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The Regional Municipality of Durham

MINUTES

REGIONAL COUNCIL

Wednesday, May 27, 2020

The Council of The Regional Municipality of Durham met in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:31 AM

Regional Chair Henry assumed the Chair.

1. Traditional Territory Acknowledgment

Regional Chair Henry read the following land acknowledgement:

We are currently located on land which has long served as a site of meeting and exchange among the Mississaugas Peoples and is the traditional and treaty territory of the Mississaugas of Scugog Island First Nation. We honour, recognize and respect this nation and Indigenous Peoples as the traditional stewards of the lands and waters on which we meet today.

2. Roll Call

A roll call was taken by the Regional Clerk and the following members were present:

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Bath-Hadden
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Highet
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson

Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Regional Chair Henry

*** all members of Council, except the Regional Chair, participated electronically**

Councillor Drew attended the meeting at 11:07 AM
Councillor Kerr attended the meeting at 9:49 AM
Councillor Leahy attended the meeting at 9:50 AM
Councillor Yamada attended the meeting at 9:43 AM
Councillor Ryan was absent due to illness

Councillor Brenner appeared on behalf of Councillor Ryan as the alternate for the City of Pickering

3. Declarations of Interest

There were no declarations of interest.

4. Announcements

Various announcements were made relating to activities and events within the Region and area municipalities.

5. Presentations

5.1 Jacquie Severs, Manager, Economic Development, Marketing & Cluster Development, re: New Durham Tourism Brand (2020-EDT-3) [Item 12.4 – Other Business]

A video presentation on the new Durham Tourism Brand was provided.

Highlights of the video included:

- The process for the project, which was completed before March of 2020
- COVID-19 has had a severe impact on the hospitality and tourism industry as well as the small businesses that rely on tourism
- The Economic Development division is focussed on providing those businesses with the support, information and resources needed to overcome the crisis and is advocating to all levels of government on behalf of those stakeholders
- New tourism brand has the flexibility to represent many Durham Region communities, market segments, categories and organizations, and will communicate the Region's unique value proposition and contribute to business recovery

- The current branding was first deployed in 2006
- Best practice is to refresh branding every 5 years
- During review found problems with the current logo including accessibility
- Competitor tourism brands
- Goals set out for new look including modern and accessible, communicate what is unique about Durham
- The project considered the key audience for the Durham Tourism brand
- Staff reviewed stakeholder feedback – common theme “Urban excitement and country charm”
- A modern, exciting and vibrant new brand will allow Durham Tourism to market the Region’s tourism assets in an eye catching and dynamic way
- The new brand is made of a “D”, a “T” and a map
- Brand is highly flexible and able to be used in a variety of applications and apply to diverse geography and locations across Durham Region
- Icons can be created in the same graphical style
- Key branded statements also explored
- Promotional materials
- System is flexible, works on digital platforms and small sizes effectively

Staff responded to questions from the members of Regional Council.

5.2 Works/Finance/Legal Staff Presentation re: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process (2020-COW-20) [Item 12.7 – Other Business]

Sue Siopis, Commissioner of Works, noted there are a number of items on today’s meeting Agenda dealing with the Region’s Organics Management Solution. She advised that Report #2020-WR-1 was developed in response to Clarington’s questions as noted in Correspondence Item CC13. She further added that Report #2020-COW-20 is the focus of this presentation.

G. Anello, G. Mueller, J. Hunt, S. Tsenis, N. Taylor and E. Baxter-Trahair provided a PowerPoint presentation. Highlights of the presentation included:

- Regional and Market drivers
- What is mixed waste, pre-sort and anaerobic digestion?
- Recommended site location
- Artist renditions of site view
- Response to comments from the Municipality of Clarington
- Why the Region should pursue a joint venture relationship with EPCOR
- EPCOR Joint Venture Scenarios
- Joint Venture, Financial and Business Case Update
- Procurement Process
- Additional Consulting Professional Services

- Recommended Next Steps

Staff responded to questions from Members of Regional Council.

6. Adoption of Minutes

Moved by Councillor Chapman, Seconded by Councillor Brenner,
(131) That the minutes of the regular Council meeting held on April 29, 2020 be adopted.

