Region has a legislated responsibility to retain, preserve and destroy its records. The Municipal Act provides that a municipality may, subject to Council approval, establish retention periods during which the records of the municipality must be retained and preserved, and that except as otherwise provided, a record of the municipality may be destroyed if a retention period for the record has been established and the retention period has expired or the record is a copy of the original record.

3. Discussion

- 3.1 The Region is required to maintain the Records Retention By-law to reflect changes to legislation and operation requirements. This by-law establishes a schedule for

the retention and disposition of records in the custody or under the control of the Region and provides the legal authority to destroy redundant official records, their administrative duplicates and transitory records as part of best practices.

- 3.2 Schedule 'A' of the by-law is the Corporate Classification Scheme, which provides a records retention and disposition schedule. The proposed updates to the Records Retention By-law are routine, and are noted as follows:

Proposed Revisions to Existing By-law:

The following outlines the various changes to the Corporate Classification Scheme:

- a. New record series have been added;
 - b. Record series have been combined;
 - c. Record series have been deleted;
 - d. Official record holder was added/changed/deleted to better reflect the owner/originator of the records and to include organizational department/division name changes;
 - e. Record series titles and descriptions were revised to clarify what the record series includes and excludes; and
 - f. Record retentions were revised to meet the operational needs of departments and/or to meet regulatory requirements.
- 3.3 Schedule "B" to Attachment #1 – Draft By-law #56-2018 provides a summary of changes for Council approval to the Corporate Classification Scheme.
- 3.4 Schedule "C" to Attachment #1 – Draft By-law #56-2018 provides the listing of legal citations referenced in the Corporate Classification Scheme.
- 3.5 Schedule "D" to Attachment #1 - Draft By-law #56-2018 provides Records Management Procedures to be used in conjunction with the Corporate Classification Scheme.

4. Considerations

4.1 Public

- a. There is no impact on the public.

4.2 Financial

- a. There are no financial implications associated with the recommendation of this report.

4.3 Impact on & input from other departments/sources

- a. Regional Departments are required to classify their official business records accordingly. Both the Schedule and the Corporate Classification Scheme will necessarily require ongoing review and modification to accommodate

changing legislation, user needs and program changes. As modifications to the Records Retention By-law schedule will be brought forward to Council on an annual basis for approval. This process ensures that the Region's records and information management framework is reflective of the organization and the types of official records the Region needs to retain.

5. Corporate and/or Department Strategic Priorities

5.1 There are no direct Regional strategic plan implications as a result of this report.

6. Summary

6.1 A Records Retention By-law is a significant document for the organization and it is important to review and update the by-law on an ongoing basis to cover all legislative requirements and update the Corporate Classification Scheme to reflect the Region's business functions.

7. Attachments

Attachment #1: Draft By-law #56-2018

Schedule B, C, D

Prepared by: Jackie Nielsen, Manager, Records and Information Management,
Legislative Services Division at 905-668-7711, extension 2073.

Respectfully submitted,

Original signed by

D. Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

BY-LAW NUMBER 56-2018

OF

THE REGIONAL MUNICIPALITY OF DURHAM

BEING a by-law to establish retention periods for records of The Regional Municipality of Durham

WHEREAS Subsection 254(1) of the Municipal Act, 2001 (the “Act”) provides that a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner and, if a local board is a local board of more than one municipality, the affected municipalities are jointly responsible for complying with this subsection. 2001, c. 25, s. 254(1);

WHEREAS Subsection 255(1) of the Municipal Act, 2001, S.O. 2001, c.25 (the “Act”), as amended provides that except as otherwise provided, a record of a municipality or local board may only be destroyed in accordance with this section. 2001, c. 25, s. 255 (1);

WHEREAS Subsection 255(2) of the Act states that despite Section 254, a record of a municipality or a local board may be destroyed if a retention period for the record has been established under this section and, a) the retention period has expired; or b) the record is a copy of the original record. 2001, c. 25, s. 255 (2); 2006, c. 32, Sched. A, s. 109 (1); and

WHEREAS in accordance with Subsection 255(3) a municipality may establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved in accordance with section 254. 2001, c. 25, s. 255 (3).

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of The Regional Municipality of Durham through its Council thereof as follows:

1. Definitions:

1.1 In this by-law:

- A) “active record” means a record that is referred to frequently and is commonly stored in the office area within departments;
- B) “archival record” means a record of enduring cultural, historical and evidentiary value that is permanently maintained;
- C) “archives” means a repository of archival records;
- D) “copy” means records retained for information purposes only and may be destroyed after use;
- E) “corporate classification scheme” means a systematic method of coding and categorizing records into subject groups;
- F) “disposition” means the final phase of a record’s life cycle, either destruction or permanent preservation;
- G) “inactive record” means a record that is referenced infrequently but must be maintained for administrative needs or legal compliance;
- H) “life cycle” means the life span of a record from its creation or receipt through to its preservation or final disposition;
- I) “Manager, Information Management (IM)” means the Region’s Manager of Information Management, or his or her designate;

- J) “metadata” means data that describes other data and is used to aid the identification, description, location or use of information systems, resources and elements;
- K) “Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)” means Ontario legislation which, with some limitations, provides the public with right of access to records held by the Region and protects the privacy of personal information;
- L) “official copy” means the version of a regional record deemed as the master record which is not a convenience or duplicate copy;
- M) “official record holder” means the Regional department/division with primary responsibility for retaining official records;
- N) “official record” means a record in the Region’s custody or control that supports regional business such as program delivery or policy development, documents the result of a decision, certifies a transaction, commits the Region to an action, becomes a receipt or provides evidence and is required to support a financial, operational or legal audit;
- O) “personal information” means recorded information about an identifiable individual, including the following 8 things:
- information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
 - information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
 - any identifying number, symbol or other particular assigned to the individual;
 - the address, telephone number, fingerprints or blood type of the individual;
 - the personal opinions or views of the individual except if they relate to another individual;
 - correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
 - the views or opinions of another individual about the individual; and
 - the individual’s name if it appears with other personal information relating to the individual or where disclosure of the name would reveal other personal information about the individual.
- P) “Personal Health Information Protection Act (PHIPA)” means an Ontario law that governs the collection, use and disclosure of personal health information within the health sector;
- Q) “record” means any record of information, including a transitory record, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes:
- (1) correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record (metadata), any other documentary material, regardless of physical form or characteristics, and any copy thereof; and
 - subject to any regulations (made under the Municipal Freedom of Information and Protection of Privacy Act), any record that is capable of being produced from a machine readable record under the control of an institution (the Region) by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution (ordinarily used by the Region);

- R) “record series” means a group of related records categorized as a unit for the purposes of establishing classification efficiencies and applying retention controls;
- S) “records management” means the process of planning, organizing, directing and controlling all the steps involved in a records life cycle;
- T) “retention schedule” means the schedule prescribing retention periods for records as set out in Schedule “A”;
- U) “signing authority” means the department head or Commissioner of the responsible department, or his or her designate; and
- V) “transitory record” means a record that is required for a limited time to complete a routine action, is used in the preparation of final records, or is retained as information or a convenience copy by offices or individuals who do not have the primary responsibility for them.

2. Corporate Classification Scheme – Summary of Changes

- 2.1 The Corporate Classification Scheme – Summary of Changes as set forth on Schedule “B” attached to this by-law is hereby approved as the changes to the Corporate Classification Scheme – Schedule “A” for the records as described therein.
- 2.2 The Corporate Classification Scheme – Schedule “A” is hereby approved as the schedule establishing the retention periods and destruction schedule for the records as described therein and is available through the Legislative Services Division.

3. Legal Citations

- 3.1 The listing of legal citations referenced in the Corporate Classification Scheme will be as set forth in Schedule “C” attached to this by-law.

4. Records Management Procedures

- 4.1 The procedures for the management of records will be as set forth in Schedule “D” attached to this by-law.

5. Repealed

- 5.1 By-law Number 65-2017 is hereby repealed.

6. Schedules

- 6.1 Schedule “B” forms part of this by-law.
- 6.2 Schedule “C” forms part of this by-law.
- 6.3 Schedule “D” forms part of this by-law.

This by-law comes into effect upon its approval by the Council for The Regional Municipality of Durham.

BY-LAW read and passed this 19th day of December 2018.

J. Henry, Regional Chair and CEO

R. Walton, Regional Clerk/Director of Legislative Services

2018 Corporate Classification Scheme (CCS) Summary of Changes

Indicates new record series

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
A27	Regional Archives	n/a	Scope Notes updated	Deleted from Includes - and displays	Corporate Services	Legislative Services, RIM	No	No	No	Yes
C01	By-Laws - Originals	n/a	Retention updated	Changed Active Retention from P to C+2 and Copy Retention from S to C+1	Corporate Services	Legislative Services, Council Services	Yes	No	Yes	Yes
C06	Council Minutes	n/a	Scope Notes updated	Added to Includes - Also includes completed declaration of interest forms	Corporate Services	Legislative Services, Council Services	Yes	No	No	Yes
D04	Environmental Planning	n/a	Remarks deleted	Deleted from Remarks - Citation #50 (renamed Waste Diversion Transition Act) as it does not affect environmental planning/studies	Works	Originating Division	Yes	No	No	Yes
D15	Non-Potable Ground Water Requests	n/a	Retention updated	Changed Copy Retention from E to C+1	Planning and Economic Development and Works	Engineering Planning and Studies	No	No	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
D33	Utility Applications and Plans	n/a	Retention updated	Changed Active Retention from E to C+20; Inactive Retention from no retention to P; Total Retention from E to P and Copy Retention from E to C+5; Deleted from Remarks E=utility renewed or replaced	Works	Transportation Infrastructure	No	No	Yes	Yes
E09	Landfill Sites	n/a	Remarks deleted	Deleted from Remarks - Citation #50 (Waste Diversion Transition Act) as Citation #36 (Environmental Protection Act, O. Reg. 232/98 Landfilling Sites) already assigned to E09 affects Landfills	Works	Waste Management	No	No	No	Yes
F21	Time and Labour/Attendance /Absence Reporting	n/a	Remarks added	Added to Remarks - Citation #26 Employment Standards Act, 2000	Finance	Payroll	No	Yes	No	Yes
F35	Long-Term Care - Accommodation and Trust	n/a	Remarks added	Added to Remarks - Social Services - Long Term Care & Services for Seniors only retains accommodation reconciliations	Finance and Social Services	Accounts Receivable and Long-Term Care and Services for Seniors	Yes	Yes	No	Yes
F36	POA Accounting and RICO Reports	n/a	Event definition updated	Changed Remarks from E=regional and provincial audit to E=regional audit	Corporate Services	Legal Services, POA Office	Yes	Yes	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
H05	Health and Safety	n/a	Scope Notes updated as new record series created for fire drill record	Deleted from Includes - fire drill records	Corporate Services	Human Resources - Health Safety and Wellness, Occupational Health Nurse/Social Services - Long-Term Care and Services for Seniors, Occupational health Nurse/Joint Health and Safety Committees	Yes	Yes	No	Yes
H19	Transit Certification and Training	n/a	Retention, Remarks and event date definition updated	Changed Retention to provide Transit - Safety and Training with sufficient retention time to fulfill the requirements under the Driver Certification Program audit cycle. Changed Inactive Retention from 2 to 3 and Total Retention from E+3 to E+4 Changed Remarks from E+3 years after driver ceases to be employed to E+4 years after driver ceases to be employed Changed definition of event date to E= date driver ceases to be employed.	Durham Regional Transit	Safety and Training	No	Yes	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
H28	Volunteer Records	n/a	New Records Series	Includes: All records regarding volunteer placements within the Region, such as volunteer applications, signed forms, criminal reference checks, vulnerable sector checks and reference letters. Excludes: Employee Records - H01 Active Retention: E+2 Inactive Retention: - Total Retention: E+2 Copy Retention: - Remarks: E=last day the volunteer was active	Originator	-	No	Yes	Yes	Yes
H29	Fire Drill Records	n/a	New Record Series	Includes: Records related to fire drills such as documentation of fire drills and fire alarm and equipment tests. Excludes: Policies and Procedures - A14; Health and Safety - H05 Active Retention: C+1 Inactive Retention: - Total Retention: C+1 Copy Retention: - Remarks: #17, #55	Originator	-	No	No	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
H30	Employee Forms and Certifications	n/a	New Record Series	Includes: Employee forms and information which are legislatively required for Ministry inspections including CPR/first aid certificates, policies and procedures signing statements, Notices of Respect to the Collection of Personal Information, education or college certifications/registrations, completed offence declaration forms and vulnerable sector attestations. Excludes: Policies and Procedures - A14; Employee Records - H01.	Originator	-	No	Yes	Yes	Yes
L08	Regulatory Approvals	n/a	Remarks deleted	Delete from Remarks - Citation #50 (renamed Waste Diversion Transition Act) and maintain Citation #36 Environmental Protection Act, s. V Waste Management which affects regulatory approvals.	Works and Planning and Economic Development	Originating Division and Current Planning	Yes	Yes	No	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
L19	Eligibility Review Officer (ERO) Files	n/a	Scope Notes, ORH updated and event date updated	<p>Revised Includes: Records relating to the founded/supported investigations of fraud allegations. Records pertaining to investigations of misrepresentation in relation to the receipt of social assistance, rent-geared-to-income (RGI) assistance, including referrals, investigation notes, RGI calculations, case review summaries, and correspondence/documentation from third parties such as housing providers/landlords, credit bureaus, employers, government agencies, banks/financial institutions and schools.</p> <p>Added to Excludes - Eligibility Review Officer (ERO) Files - Unfounded Allegations - L40</p> <p>Added to Official Record Holder - Income and Employment Support, Eligibility Review</p> <p>Changed the event date definition – E = end of investigation or as per Ontario Works Directive 9.3</p>	Social Services	Housing Services; Income and Employment Support, Eligibility Review	No	No	No	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
L40	Eligibility Review Officer (ERO) Files - Unfounded Allegations	n/a	New Records Series	<p>Includes: Records relating to allegations of fraud that are deemed to be unfounded or unsupported as a result of an assessment or investigation, including documentation from police, crown and trial activities (where applicable). Also includes information pertaining to the eligibility complaint and results of the assessment or investigation, where no subsequent action on the case was taken.</p> <p>Excludes: Claims By and Against the Region - L02; Eligibility Review Officer (ERO) Files - L19; Family Support Worker (FSW) Files - S09; Applicant/Tenant Files - S15</p> <p>Active Retention: E+1 Inactive Retention: - Total Retention: E=1 Copy Retention: -</p> <p>Remarks: #29, #45; E=date allegations deemed unfounded or unsupported</p>	Social Services	Income and Employment Support, Eligibility Review	No	No	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
L41	Incident and Accident Reports – Non-Regional Employees	n/a	New record series	<p>Includes: Incident and accident reports.</p> <p>Excludes: Employee Records – H01; Incident and Accident Reports – Regional Employees – H06; WSIB Claims/Rehabilitation – H10; Traffic – T02</p> <p>Remarks: E=date of incident. Note: If person involved in injury/incident is under the age of 18 at date of incident, the record must be retained 7 years past the date the person reaches or would have reached the age of 18.</p> <p>Active retention: E+2 Inactive retention: 5 Total retention: E+7 Copy retention: C+3</p>	Finance	Insurance and Risk Management	No	Yes	Yes	Yes