CARRIED

Moved by Councillor Chapman, Seconded by Councillor Brenner,
(132) That the minutes of the Closed Council meeting held on April 29, 2020 be adopted.

CARRIED

Moved by Councillor Marimpietri, Seconded by Councillor Lee,
(133) That the order of the Agenda be altered to hear Delegations next.

CARRIED

Moved by Councillor Collier, Seconded by Councillor Chapman,
(134) That Council recess for lunch.

CARRIED

Council recessed at 11:49 AM and reconvened at 12:45 PM

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillor Roy who attended the meeting at 12:57 PM.

8. Delegations

- 8.1 Public meetings pursuant to Section 12 of the Development Charges Act, 1997. The first public meeting will be held to present the proposed amendments to Regional Development Charge By-law No. 28-2018. The second public meeting will be held to present the proposed amendments to Regional Transit Development Charge By-law No. 81-2017
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Regional Chair Henry advised that this portion of the Council meeting will be to hold two separate public meetings regarding the proposed amending by-laws and background studies to waive the scheduled July 1, 2020 indexing of Regional development charges for a period of one year, in this order:

1. The Regional Residential and Non-Residential Development Charge amending by-law; and
2. The Regional Transit Development Charge amending by-law.

These public meetings are required pursuant to Section 12 of the Development Charges Act, 1997 as part of the process that Council must follow before passing an amendment to a development charge by-law. This process also included the release of the proposed amending by-laws and background studies to the public on April 24, 2020.

The purpose of the public meeting is two-fold: first to provide the public with information relating to the Development Charge background studies and proposed amending by-laws; and second, to allow any person to make representations relating to the proposed amending by-laws and studies. Teleconference and video options have been made available to the public to facilitate public participation while social distancing. Written submissions received by the Regional Clerk by noon on June 1, 2020, including those opinions expressed verbally at today's public meetings will be considered in the preparation of the final development charge recommendations and by-laws scheduled to be presented to Regional Council for approval on June 24, 2020.

First Public Meeting: The Proposed Regional Residential and Non-Residential Development Charge Amending By-law and Related Background Study

N. Taylor provided a brief overview of the amending by-laws. She advised that the Development Charge background studies were completed and made publicly available on April 24, 2020. She noted that the waiving of the Development Charges may impact future capital programs, and that the waiving is being proposed to assist in economic recovery efforts given the current economic conditions.

Regional Chair Henry advised that no members of the public have registered to speak on this matter. Regional Chair Henry asked if there are any members of the public who wish to make a submission or ask any questions remotely on this matter or if Members are aware of an individual who wishes to speak to this matter. He asked a second and third time. Being none, he advised the portion of the public meeting with regards to the proposed Regional Residential and Non-Residential Development Charge Amending by-law is closed.

Second Public Meeting: The Proposed Regional Transit Development Charge Amending By-law and Related Background Study

N. Taylor provided a brief overview of the amending by-law during the introduction of the first public meeting.

Regional Chair Henry advised that no members of the public have registered to speak on this matter. Regional Chair Henry asked if there are any members of the public who wish to make a submission or ask any questions remotely on this matter or if Members are aware of an individual who wishes to speak to this matter. He asked a second and third time. Being none, he advised the portion of

the public meeting with regards to the proposed Regional Transit Development Charge Amending by-law is closed and he continued with the Council agenda.

- 8.2 Kerry Meydam, Clarington resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
-

Kerry Meydam appeared with respect to Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process.

K. Meydam stated that she is asking that the recommendations contained in Report #2020-COW-20 not be approved by Council. She added that there is missing information and supporting documentation that Council needs in order to make good decisions.

K. Meydam stated that a Co-Owners agreement with Epcor would need a fulsome review by Council before any binding agreement is entered into and added that more information is needed before giving the authorization for staff to continue negotiations with Epcor.

K. Meydam further stated that the Municipality of Clarington has declared itself an unwilling host for the anaerobic digestion facility. She added that she feels there hasn't been enough public information sessions and there has been limited time to comment on the information given.

K. Meydam stated that she feels there is no rush to issue the Request for Prequalification as there are many unanswered questions around site selection and risk factors. She questioned whether there has been thought given to hiring different consultants for the Anaerobic Digestion Project than the Energy-from-Waste Facility project.