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Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
M14	Contests – Release and Consent Forms	n/a	New record series	Includes: Completed forms for contest participants and winners such as Declaration and Release forms and Contest Consent Forms. Excludes: Marketing and Public Relations – General – M00; Event Management – M01; Event Management – Planning – M13. Remarks: #1 Active retention: C+2 Inactive retention: - Total retention: C+2 Copy retention: -	Originator		No	Yes	Yes	Yes
O15	Water/Wastewater Maintenance	n/a	Scope Notes updated	Deleted from Includes - Water Meter Installation and Water Meter Change/Removal Order Forms as originals are captured in O17 Utility Finance Customer who is ORH	Works	Originating Division	No	No	Yes	Yes
O19	Road Maintenance	n/a	Scope Notes updated	Added to Includes - winter maintenance DLA (direct liquid application) log	Works	Originating Division	Yes	No	No	Yes
O20	Maintenance Management Activity Sheets	n/a	Retention updated	Changed Active Retention from 2 to 1	Works	Financial Services	No	No	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
O24	Waste Management Operations	n/a	Remarks updated	Delete from Remarks - Citation #50 (renamed Waste Diversion Transition Act) and maintain Citation #36 Environmental Protection Act, s. V Waste Management which affects regulatory approvals; Add Citation #36 Environmental Protection Act, S. V Waste Management	Works	Originating Division	Yes	No	No	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
O35	Confined Spaces	n/a	New Record Series	<p>Includes: Records relating to the initial assessment of each confined space for the purpose of classifying the confined space as well as the written plan and procedures for the control of hazards in confined space. These documents include the Confined Space Entry Hazard Assessment Form, Confined Space Entry Permit and Confined Space Coordinator document.</p> <p>Excludes: Health & Safety - H05</p> <p>Active Retention: E Inactive Retention: - Total Retention: E Copy Retention: C+1</p> <p>Remarks: #30; E=the longer of the following periods, one year after the document is created or the period that is necessary to ensure that at least the two most recent records of each kind that relate to a particular confined space are retained; Only the joint Health and Safety Committee receive a copy of the Confined Space Coordinator document</p>	Originator	-	No	No	Yes	Yes

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Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
P09	Oral Health Client Files	n/a	Remarks updated	Oral Health Clinic is moving to an Electronic Health Record in their clinic. It is following the same process Nursing follows for their P03 Client Files which are entered into the Encounter database. Added to Remarks - the electronic record shall be deemed deleted and destroyed as per the approved Health Department policy	Public Health	Oral Health	Yes	Yes	Yes	Yes
P11	Residents - Diet and Nutrition	n/a	Discontinued	Diet and nutrition information related to residents are kept in the resident file (S02/S99)	Social Services	Long-Term Care and Services for Seniors	No	No	Yes	Yes
S02	Residents - permanently Discharged or Deceased (from July 1, 2005)	Resident Records	Record Series Title and Scope Notes updated	Added to Includes - diet and nutrition information	Social Services	Long-Term Care and Services for Seniors	Yes	Yes	No	Yes
S03	Directly Operated Child Care Client Files	n/a	Remarks updated	Added to Remarks - Citation #25 New Health Protocol - Infection Prevention and Control in Child Care Centres, 2016	Social Services	Children's Services	No	Yes	No	Yes
S06	Social Services Programs	n/a	Remarks updated	Added to Remarks - Citation #17 Child Care and Early Years Act	Social Services	Originating Division	No	No	No	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
S09	Family Support Worker (FSW) Files	n/a	Retention updated	Changed Active Retention from E+1 to E+2 and Inactive Retention from 5 to 4	Social Services	Business Affairs and Financial Management, Income and Employment Support; Housing Services	No	Yes	Yes	Yes
S14	Behaviour Management Client Files	n/a	Retention updated	Change Active Retention from E+2 to E+1	Social Services	Children's Services, Behaviour Management	Yes	Yes	Yes	Yes
S15	Applicant/Tenant Files	Applicant Files	Record Series Title and Scope notes updated	<p>Retention requirement for tenant files is different than those for applicant files. Tenant and applicant files can no longer be maintained under the same record series.</p> <p>Changed Includes - Application for subsidy, transfers, consent form(s) and supporting documents for priority and modified unit requests.</p> <p>Added to Excludes - Tenant Files - S19</p> <p>Changed Remarks from E=no longer an applicant or until tenant vacates or deceased to E=no longer an applicant</p>	Social Services	Housing Services, Operations	Yes	Yes	No	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
S19	Tenant Files	n/a	New Record Series	<p>Created as retention requirement for tenant files is different than those for applicant files.</p> <p>Includes: Records regarding the provision of affordable rent in privately owned (rent supplement) or region owned buildings. Tenant information such as employment status, banking, income and assets information, benefits, family information and tenant changes. Also includes rental information such as rent paid, rent adjustments, renewals and termination of lease.</p> <p>Excludes: Eligibility Review Officer (ERO) Files - L19; Applicant Files - S15</p> <p>Active Retention: E+1 Inactive Retention: 4 Total Retention: E=5 Copy Retention: -</p> <p>Remarks: #11; E=tenant vacates or is deceased</p>	Social Services	Housing Services, Operations	No	Yes	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
S20	Children's Attendance Records	n/a	New Record Series	Includes: Children's attendance logs Excludes: Directly Operated Child Care Client Files - S03. Active Retention: C+3 Inactive Retention: 12 Total Retention: C+15 Copy Retention: - Remarks: #17	Social Services	Children's Services, Directly Operated Centres	No	Yes	Yes	Yes
T09	Support Person Assistance Card Records	n/a	New Record Series	Includes: Applications for personal support person cards from people not receiving specialized transit services including the application form, photo and customer letters. Excludes: Specialized Services Applicants - T08. Active Retention: E+1 Inactive Retention: - Total Retention: E+1 Copy Retention: - Remarks: #66; E=expiry of the support person card.	Durham Region Transit	Specialized Services	No	Yes	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
V00	Vehicles and Equipment - General	n/a	Remarks updated	Delete Remarks and Citation #34 from Remarks column that says Under the Highway Traffic Act, Daily Vehicle Inspection Reports w/o defects are recycled every 3 months and with defects is retained C+1. Two new record series V07 and V08 have been created for Vehicle Inspection Reports	Originator	-	No	No	No	Yes
V07	Vehicle Inspection Reports without Defects	n/a	New Records Series	<p>To reflect differences between vehicle inspection reports without defects and vehicle inspection reports with defects as legislated under Highway Traffic Act</p> <p>Includes: Daily inspection of vehicles commonly referred to as Pre-Trip Inspections</p> <p>Excludes: Vehicle Inspection Reports with Minor/Major Defects - V08</p> <p>Active Retention: 6 mo. Inactive Retention: - Total Retention: 6 mo. Copy Retention: - Remarks: #34</p>	Originator	-	No	No	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Code	Current Record Series Title	New Record Series Title	Type of Change	Description of Change	ORH Department	ORH Division	Vital Yes/No	PIB Yes/No	Requires Council Approval Yes/No	Dept Advised Yes/No
V08	Vehicle Inspection Reports with Minor/Major Defects	n/a	New Records Series	<p>To reflect differences between vehicle inspection reports without defects and vehicle inspection reports with defects as legislated under Highway Traffic Act</p> <p>Includes: Daily inspection of vehicles commonly referred to as Pre-Trip Inspections</p> <p>Excludes: Vehicle Inspection Reports without Defects - V07</p> <p>Active Retention: C+1 Inactive Retention: - Total Retention: C+1 Copy Retention: -</p> <p>Remarks: #34</p>	Originator	-	No	No	Yes	Yes

Legend: **C** - Current Year; **P** - Permanent; **S** - Superseded; **E** - Event Required before Calculating Retention; **Originator** - Originated or acquired the record.