K. Meydam stated that she is concerned that this project is being rushed without taking the time to include Council and the public in meaningful discussions. She added that a Long Term Waste Management Plan should have been completed years ago.

- 8.3 Linda Gasser, Whitby resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
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Note: Linda Gasser agreed to present her three delegations consecutively.

Linda Gasser appeared with respect to Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process.

L. Gasser provided a PowerPoint presentation. Highlights of her presentation included:

- The Road to Anaerobic Digestion (AD) – early years focus on AD to process source separated organics including for multi-residential
- Focus moves from AD to process Source Separated Organics (SSO) to Mixed Waste Pre-sort
- Two Trips to Europe in 2015-2016 by Durham staff and politicians
- HDR Report in April 2016 re: AD Implementation/Organics Plan Development
 - Report noted potential combined organics tonnages and potential impacts to DYEC capacity
- June has been a bad month for Durham Councils and public over the last few years
- April 2018 Food and Organic Waste Policy Statement – Multi-Res Buildings will get organics collection
- Impossible to understand assumptions and reconcile limited information in Report #2020-COW-20
- Scan of Slide 7 from June 7, 2017 PowerPoint presentation re. Report #2017-COW-180, titled Overall Property Tax Impacts
- Epcor an out of province for profit corporation – what's in it for them?

Moved by Councillor Anderson, Seconded by Councillor Chapman,
(135) That Linda Gasser be granted a one-time two-minute extension to finish her delegation.

CARRIED

- Durham Council cannot afford to make another costly mistake like the incinerator – especially not when there is huge fiscal uncertainty for the Regional Corporation and Durham residents, businesses and taxpayers
- What staff propose is risky, reckless, unsustainable and abandons the core principle of source separation of materials
- Direct staff to produce all underlying documents supporting their assumptions – including those listed in my correspondence to Council

8.4 Linda Gasser, Durham resident, re: 2020-INFO-37: Durham York Energy Centre Operations Emergency Amendment to Environmental Compliance Approval

Linda Gasser to appeared with respect to Report #2020-INFO-37: Durham York Energy Centre (DYEC) Operations Emergency Amendment to Environmental Compliance Approval.

L. Gasser provided a PowerPoint presentation. Highlights of her presentation included:

- Council and public notified May 1, 2020 via Report #2020-INFO-37 and a Public Service Announcement to those subscribed of increased throughput to 160,000 tonnes per year at the DYEC to December 31, 2020.
- Staff letter a week after the wider shutdowns of work places, schools and businesses began across Ontario
- Who approved submitting request to increase throughput capacity at DYEC?
- Durham waste staff messaging to public at that time
- Sample of two other approaches to possible changes during pandemic
- Opportunistic and unaccountable

L. Gasser responded to questions from the Members of Council.

8.8 Linda Gasser, Durham resident, re: Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington [Item 12.5 – Other Business]

Linda Gasser appeared with respect to Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington.

L. Gasser provided a PowerPoint presentation. Highlights of her presentation included:

- Durham identified preferred site – long before asking Council to start site selection process
- Recall there was zero public consultation around Organics Management until February 2020 at the site selection Public Information Centre
- Excerpt from S. Siopis, Commissioner of Works, April 21, 2020 Correspondence to Clarington regarding the preferred site
- Durham retained AECOM to advise regarding centralized Durham transfer operations - Report 2013-J-38 (page 24) and 2014 Servicing and Financing report

Moved by Councillor Anderson, Seconded by Councillor Joe Neal, (136) That Linda Gasser be granted a one-time two-minute extension to finish her delegation.

CARRIED

- Durham turning Clarington into the Region's dumping ground
- Clarington is again and unwilling host community

L. Gasser responded to questions from members of Regional Council.

- 8.5 Wendy Bracken, Clarington resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
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Wendy Bracken appeared with respect to Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process.

W. Bracken provided a PowerPoint presentation. Highlights of her presentation included:

- Report recommends Council grant wide authority to staff to lock into extremely expensive and risky project at time of unprecedented global uncertainty and state of emergency
- Report fails to provide the key underlying data – not transparent to you nor to your public – impossible to verify claims or replicate figures
- Analysis thus far fails to address risks of high concern with mixed waste pre-sort
- What Durham Region is telling public about where waste and organics are coming from
- Calculation of Durham's predicted organic tonnage using assumptions stated in Report #2020-COW-20 does not add up to proposed capacity sizing

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(137) That Wendy Bracken be granted a one-time two-minute extension to finish her delegation.

CARRIED

- Concerning statements organics could come from outside the Region
- Please do not endorse the staff report recommendations

W. Bracken responded to questions from members of Regional Council.

- 8.6 Wendy Bracken, Clarington resident, re: 2020-INFO-37: Durham York Energy Centre Operations Emergency Amendment to Environmental Compliance Approval
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Wendy Bracken appeared with respect to Report #2020-INFO-37: Durham York Energy Centre Operations Emergency Amendment to Environmental Compliance Approval.

W. Bracken provided a PowerPoint presentation. Highlights of her presentation included:

- Timing raises serious questions about authorization and process
- Concerns with Report #2020-INFO-37 and ECA Emergency Amendment
- Concerns with rationale provided
- Public service message May 1, 2020 misses mark and reveals priorities: no attempt to engage/inform residents in waste reduction/diversion
- Reports from other jurisdictions stand in contrast – Simcoe County example – currently not increasing garbage bag limits in wake of COVID-19

Moved by Councillor Anderson, Seconded by Councillor Joe Neal,
(138) That Wendy Bracken be granted a one-time two-minute extension to finish her delegation.

CARRIED

- Rush to request amendment to increase capacity during pandemic was made, yet longstanding problems/issues at incinerator remain unaddressed
- Has the Region taken inappropriate advantage of this pandemic crisis to obtain approval and advance their plan to increase capacity at the incinerator?

8.7 Wendy Bracken, Clarington resident, re: Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington [Item 12.5 – Other Business]

Wendy Bracken to appeared with respect to Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington.

W. Bracken provided a PowerPoint presentation. Highlights of her presentation included:

- Many concerns and objections
 - Fairness of process, determination and application of criteria
 - Assessment does not adequately respect nearby natural spaces including Darlington Provincial Park and Second Marsh
 - Inadequate consultation on siting
 - Fails to respect Clarington's Unwilling Host Declaration
 - Inconsistent with Clarington's vision for their waterfront and official plan
 - Clarington has advised that this breaches the incinerator Host Community Agreement
- Unfair, unjust, unconscionable to rush process through during a pandemic
- Clarington correspondence dated May 26, 2020 regarding Pre-Sort/AD Facility and the EFW Host Community Agreement

W. Bracken responded to questions from members of Regional Council.

- 8.8 Linda Gasser, Durham resident, re: Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington [Item 12.5 – Other Business]
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Linda Gasser's delegation on Report #2020-WR-1 was heard earlier in the meeting. (See Item 8.8 on page 8 of these minutes)

- 8.9 Kathleen Power, Durham resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
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Kathleen Power appeared with respect to Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process; and Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington.

K. Power stated that she reviewed the reports on the Region's website regarding the AD and is disappointed that they do not include any comments from agencies and the public, other than Clarington Council. She added that she believes all comments should be shared with Councillors before decisions are made on this matter.

K. Power stated that her concerns and comments are regarding the best site for the AD facility based on principle and cost. She questioned whether co-location with the DYEC will benefit the tax payers. She added that at this time it is too early to determine if the costs outweigh the benefits.

K. Power advised that she reviewed the table that compares the sites that were considered for the AD facility. She stated that the Whitby site is comparable in terms of cost and added that the comparability of the Whitby site becomes a more important consideration now that Clarington Council has indicated they are unwilling hosts to the proposed project.

K. Power stated that it was not clear how it was determined that the Courtice site had the lowest transportation costs. She stated that most of the Region's waste comes out of the Pickering and Whitby transfer stations and if the AD is closer to these stations, it should result in lower transportation costs and ultimately less trips made to the DYEC with the remaining waste. She added that there is a reasonable alternative, industrially designated site in Whitby that needs serious consideration.