Records and Information Management (RIM)

03-01-05



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	E-Laws for Sections of Act Listed Below http://www.e-laws.gov.on.ca
1.	<u>Limitations Act</u> , 2002, S.O. 2002, c. 24, Sched. B, s. 15
2.	<u>Municipal Act</u> , 2001, S.O. 2001, c. 25, s. 253-255, 273 (5)
3.	<u>Canada Revenue Agency</u> : Income Tax Information Circular: Books and Records Retention/Destruction, IC78-10R5, 2010 and Electronic Record Keeping, IC05-1R1, 2010 (Federal)
4.	<u>Income Tax Act</u> , R.S.O. 1990, c. I.2, s. 39 (1-2) (Federal)
5.	<u>Land Transfer Tax Act</u> , R.S.O. 1990, c. L.6, s. 9.3 (1, 4)
6.	<u>Land Titles Act</u> , R.S.O. 1990, c. L.5, s. 20 (1-2), 165 (1)
7.	<u>Planning Act</u> , R.S.O. 1990, c. P.13 (6, 10); O. Reg. 154/03: Zoning Area - Regional Municipality of Durham, Part of the City of Pickering, s. 4 (5), 14 (2, 6), 14.7 (1, 5), 17 (1, 7), (42)
8.	<u>Building Code Act</u> , 1992, S.O. 1992, c. 23, 3.1 (7); O. Reg. 332/12: Building Code
9.	<u>Condominium Act</u> , 1998, S.O. 1998, c. 19, s. 55 (1-2)
10.	<u>Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act</u> , 2008, S.O. 2008, c. 14, s. 37 (d)
11.	<u>Housing Services Act</u> , 2011, S.O. 2011, c. 6, Sched. 1, s. 70, 79 (1-2), 102 (2), 169 (1-2), 170 (1-2); O. Reg. 367/11: General
12.	<u>Child Youth and Family Services Act</u> , 2017, S.O. 2017, c. 14, Sched. 1; O. Reg. 191/18: Personal Information
13.	<u>Immunization of School Pupils Act</u> , R.S.O. 1990, c. I.1, s. 11, 14 (2), 17 (1) (c, f); R.R.O. 1990, Reg. 645: General; Immunization Management Protocol, 2013



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14.	<u>Dental Hygiene Act</u> , 1991, S.O. 1991, c. 22; O. Reg. 218/94: General; Royal College of Dental Surgeons of Ontario (Guidelines Issued February 2008, Revised May 2008 - Dental Recordkeeping)
15.	<u>Seniors Active Living Centres Act</u> , 2017, S.O. 2017, c.11, Sched. 6, s. 4 (1)
16.	<u>Long-Term Care Homes Act</u> , 2007, S.O. 2007, c. 8; O. Reg. 79/10: General, s. 231-238, 262-264
17.	<u>Child Care and Early Years Act</u> , 2014, S.O. 2014, c. 11, Sched. 1; O. Reg. 137/15: General, O. Reg. 138/15: Funding, Cost Sharing and Financial Assistance
18.	<u>College of Nurses of Ontario</u> , Practice Standard, Documentation, Revised 2008
19.	<u>Ontarians with Disabilities Act</u> , 2001, S.O. 2001, c. 32, s. 15 (3), 17 (2)
20.	<u>Medicine Act</u> , 1991, S.O. 1991, c. 30, s. 12 (b); O. Reg. 114/94: General
21.	<u>Ambulance Act</u> , R.S.O. 1990, c. A.19, s. 18 (2, 2.1-2.2); O. Reg. 257/00: General
22.	<u>Ministry of Health and Long-Term Care, Emergency Health Services Branch</u> , Ontario Ambulance Service Documentation Standards, version 3.0, April 2017
23.	<u>Securities Act</u> , R.S.O. 1990, c. S.5, Part VII, s. 19
24.	<u>Personal Health Information Protection Act</u> , 2004, S.O. 2004, c. 3, Sched. A, Part II, s. 13-14, Part V, s. 51-54
25.	<u>Health Protection and Promotion Act</u> , R.S.O. 1990, c. H.7, 59 (3); Ontario Public Health Standards: Protocols and Guidelines
26.	<u>Employment Standards Act</u> , 2000, S.O. 2000, c. 41, s. 15
27.	<u>Pension Benefits Act</u> , R.S.O. 1990, c. P.8, s. 24.1, 29-30
28.	<u>Workplace Safety and Insurance Act</u> , 1997, S.O. 1997, c. 16, Sched. A, s. 57-59 (1), 80 (1-2)



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29.	<u>Ontario Works Act</u> , 1997, S.O. 1997, c. 25, Sched. A, s. 42; See Ontario Works Policy Directives for records retention requirements
30.	<u>Occupational Health and Safety Act</u> , R.S.O. 1990, c. O.1, s. 26 (1) (c-d, f), 40 (1), 54 (1), 63-64, 67 (1); O. Reg. 632/05: Confined Spaces
31.	<u>Emergency Management and Civil Protection Act</u> , R.S.O. 1990, c. E.9; O. Reg. 380/04: Standards
32.	<u>Fuel Tax Act</u> , R.S.O. 1990, c. F.35, s. 6.1; R.R.O. 1990, Reg. 464: General
33.	<u>Public Vehicles Act</u> , R.S.O. 1990, c. P.54, s. 29 (4), 33 (n); R.R.O. 1990, Reg. 982: General
34.	<u>Highway Traffic Act</u> , R.S.O. 1990, c. H.8, s. 225; O. Reg. 376/02: Classification of Vehicles as Irreparable, Salvage and Rebuilt, s. 2 (3, 4); R.R.O. 1990, Reg. 626: Traffic Control Signal Systems; R.R.O. 1990, Reg.601: Motor Vehicle Inspection Stations; R.R.O. 1990, Reg. 199: Vehicle Record-Keeping
35.	<u>Environmental Assessment Act</u> , R.S.O. 1990, c. E.18, 25 (1), 30, 36
36.	<u>Environmental Protection Act</u> , R.S.O. 1990, c. E.19, Part V, Waste Management; O. Reg. 127/01: Airborne Contaminant Discharge Monitoring and Reporting; O. Reg. 232/98: Landfilling Sites
37.	<u>Forestry Act</u> , R.S.O. 1990, c. F.26
38.	<u>Waste Diversion Transition Act</u> , 2016, S.O. 2016, c. 12, Sched. 2, s. 48 (1, 4, 6-7)
39.	<u>Ontario Water Resources Act</u> , R.S.O. 1990, c. O.40, s. 53.1 (3, 7), 94 (1)
40.	<u>Safe Drinking Water Act</u> , 2002, S.O. 2002, c. 32, s. 77 (1) (c), 81, 167 (3-4); O. Reg.170/03: Drinking Water Systems
41.	<u>Registry Act</u> , R.S.O. 1990, c. R.20, s. 18-21



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42.	<u>Bridges Act</u> , R.S.O. 1990, c. B.12, s. 2 (3) (c), (4)
43.	<u>Municipal Conflict of Interest Act</u> , R.S.O. 1990, c. M. 50, s. 6
44.	<u>Aggregate Resource Act</u> , R.S.O. 1990, c. A.8, s. 62 (1-2), 67 (1) (g, o); O. Reg. 244/97: General
45.	<u>Ministry of Community and Social Services Act</u> , R.S.O. 1990, c. M.20, s. 9 (1)
46.	<u>Municipal Freedom of Information and Protection of Privacy Act</u> , R.S.O. 1990, c. M.56
47.	<u>By-law 90-2003</u> , A By-law Respecting the Water Pollution Control System and Storm Sewer System in the Regional Municipality of Durham and the Establishment of Sewer Surcharge Rates and Sewer Charges, as amended
48.	<u>Memorandum of Understanding between the Attorney General and the Regional Municipality of Durham</u> , Schedule 2, Operational Standards, paragraphs 2.8.3, 2.10.1, 2.10.3 (Clerk's Department Agreement 7385, signed November 2000)
49.	<u>Smoke-Free Ontario Act</u> , 2017, S.O. 2017, c. 26, Sched. 3; Ministry of Health and Long-Term Care, Population and Public Health Division, Tobacco Protocol, 2018; Public Health Ontario, Evidence to Guide Action: Comprehensive Tobacco Control in Ontario, 2016
50.	Reserved for future citation
51.	<u>Provincial Offences Act</u> , R.S.O. 1990, c. P.33, s. 31, 47 (2), Part V, 76.1, 83, 83.1, Part VII, s. 133, Part X; O. Reg. 679/92: Fee for Late Payment of Fines; R.R.O. 1990, Reg. 945: Costs; R.R.O. 1990, Reg. 949: Parking Infractions
52.	<u>Public Transportation and Highway Improvement Act</u> , R.S.O. 1990, c. P.50
53.	<u>By-law No. 44-2006</u> , s. 24.0 Penalties, as amended, regarding regulating traffic and parking on highways and municipal property under the jurisdiction of the Regional Municipality of Durham
54.	<u>Courts of Justice Act</u> , R.S.O. 1990, c. C.43, s. 74; R.R.O. 1990, Reg. 200: Rules of the Ontario Court (Provincial Division) in Provincial Offences Proceedings