K. Power responded to questions from members of Regional Council.

- 8.10 Kathleen Power, Durham resident, re: Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington [Item 12.5 – Other Business]

Kathleen Power combined her delegation on Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington, with her previous delegation.

Moved by Councillor Foster, Seconded by Councillor Marimpietri,
(139) That Council recess for 15 minutes.

CARRIED

Council recessed at 2:41 PM and reconvened at 2:56 PM

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillor Bath-Hadden who left on municipal business, Councillor Drew, Councillor Kerr who was absent on personal matters and returned to the meeting at 3:25 PM, and Councillor Smith who attended later in the meeting.

7. Communications

- CC 09 Correspondence from the Municipality of Clarington re: Anaerobic Digestion Facility
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Moved by Councillor Marimpietri, Seconded by Councillor Barton,
(140) That Council Correspondence CC 09 from the Municipality of Clarington re: Anaerobic Digestion Facility be referred to the consideration of Report #2020-WR-1.

CARRIED

- CC 10 Correspondence from Kathleen Power re: Waste Pre-Sorting and Anaerobic Digestion Facility – Siting Report
-

Moved by Councillor Joe Neal, Seconded by Councillor Anderson,
(141) That Council Correspondence CC 10 from Kathleen Power re: Waste Pre-Sorting and Anaerobic Digestion Facility – Siting Report be referred to the consideration of Report #2020-COW-20.

CARRIED

- CC 11 Correspondence from Building Industry and Land Development Association (BILD) re: Comments on the Proposed Amendments to Regional Development Charge By-laws to Waive the July 1, 2020 Indexing
-

Moved by Councillor Wotten, Seconded by Councillor Lee,
(142) That Council Correspondence CC 11 from Building Industry and Land Development Association (BILD) re: Comments on the Proposed

Amendments to Regional Development Charge By-laws to Waive the July 1, 2020 Indexing be referred to the consideration of Report #2020-F-9.

CARRIED

CC 12 Correspondence from Association of Municipalities Ontario re: Nominations to the 2020-2022 AMO Board of Directors

Moved by Councillor Carter, Seconded by Councillor Smith,

- (143) That Regional Chair Henry be nominated for the Director – Regional and Single Tier Caucus for the AMO Board of Directors for the 2020-2022 term.

CARRIED

CC 13 Correspondence from the Municipality of Clarington re: Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility – Site Selection Process Municipal Comments on Evaluation of Short-List of Sites and Identification of Preferred Site

Moved by Councillor Foster, Seconded by Councillor Anderson,

- (144) That Council Correspondence CC 13 from the Municipality of Clarington re: Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility – Site Selection Process Municipal Comments on Evaluation of Short-List of Sites and Identification of Preferred Site be referred to the consideration of Report #2020-COW-20.

CARRIED

CC 14 Correspondence from the City of Pickering re: Call for Investigation – Outbreaks and Deaths at Long-Term Care Homes, Retirement Homes and other Congregate Facilities

Moved by Councillor Pickles, Seconded by Councillor Ashe,

- (145) That Council Correspondence CC 14 from the City of Pickering re: Call for Investigation – Outbreaks and Deaths at Long-Term Care Homes, Retirement Homes and other Congregate Facilities, be endorsed.

CARRIED LATER IN THE MEETING ON A
RECORDED VOTE
(See Following Motion)

Moved by Councillor McLean, Seconded by Councillor Collier,

- (146) That Council Correspondence CC 14 from the City of Pickering re: Call for Investigation – Outbreaks and Deaths at Long-Term Care Homes, Retirement Homes and other Congregate Facilities, be referred to consideration of Item 9.2 under Notice of Motions.

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Barton
Councillor Brenner
Councillor Lee
Councillor McLean

No

Councillor Ashe
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Leahy
Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Kerr

Declarations of Interest: None

Moved by Councillor Collier, Seconded by Councillor McLean,
(147) That Council recess for five minutes.

CARRIED

Council recessed at 3:45 PM and reconvened at 3:50 PM

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillor Bath-Hadden.

The main motion (145) of Councillors Pickles and Ashe was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Collier

No

Councillor Anderson
Councillor Brenner
Councillor Lee
Councillor Marimpietri
Councillor McLean

Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Mitchell
Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Councillor John Neal
Councillor Joe Neal
Councillor Nicholson

Members Absent: Councillor Bath-Hadden

Declarations of Interest: None

- CC 15 Correspondence from Doug McLaughlin, Pickering Resident re: Proposed Amendments to Regional Development Charge By-law Nos. 28-2018 and 81-2017
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Moved by Councillor Marimpietri, Seconded by Councillor Collier,
(148) That Council Correspondence CC 15 from Doug McLaughlin, Pickering Resident re: Proposed Amendments to Regional Development Charge By-law Nos. 28-2018 and 81-2017 be referred to the consideration of Report #2020-F-9.

CARRIED

- CC 16 Correspondence from Building Industry and Land Development Association (BILD) re: COVID-19 Response and Recovery
-

Moved by Councillor Carter, Seconded by Councillor Foster,
(149) That Council Correspondence CC 16 from Building Industry and Land Development Association (BILD) re: COVID-19 Response and Recovery be received for information.

CARRIED

- CC 17 Correspondence from Weston Consulting re: Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics Processing Facility
-

Moved by Councillor Foster, Seconded by Councillor Smith,
(150) That Council Correspondence CC 17 from Weston Consulting re: Region of Durham Mixed Waste Pre-Sort and Anaerobic Digestion Organics

Processing Facility be referred to the consideration of Report #2020-COW-20.

CARRIED

- CC 18 Linda Gasser, Durham resident, writing to Durham Region Council providing additional information regarding her delegation on Report #2020-WR-1 and #2020-COW-20 (Our File: E08)
-

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(151) That Council Correspondence CC 18 from Linda Gasser, Durham resident, providing additional information regarding her delegation on Report #2020-WR-1 and #2020-COW-20 be referred to the consideration of Reports #2020-WR-1 and 2020-COW-20.

CARRIED

- CC 19 Connie Hergert, Vice-President, Corporate Real Estate, Ontario Power Generation writing to Gioseph Anello, Manager of Policy and Technical Services, Region of Durham regarding the Waste Pre-Sorting and Anaerobic Digestion Facility Draft Siting Report (Our File: E08)
-

Moved by Councillor Foster, Seconded by Councillor Leahy,
(152) That Council Correspondence CC 19 from Connie Hergert, Vice-President, Corporate Real Estate, Ontario Power regarding the Waste Pre-Sorting and Anaerobic Digestion Facility Draft Siting Report be referred to the consideration of Report #2020-COW-20.

CARRIED

- CC 20 Susan Cassel, City Clerk, City of Pickering, writing to the Regional Clerk/Director of Legislative Services advising of a motion adopted at the May 25, 2020 Council meeting re: Appointment of Alternate Member to Upper Council under Section 267 of the Municipal Act, 2001, S.O. 2001, c. 25 (Our File: C00)
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Moved by Councillor Foster, Seconded by Councillor Collier,
(153) That Council Correspondence CC 20 from Susan Cassel, City Clerk, City of Pickering, writing to the Regional Clerk/Director of Legislative Services advising of a motion adopted at the May 25, 2020 Council meeting re: Appointment of Alternate Member to Upper Council under Section 267 of the Municipal Act, 2001, S.O. 2001, c. 25 be received for information.

CARRIED

- CC 21 Petition begun by the Families of Orchard Villa on change.org to Premier Doug Ford, Minister of Long-Term Care Merrilee Fullerton, Minister of Health Christine Elliot, Lieutenant Governor of Ontario, The Honourable Elizabeth Dowdeswell, Lead of the Opposition, Andrea Horwath, NDP, MPPs of Durham Region, MPPs of all Regions in Ontario, City Councillors of Durham Region and the City of Pickering regarding Call for Public Inquiry into Orchard Villa Long-Term Care Home (Our File: C00)
-

Moved by Councillor Lee, Seconded by Councillor Marimpietri,
(154) That the Petition begun by the Families of Orchard Villa on change.org to Premier Doug Ford, Minister of Long-Term Care Merrilee Fullerton, Minister of Health Christine Elliot, Lieutenant Governor of Ontario, The Honourable Elizabeth Dowdeswell, Lead of the Opposition, Andrea Horwath, NDP, MPPs of Durham Region, MPPs of all Regions in Ontario, City Councillors of Durham Region and the City of Pickering regarding Call for Public Inquiry into Orchard Villa Long-Term Care Home, be referred to the consideration of Item 9.2 under Notice of Motions.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada