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55.	<u>Fire Protection and Prevention Act</u> , 1997, S.O. 1997, c. 4; O. Reg. 213/07: Fire Code
56.	<u>Human Rights Code</u> , R.S.O. 1990, c. H.19, s. 31.1 (1) (b), 31 (4, 7) (a-b), 38, 43 (3) (e), 44 (6) (a-b), 45.5, 48 (2) (l)
57.	<u>Places to Grow Act</u> , 2005, S.O. 2005, c. 13, s. 8 (1)
58.	<u>Ontario Municipal Employees Retirement System Act</u> , 2006, S.O. 2006, c. 2 (OMERS)
59.	<u>Oak Ridges Moraine Protection Act</u> , 2001, S.O. 2001, c.3
60.	<u>Clean Water Act</u> , 2006, S.O. 2006, c. 22, s. 54 (1-2), 62.1 (4), 78 (1, 3)
61.	<u>Greenbelt Act</u> , 2005, S.O. 2005, c. 1
62.	<u>Ministry of Agriculture, Food and Rural Affairs Act</u> , R.S.O. 1990, c. M.16
63.	<u>Canadian Environmental Protection Act</u> , 1999 (CEPA) (Federal)
64.	<u>CUPE Local 1764, Local 1785 and Local 182 Collective Agreements</u>
65.	<u>Development Charges Act</u> , 1997, S.O. 1997, c. 27, s. 59.1 (5) (b), 60 (1) (r); O. Reg. 82/98: General
66.	<u>Accessibility for Ontarians With Disabilities Act</u> , 2005, S.O. 2005, c. 11, s. 19 (2), 20 (1) (b), 33 (3) (b), 35 (3); O. Reg. 191/11: Integrated Accessibility Standards Regulations (IASR)
67.	<u>Labour Relations Act</u> , 1995, S.O. 1995, c. 1, Sched. A, s. 119 (1), 12 (b), 111 (2) (b-c), 122 (2-3), 125 (1) (l), 150.4 (13) (i)
68.	Reserved for future citation
69.	<u>Environmental Review Tribunal Act</u> , 2000, S.O. 2000, c. 26, Sched. F (for environmental appeals only)
70.	<u>Ministry of Natural Resources Act</u> , R.S.O. 1990, c. M.31



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71.	<u>Ministry of the Environment Act</u> , R.S.O. 1990, c. M.24
72.	<u>Ministry of Energy Act, 2011</u> , S.O. 2011, c. 9, Sched. 25
73.	<u>Conservation Authorities Act</u> , R.S.O. 1990, c. C.27, s. 19.1 (g, i)
74.	<u>Insurance Act</u> , R.S.O. 1990, c. I.8, s. 23, 26, 50 (1), 51, 100-101, 101.1-101.2, 116
75.	<u>Expropriations Act</u> , R.S.O. 1990, c. E.26, s. 29 (2)
76.	<u>Mining Act</u> , R.S.O. 1990, c. M.14, s. 7, 9, 15; O. Reg. 240/00: Mine Development and Closure under Part VII of the Act
77.	<u>Endangered Species Act</u> , 2007, S.O. 2007, c. 6, s. 51-53; O. Reg. 242/08: General
78.	<u>Residential Tenancies Act</u> , 2006, S.O. 2006, c. 17
79.	Reserved for future citation
80.	<u>Fisheries Act</u> , R.S.C. 1985, c. F-14, Wastewater Systems Effluent Regulations, SOR/2012-139 (Federal)
81.	<u>Canadian Environmental Assessment Act</u> , 2012, S.C. 2012, c. 19, s. 52 (Federal)
82.	<u>Pay Equity Act</u> , R.S.O. 1990, c. P.7, s. 1 (2-3), 13 (1)
83.	<u>Technical Standards and Safety Act</u> , 2000, S.O. 2000, c. 16, s. 3.22 (2, 7), 10 (2), 18 (1), 19 (3-6), 20 (1.1), 22. 1 (13), 23 (1) (d), 26-27, 30 (1)
84.	<u>Ontario Infrastructure and Lands Corporation Act</u> , 2011, S.O. 2011, c.9, Sched. 32 - InfraGuide: National Guide to Sustainable Municipal Infrastructure
85.	<u>Municipal Elections Act</u> , 1996, S.O. 1996, c. 32, Sched., s. 88
86.	<u>Regulated Health Professions Act</u> , 1991, S.O. 1991, c. 18, s. 36 (RHPA); Sched. 2 - Health Professions Procedural Code



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87.	<u>College of Registered Psychotherapists of Ontario (CRPO)</u> - Professional Practice Standards for Registered Psychotherapists
88.	<u>Evidence Act</u> , R.S.O. 1990, c. E.23, s. 29
89.	<u>Hazardous Products Act</u> , R.S.C., 1985, c. H-3 (Federal)
90.	<u>Hazardous Products Regulations</u> , SOR/2015-17 (Federal)
91.	<u>Provincial Offences Act</u> , R.S.O. 1990, c. P.33; Record Retention Schedule Summary, Ministry of the Attorney General 2016; O. Reg. 67/12: Electronic Document and Remote Meetings
92.	<u>Ontario Association of Consultants, Counsellors, Psychometrists and Psychotherapists (OACCPP)</u> - Standards of Practice, 2012 for Mental Health Professionals
93.	<u>The College of Psychologists of Ontario</u> - Standards of Professional Conduct, 2017
94.	<u>Green Energy Act</u> , 2009, S.O. 2009, c. 12, Sched. A, s. 12; O. Reg. 397/11: Energy Conservation and Demand Management Plans; O. Reg. 404/12: Energy and Water Efficiency - Appliances and Products
95.	<u>Ontario Energy Board Act</u> , 1998, S.O. 1998, c. 15, Sched. B, s. 79.7
96.	<u>Public Sector and MPP Accountability and Transparency Act</u> , 2014, S.O. 2014, c. 13 - Bill 8
97.	<u>Municipal Act</u> , 2001, S.O. 2001, c. 25, s. 253-255; O. Reg. 586/06: Local Improvement Charges - Priority Lien Status
98.	<u>Nutrient Management Act</u> , 2002, S.O. 2002, c.4, s. 6 (2) (x-y), 13 (6-7), 28.1 (4); O. Reg. 267/03: General
99.	<u>Resource Recovery and Circular Economy Act</u> , 2016, S.O. 2016, c. 12, Sched. 1, s. 31 (3), 43 (3), 50 (4), 54 (8), 78 (4-6), 79 (3-4), 89 (2) (b)

Schedule “D” To By-law #56-2018

Records Management Procedures

1. Transitory Records

- 1.1 Transitory records may be destroyed at any time. The provisions of Sections 2 and 4 shall not apply to the destruction of transitory records. Where a record is destroyed upon expiry of the retention period described in Schedule “A”, any corresponding transitory record shall also be destroyed.
- 1.2 Transitory or copy records entered into the Region’s records management file tracking system will be retained no longer than the maximum retention period described in Schedule “A”.

2. Record Series

- 2.1 Any record in a category set out under “record series” of Schedule “A” shall be retained for the period set out opposite such category under “total retention” and may thereafter be destroyed.

3. Classification of Records

- 3.1 The Manager, Information Management (IM) in consultation with the Regional Clerk, shall determine the appropriate systems for the classification of records, considering the administrative, operational, archival, legal and financial values of each record, and shall do the following three things:
 - A) Monitor the retention schedule and ensure that the schedule complies with all legislative requirements.
 - B) Make such periodic adjustments as are required to ensure that terminology is kept up-to-date with current usage provided that such adjustments do not affect the retention period of any record.
 - C) In determining the retention period of any record, consult with the signing authorities and the following Regional officers: signing authority for department, the Regional Clerk/Director of Legislative Services, the Director, Legal Services and the Region’s Auditor.

4. Destruction of Records

- 4.1 Where any record may be destroyed under this by-law, the following procedure shall apply:
 - A) Where the record has been retained in the custody of the responsible department, the signing authority or his or her delegate shall notify the Manager, IM via the IM Clerk in writing of the scheduled destruction of records, including the following eight items:
 - (1) Reason for Shred: “Approved Office Area File Destruction”;
 - (2) Full address and name of department/division of destruction site;
 - (3) PO# (Clearly write A# on top right corner of File Pull List(s));
 - (4) Batch #(s);

- (5) Total boxes to be shred;
 - (6) Name of contact at destruction site (have an alternate if absent);
 - (7) Contact phone number(s); and
 - (8) Special instructions (e.g. where to park the truck, sign-in protocol or what hours to avoid, e.g. lunch hour).
- B) Where the record has been retained in the custody of the Regional Clerk/Director of Legislative Services, the Manager, IM shall notify the signing authority in writing of the scheduled destruction of the records and identify the records to be destroyed.
- 4.2 Where a notice has been provided under subsection 4.1 A) or 4.1 B) above:
- A) The signing authority or his or her delegate shall notify the Manager, IM in writing, if in his or her opinion any record included in the notice should be retained for a further period, and the rationale for further retention.
 - B) If, in the opinion of the Manager, IM, circumstances warrant retention of the record for a further period, the destruction of the record shall be postponed as may be determined by the Manager, IM, in consultation with the signing authority.
- 4.3 Where no notice is received under subsection 4.2 A) or 4.2 B) above before the scheduled destruction, the record shall be deemed to be authorized for destruction.
- 4.4 The following principles shall govern the destruction of records:
- A) No official records shall be destroyed unless first classified according to Schedule "A" of this by-law.
 - B) All records, including transitory records, shall be destroyed in a manner that preserves the confidentiality of any information contained in such records.
 - C) Any record pertaining to pending or actual litigation or investigation or a request under any access and privacy legislation shall not be destroyed until such record is no longer required for such purpose.

5. Role of the Manager, IM

- 5.1 The Manager, IM shall ensure the following three things are done:
- A) Ensure that all reasonable measures are implemented to promote the preservation, security and destruction of records in this by-law and any legislative requirements.
 - B) Ensure that reasonable measures are implemented to protect the Region's records from inadvertent destruction or damage, considering the nature of the record to be protected, including the creation of new classification codes and retention periods pending Council approval.
 - C) When any record is deemed to be of archival significance, ensure that such record is transferred to the custody and control of the Regional Archives.



The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Corporate Services
Report: [#2018-A-2](#)
Date: December 12, 2018

Subject:

OMERS Participation by Head of Council By-Law Amendment

Recommendation:

That the Finance and Administration Committee recommends to Regional Council:

- a) That By-Law #16-2007 be amended to reflect the direction given by Regional Council on February 11, 2004 to permit the voluntary participation of the Head of Council in OMERS and,
 - b) That the amending by-law as set out generally in the form included as Attachment #1 to Report #2018-A-2 of the Commissioner of Corporate Services be approved.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to recommend an amendment to By-Law #16-2007 with respect to participation in OMERS by the Head of Council.

2. Background

- 2.1 Through Report #2007-A-12 and as approved by Regional Council through Report #2004-A-05(1), the Regional Chair, at their option, could choose to enrol in OMERS or receive RRSP contributions, as do all Councillors.
- 2.2 The by-law was created and prepared based on the preference of the Regional Chair at the time and contained the clause: "A person who becomes the Head of Council after the effective date **shall** become a member on the date the person becomes Head of Council."

3. Amendment

- 3.1 In accordance with the original reports, staff are recommending the word “shall” within Clause 3 of By-law #16-2007 be replaced with the word “may” allowing the Head of Council to select whether they chose to enroll in OMERS as per the original direction of Council on February 11, 2004 and contained within Report #2004-A-05(1): “In addition, the Chair is to be enrolled in OMERS effective immediately and subject to all terms and conditions as required by the Plan Administration. Alternatively at the Chair’s option, he may continue to receive an RRSP at an amount at least equivalent to the current employer contribution rates for OMERS.”.

4. Summary

- 4.1 Staff are recommending that By-law #16-2007 be amended in Clause 3 to replace the word “shall” with the word “may” and for other minor housekeeping revisions. This proposed by-law amendment has been reviewed by both the Legal Services and Legislative Services divisions of Corporate Services.

5. Attachments

Attachment #1 – Proposed Amending By-law

Respectfully submitted,

Original signed by

D. Beaton, BCom, M.P.A.
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

By-law Number **-2018
of The Regional Municipality of Durham

Being a by-law to Amend By-law 16-2007 being a by-law to authorize participation in the Ontario Municipal Employees Retirement System (OMERS) in respect of the Head of Council.

Whereas at its meeting held on February 11, 2004, Council approved the recommendation contained in Report #2004-A-05(1) which stated that at the Regional Chair's option he or she may choose not to enrol in OMERS and instead continue to receive an RRSP at an amount at least equivalent to the current employer contribution rates for OMERS.

And Whereas the title "Director of Human Resources" is no longer applicable.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That By-law 16-2007 be amended in Clause 3 to replace the word "shall" with the word "may"; and
2. That By-law 16-2007 be further amended in Clauses 5 and 6 to replace "Director of Human Resources" with "Commissioner of Corporate Services".

This By-law read and passed on the 19th day of December 2018.

Original signed by

J. Henry, Regional Chair and CEO

Original signed by

R. Walton, Regional Clerk



The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Finance
Report: [#2018-F-1](#)
Date: December 12, 2018

Subject:

Temporary Borrowing By-Law for 2019

Recommendations:

That the Finance and Administration Committee recommends to Regional Council that:

- A) The Regional Chair and the Treasurer be authorized in 2019 to borrow funds not to exceed \$500 million in order to meet current expenditures and liabilities until such time as the general tax revenues and other revenues of the Region are received; and
 - B) Approval be granted for the requisite by-law(s).
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval for the Region's 2019 Temporary Borrowing By-law.

2. Temporary Borrowing By-law

- 2.1 Each year, Regional Council is requested to grant authority to the Regional Chair and the Treasurer to borrow, on a temporary basis, funds that may be required to meet current expenditures and liabilities of the Region prior to the receipt of the Regional property taxes and other revenues. These borrowings may be in the form of external and/or internal sources including interfund transactions.
- 2.2 The legal authority for these borrowings is pursuant to Section 407 of the Municipal Act and allows municipalities to borrow amounts between January 1st and September 30th not to exceed 50% of total estimated annual revenues and to borrow amounts between October 1st and December 31st not to exceed 25% of total estimated annual revenues.

- 2.3 Based on the level of 2018 planned expenditures, the upper borrowing limit as dictated by the Province would be no more than \$1.09 billion. Notwithstanding the Provincial limit, a review of potential Regional financial requirements for 2019 indicates that a maximum limit of \$500 million, consistent with the 2018 limit, should be adequate for all purposes including internal interfund loans.
- 2.4 Historically, it has not been necessary for the Chair and the Treasurer to exercise this authority.

3. Conclusion

- 3.1 The temporary borrowing authority is a legal requirement permitting the internal lending and borrowing of funds and provides the Region with contingency borrowing capacity in the event of unknown circumstances related to the collection of the Region's revenues.
- 3.2 The proposed 2019 limit of \$500 million remains at the level approved for 2018.