No

Councillor Brenner
Councillor McLean
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Drew

Declarations of Interest: None

CC 22 C. Anne Greentree, Municipal Clerk, Municipality of Clarington, writing to the Regional Clerk/Director of Legislative Services advising of a motion adopted at the May 25, 2020 Council meeting re: Pre-Sort/AD Facility and the EFW Host Community Agreement (Our File: E08)

Moved by Councillor Chapman, Seconded by Councillor Barton,

- (155) That Council Correspondence CC 22 from C. Anne Greentree, Municipal Clerk, Municipality of Clarington, writing to the Regional Clerk/Director of Legislative Services advising of a motion adopted at the May 25, 2020 Council meeting re: Pre-Sort/AD Facility and the EFW Host Community Agreement be referred to the consideration of Report #2020-COW-20.

CARRIED

CC 23 Memorandum from Jason Hunt, Director of Legal Services, writing to Regional Council re: Pre-Sort/AD Facility and the EFW Host Community Agreement (Our File: E08)

Moved by Councillor Chapman, Seconded by Councillor Smith,

- (156) That the Memorandum from Jason Hunt, Director of Legal Services, writing to Regional Council re: Pre-Sort/AD Facility and the EFW Host Community Agreement be referred to the consideration of Report #2020-COW-20.

CARRIED

8. Delegations

- 8.1 Public meetings pursuant to Section 12 of the Development Charges Act, 1997. The first public meeting will be held to present the proposed amendments to Regional Development Charge By-law No. 28-2018. The second public meeting will be held to present the proposed amendments to Regional Transit Development Charge By-law No. 81-2017
-

This item was considered earlier in the meeting. [See Item 8.1 on pages 4 to 6.]

- 8.2 Kerry Meydam, Clarington resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
-

This item was considered earlier in the meeting. [See Item 8.2 on page 6.]

- 8.3 Linda Gasser, Whitby resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
-

This item was considered earlier in the meeting. [See Item 8.3 on pages 6 and 7.]

- 8.4 Linda Gasser, Durham resident, re: 2020-INFO-37: Durham York Energy Centre Operations Emergency Amendment to Environmental Compliance Approval
-

This item was considered earlier in the meeting. [See Item 8.4 on pages 7 and 8.]

- 8.5 Wendy Bracken, Clarington resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
-

This item was considered earlier in the meeting. [See Item 8.5 on page 9.]

- 8.6 Wendy Bracken, Clarington resident, re: 2020-INFO-37: Durham York Energy Centre Operations Emergency Amendment to Environmental Compliance Approval
-

This item was considered earlier in the meeting. [See Item 8.6 on pages 9 and 10.]

- 8.7 Wendy Bracken, Clarington resident, re: Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington [Item 12.5 – Other Business]
-

This item was considered earlier in the meeting. [See Item 8.7 on page 10 and 11.]

- 8.8 Linda Gasser, Durham resident, re: Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington [Item 12.5 – Other Business]
-

This item was considered earlier in the meeting. [See Item 8.8 on page 8.]

- 8.9 Kathleen Power, Durham resident, re: Report #2020-COW-20: Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process [Item 12.7 – Other Business]
-

This item was considered earlier in the meeting. [See Item 8.9 on page 11.]

- 8.10 Kathleen Power, Durham resident, re: Report #2020-WR-1: Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington [Item 12.5 – Other Business]
-

This item was considered earlier in the meeting. [See Item 8.10 on page 12.]

9. Notice of Motions

- 9.1 Motion to Permit Regional Standing Committees, Committee of the Whole and Council to meet in the Months of July and August 2020
-
- [CARRIED ON A RECORDED VOTE]

Moved by Councillor Collier, Seconded by Councillor Foster,

- (157) Subject to a 2/3rds majority vote, that due to circumstances arising from the COVID-19 pandemic and the cancellation of the April and May Standing Committee meetings, the rules of procedure be suspended in order to permit Regional Standing Committees, Committee of the Whole, and Council to meet in the months of July and August 2020, if needed.