Respectfully submitted,

Original Signed by Nancy Taylor

Nancy Taylor, BBA, CPA, CA
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed by Elaine C. Baxter-Trahair

Elaine C. Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Finance
Report: [#2018-F-2](#)
Date: December 12, 2018

Subject:

2019 Interim Regional Property Tax Levy

Recommendations:

That the Finance and Administration Committee recommends to Regional Council:

- A) That a 2019 Interim Regional Property Tax Levy be imposed on the Area Municipalities for all property tax classes;
 - B) That the amount due from each Area Municipality is estimated to be equivalent to 50% of their respective share of the Regional Property Taxes collected in 2018;
 - C) That the 2019 Interim Regional Property Tax Levy be paid by the Area Municipalities seven days subsequent to the instalment due dates established by each Area Municipality for the collection of their respective interim municipal property taxes;
 - D) That the Regional Clerk be requested to advise the Area Municipalities of the imposition of the 2019 Interim Regional Property Tax Levy for all property tax classes; and,
 - E) That approval be granted for the requisite by-law.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek authorization for the 2019 interim property tax levy in advance of the approval of the 2019 Business Plans and Budgets.

2. Background

- 2.1 The Municipal Act (Section 316(1)) provides that an upper-tier municipality may requisition, prior to the adoption of the final budget, from each lower-tier municipality, an amount not exceeding 50% of the prior year's final requisition adjusted for deferrals, cancellations or other relief.
- 2.2 A by-law adopted by an upper-tier municipality may require that sums requisitioned as an interim levy are to be remitted to the upper-tier municipality on specific dates.

3. Payments by the Area Municipalities

- 3.1 Attachment #1 provides an estimate of the 2019 interim Regional property tax levy by each area municipality payable to the Region, based on 50% of the Regional property taxes requisitioned in 2018 adjusted to take into consideration the provincially mandated Business Protection Program ('Capping') adjustments.
- 3.2 In order that the area municipalities do not experience cash shortages, it is recommended that the interim amounts owing to the Region for 2019 be due seven days subsequent to the due dates for payment of property taxes by individual property owners as established by each area municipality.

4. Conclusion

- 4.1 The 2019 Interim Regional Property Tax Levy is consistent with 2018 and is in line with the best practices of other Regional jurisdictions.

5. Attachments

Attachment #1: Estimate of 2019 Regional Interim Property Tax Levies

Respectfully submitted,

Original Signed By

Nancy Taylor, BBA, CPA, CA
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed By

Elaine C. Baxter-Trahair
Chief Administrative Officer

The Regional Municipality of Durham Estimate of 2019 Regional Interim Property Tax Levies

	<u>Oshawa</u> \$	<u>Pickering</u> \$	<u>Ajax</u> \$	<u>Clarington</u> \$	<u>Whitby</u> \$	<u>Brock</u> \$	<u>Scugog</u> \$	<u>Uxbridge</u> \$	<u>Total</u>
First (1st) Installment	34,312,000	27,334,000	29,145,000	20,746,000	33,799,000	2,673,000	6,061,000	7,044,000	161,114,000
Second (2nd) Installment	34,312,000	27,334,000	29,145,000	20,746,000	33,799,000	2,673,000	6,061,000	7,044,000	161,114,000
Total of Installments	68,624,000	54,668,000	58,290,000	41,492,000	67,598,000	5,346,000	12,122,000	14,088,000	322,228,000

Note:

- (1) Includes 2018 Mandated Provincial Business Protection Program (Capping) adjustments
- (2) Includes General, Transit and Solid Waste Management Purposes
- (3) Does not included potential affects of MPAC 2018 reassessment phase-in
- (4) Rounded to \$1,000s



The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Finance
Report: [#2018-F-3](#)
Date: December 12, 2018

Subject:

By-Law for the Appointment of Municipal Auditor

Recommendation:

That the Finance & Administration Committee recommends to Regional Council:

That the by-law for the appointment of Deloitte LLP as Municipal Auditor for a three (3) year term for the 2018 to 2020 fiscal years be approved and that the Legal Department be directed to submit the appropriate by-law.

Report:

1. Purpose

- 1.1 The purpose of this report is to provide an update on the outcome of the Request for Proposals (RFP) process to select a Municipal Auditor and to recommend to the Finance & Administration Committee and Regional Council that a by-law be passed to appoint Deloitte LLP (Deloitte) as the Municipal Auditor of the Regional Municipality of Durham for the fiscal years 2018 to 2020 inclusive.

2. Background

- 2.1 The appointment of a municipal auditor is a requirement under Provincial legislation. Specifically, the Ontario *Municipal Act, 2001* section 296, states that:

“(1) A municipality shall appoint an auditor licensed under the *Public Accounting Act, 2004* who is responsible for,

- (a) Annually auditing the accounts and transactions of the municipality and its local boards and expressing an opinion on the financial statements of these bodies based on the audit; and
- (b) Performing duties required by the municipality or local board.”

and

- “(3) An auditor of a municipality shall not be appointed for a term exceeding five years.”
- 2.2 A municipal auditor is engaged to express an opinion on the financial statements and base their evaluation on audit work undertaken in accordance with Canadian Generally Accepted Auditing Standards. The audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the Consolidated Financial Statements that are prepared by Regional staff in accordance with Public Sector Accounting Standards. The audit also considers the appropriateness of the accounting policies used and the reasonableness of the accounting estimates made by Regional staff, as well as evaluating the overall presentation of the financial statements. To complete their audit, the independent auditor will develop risk assessments and design audit procedures appropriate in the circumstances to obtain reasonable assurance about whether the financial statements are free from material misstatement.
- 2.3 The issuance of an Independent Auditor's Report adds credibility to the Region's reported financial position and results of its operations. The audited financial statements are an integral component of the financial accountability framework and are used by stakeholders including Durham residents and bond rating agencies.
- 3. Request for Proposals RFP 631-2018**
- 3.1 On July 18th, 2018, RFP- 631-2018 for the Provision of External Auditing Services for the Region of Durham was released. The scope of the services requested in the RFP included audit services for the Region's Consolidated Financial Statements; the Financial Statements of the Durham Regional Local Housing Corporation (DRLHC), the Region's wholly owned subsidiary corporation; and, audits of subsidized programs, as required under provincial or federal funding agreements.
- 3.2 The RFP resulted in the submission of two (2) proposals, both of which were reviewed by the Purchasing Section of the Finance Department for completeness and deemed compliant. Proposals were received from Deloitte LLP and KPMG.
- 3.3 Each of the proposals were evaluated by an Evaluation Committee made up of Finance Department staff (including the Commissioner of Finance) and Social Services Department - Housing Services staff, using the following criteria noted in the RFP:
- Understanding the Region's Requirements
 - Municipal Audit Experience and qualifications
 - Audit Approach
 - Pricing
 - Presentation

- 3.4 The overall highest scoring respondent was Deloitte. The pricing submitted by Deloitte was also the most competitive and remains unchanged from that of previous years for the audit of the core annual Consolidated Financial Statements at an estimated cost of \$78,000. Deloitte will be the Municipal Auditor of the Regional Municipality of Durham for the years 2018 to 2020 inclusive, with an option to extend for an additional two years.
- 3.5 Accordingly, the passing of a by-law to appoint Deloitte LLP as the Municipal Auditor (Attachment #1) for the 2018 to 2020 fiscal years is required.

4. Financial Implications

- 4.1 Funding for municipal audit services is available within the annual operating budgets for the Region, the DRLHC and the subsidized programs that require audits in compliance with their respective funding agreements.

5. Conclusion

- 5.1 It is therefore recommended that the by-law for the appointment of Deloitte LLP as Municipal Auditor for a three (3) year term for the 2018 to 2020 fiscal years be approved and that the Legal Department be directed to submit the appropriate by-law.

6. Attachment

Attachment #1: Draft By-Law to Appoint Municipal Auditor

Respectfully submitted,

Original Signed by Nancy Taylor

Nancy Taylor, BBA, CPA, CA
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed by Elaine C. Baxter-Trahair

Elaine C. Baxter-Trahair
Chief Administrative Officer

BY-LAW NUMBER XX-2018
OF
THE REGIONAL MUNICIPALITY OF DURHAM

being a by-law to appoint the firm of Deloitte LLP as the Municipal auditor for the 2018 to 2020 fiscal years inclusive.

WHEREAS Section 296(1) of the Municipal Act, 2001 provides that a Municipality shall appoint an auditor licensed under the *Public Accounting Act, 2004* who is responsible for:

- a) annually auditing the accounts and transactions of the municipality and its local boards and expressing an opinion on the financial statements of these bodies based on the audit; and
- b) performing duties required by the municipality or local board

AND WHEREAS Section 296(3) of the Municipal Act, 2001 provides that an auditor of a municipality shall not be appointed for a term exceeding five years.

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of the Regional Municipality of Durham by the Council thereof as follows:

1. Deloitte LLP be appointed as the Regional Auditors for the 2018 to 2020 fiscal years inclusive;
2. Deloitte LLP shall audit the accounts and transactions of the Regional Corporation, the Durham Regional Local Housing Corporation, and of every local board of the Corporation.

BY-LAW read and passed this xx day of December, 2018.

John Henry, Regional Chair and CEO

R. Walton, Regional Clerk



The Regional Municipality of Durham Report

From: Commissioner of Finance
Report: [#2018-F-4](#)
Date: December 12, 2018

Subject:

Revised Timetable for the 2019 Regional Business Plans and Budgets

Recommendations:

That the Finance and Administration Committee recommends to Regional Council:

- A) That the Preliminary Timetable for the 2019 Regional Business Plans and Budgets adopted at the May 9, 2018 Regional Council meeting, be amended to reflect final Regional Council approval of the 2019 Water and Sewer Business Plans and Budgets on January 30, 2019 and approval of the 2019 Property Tax Supported Business Plans and Budgets on March 27, 2019;
 - B) That the Revised 2019 Timetable for the 2019 Regional Business Plans and Budgets, outlined in Attachment #1 to this report, be approved; and
 - C) That a copy of this report be forwarded to all Outside Boards and Agencies, including the Durham Regional Police Services Board, the five Conservation Authorities, Durham Region Transit Commission and Durham Regional Local Housing Corporation.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to provide a revised timetable for the 2019 Regional Business Plans and Budgets for Regional Council approval based on discussion at the November 20, 2018 Council Orientation Session and staff feedback.

2. Background

- 2.1 Regional Council, on May 9, 2018, approved the 2019 Regional Business Planning and Budget Process and the Preliminary 2019 Timetable report (Report #2018-COW-87). This report included the preliminary 2019 timetable for the:
- Multi Year Economic and Financial Forecast, Ten Year Capital Forecast and 2019 Property Tax Budget Guideline;
 - 2019 Detailed Business Plans and Budgets for Water and Sewer;
 - 2019 Detailed Business Plans and Budgets for Property Tax Supported Services; and,
 - Other key reports supporting the Region's business planning process.
- 2.2 Report # 2018-COW-87 indicated that changes to the Business Planning and Budget timetable may occur based on the finalization of the 2018/2019 Standing Committee and Regional Council meeting schedule.

3. Revised Timetable

- 3.1 The revised timetable is compliant with the *Municipal Act, 2001* requirements and allows time to reflect Regional Council's direction on the Multi-Year Economic and Financial Forecast, Ten Year Capital Forecast and 2019 Property Tax Budget Guideline in the 2019 Property Tax Supported Business Plans and Budgets.
- 3.2 The 2019 Detailed Business Plans and Budgets for Water and Sewer will be reviewed and approved by the applicable Standing Committees and Regional Council during the January 2019 meeting schedule. The 2019 Water and Sewer Servicing and Financing Study and the 2019 Water and Sewer User Rates Reports will be presented to Committee of the Whole on December 13, 2018 in order to set the rates effective January 1, 2019. However, the related 2019 Water and Sewer Business Plans and Budgets cannot be approved by Council until the first meetings in 2019 due to the *Municipal Act, 2001* s. 289 (1.1) requirements concerning budget approvals in a year immediately following an election.
- 3.3 The 2019 Detailed Business Plans and Budgets for Property Tax Supported Services, the 2019 Strategic Property Tax Study and the 2019 Property Tax Rates will be reviewed and approved by the applicable Standing Committees and Regional Council during the March 2019 meeting schedule.

4. Attachment

- 4.1 Refer to Attachment #1 - Revised Timetable for the 2019 Regional Business Plans and Budgets - for the revised dates for Standing Committee and Regional Council review and approval of the business plans and budgets.

Respectfully submitted,

Original Signed by Nancy Taylor

Nancy Taylor, BBA, CPA, CA
Commissioner of Finance and Treasurer

Recommended for Presentation to Committee

Original Signed by Elaine C. Baxter-Trahair

Elaine C. Baxter-Trahair
Chief Administrative Officer

REVISED TIMETABLE FOR THE 2019 REGIONAL BUSINESS PLANS AND BUDGETS

A) MULTI YEAR ECONOMIC AND FINANCIAL FORECAST, TEN YEAR CAPITAL FORECAST AND 2019 PROPERTY TAX BUDGET GUIDELINE

Item	Description	Standing Committee	Regional Council
1.	Review and Approval of Multi Year Economic and Financial Forecast, Ten Year Capital Forecast and 2019 Property Tax Budget Guideline Report	Finance and Administration Committee – January 15, 2019	January 30, 2019

B) SERVICING AND FINANCING STUDIES, AND SUPPORTING BUSINESS PLANNING REPORTS

Item	Description	Standing Committee	Regional Council
1.	Review and Approval of Asset Management Plan	Committee of the Whole – September 5, 2018	September 12, 2018
2.	Review and Approval of: <ul style="list-style-type: none"> 2019 Water and Sewer Servicing and Financing Study 2019 Water and Sewer User Rates 	Committee of the Whole – December 13, 2018	December 19, 2018
3.	Review and Approval of: <ul style="list-style-type: none"> 2019 Transportation Servicing and Financing Study 2019 Solid Waste Management Servicing and Financing Study 2019 Social Housing Servicing and Financing Study 	Committee of the Whole – January 16, 2019	January 30, 2019
4.	Review and Approval of 2019 Durham Region Transit Servicing and Financing Study	Transit Executive Committee – February 6, 2019 Finance and Administration Committee – February 12, 2019	February 27, 2019

REVISED TIMETABLE FOR THE 2019 REGIONAL BUSINESS PLANS AND BUDGETS

C) 2019 DETAILED BUSINESS PLANS AND BUDGETS, STRATEGIC PROPERTY TAX STUDY AND PROPERTY TAX RATES

Item	Description	Standing Committee(s)	Regional Council
1.	Review and Approval of 2019 Detailed Water and Sewer Business Plans and Budgets	Works Committee – January 9, 2019 Finance and Administration Committee – January 15, 2019	January 30, 2019
2.	Review and Approval of 2019 Durham Regional Local Housing Corporation (DRLHC) Business Plans and Budget	DRLHC Board – February 27, 2019	
3.	Review and Approval of 2019 Planning and Economic Development Business Plans and Budget	Planning and Economic Development Committee – March 5, 2019	
4.	Review and Approval of 2019 Works General Tax and Solid Waste Management Business Plans and Budget	Works Committee – March 6, 2019	
5.	Review and Approval of 2019 Durham Region Transit Business Plans and Budget	Transit Executive Committee – March 6, 2019	
6.	Review and Approval of 2019 Health and Social Services Business Plans and Budgets	Health and Social Services Committee – March 7, 2019	
7.	Review and approval of: <ul style="list-style-type: none"> • 2019 Departmental Business Plans and Budget • 2019 Durham Region Transit Business Plans and Budget • 2019 Durham Regional Police Services Business Plans and Budget • 2019 Conservation Authorities Business Plans and Budgets 	Finance and Administration Committee – March 19 and 20, 2019	March 27, 2019
8.	Review and Approval of 2019 Strategic Property Tax Study	Finance and Administration Committee – March 19 and 20, 2019	March 27, 2019
9.	Review and Approval of 2019 Property Tax Rates		March 27, 2019