CARRIED ON THE FOLLOWING
RECORDED VOTE (A 2/3rds Vote Was
Attained)

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Brenner	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
Councillor Crawford	
Councillor Dies	
Councillor Foster	
Councillor Highet	
Councillor Kerr	
Councillor Leahy	
Councillor Lee	
Councillor Marimpietri	
Councillor McLean	
Councillor Mitchell	
Councillor Mulcahy	
Councillor John Neal	
Councillor Joe Neal	
Councillor Nicholson	
Councillor Pickles	
Councillor Roy	
Councillor Smith	
Councillor Wotten	
Councillor Yamada	
Regional Chair Henry	

Members Absent: Councillor Bath-Hadden
Councillor Drew

Declarations of Interest: None

- 9.2 Request for a Public Inquiry into Long Term Care in Ontario
[MOTION RULED OUT OF ORDER] [SEE RECORDED VOTE ON PAGE 22]

Moved by Councillor McLean, Seconded by Councillor Brenner,
(158) Whereas there has been an unprecedented devastating impact of COVID-19 outbreaks and deaths in Long Term Care and Retirement Homes and other facilities across Ontario;

And whereas these facilities are regulated and licensed by the Province of Ontario;

And whereas as of May 14, 2020, in Durham Region there have been 153 reported deaths attributed to COVID-19, 131 of which have occurred in Long Term Care and Retirement Homes;

And whereas the Orchard Villa Long Term Care and Retirement Home has been one of the facilities that has been hardest hit impacting staff and residents resulting in 74 reported deaths as of May 14, 2020;

And whereas residents across Durham and across Ontario along with the Council of Durham Region, recognize and support the hard work and dedication by all Health Care professionals and support staff that continue to risk their lives during this pandemic crisis working at Orchard Villa and all facilities, as well as sending condolences to those who have passed, those who have tested positive, and to all the families whose lives have been impacted;

And whereas many of the impacted families who have lost loved ones at Orchard Villa have reached out and are demanding a public inquiry into what took place and what changes are necessary to ensure this will never happen again;

And whereas the Provincial Inquiries Act establishes that a Municipality may call for an independent public inquiry or establish an effective and accountable process for public inquiries where there is a public interest to:

- a) Independently inquire into facts or matters;
- b) Make recommendations regarding those facts or matters;

Now therefore be it resolved that the Council for the Regional Municipality of Durham calls upon the Lieutenant Governor in Council who is empowered under the Provincial Inquiries Act to establish a commission to conduct a public inquiry into the Orchard Villa Long Term Care Facility and Retirement Home and other congregate facilities to determine the causes for the particular devastating impacts and a recommended means to remedy and avoid such outbreaks and deaths in facilities across Ontario; and

That a copy of this motion be forwarded to The Honourable Elizabeth Dowdeswell, Lieutenant Governor of Ontario; Premier Doug Ford; Leaders of the Opposition Parties of Ontario; all Durham Region MPPs; all GTA Regional and Lower tier Councils; and, AMO.

MOTION RULED OUT OF ORDER

(See Following Challenge to the Chair)

Regional Chair Henry ruled the foregoing motion (158) of Councillors McLean and Brenner out of order. He stated it is contrary to Correspondence Item CC 14 which was endorsed earlier in the meeting.

Councillor Chapman challenged the ruling of Regional Chair Henry. The ruling of the Chair was UPHELD ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor Highet
Councillor Leahy
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Yamada
Regional Chair Henry

No

Councillor Anderson
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Dies
Councillor Kerr
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Joe Neal
Councillor Wotten

Members Absent: Councillor Bath-Hadden
Councillor Drew

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(159) That the Rules of Procedure be suspended in order to introduce a new motion.

CARRIED ON THE FOLLOWING
RECORDED VOTE (A 2/3rds Vote Was
Attained):

Yes

Councillor Anderson
Councillor Barton
Councillor Brenner
Councillor Collier
Councillor Crawford
Councillor Dies
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Ashe
Councillor Mitchell
Councillor Mulcahy
Councillor Roy

Members Absent: Councillor Bath-Hadden
Councillor Carter
Councillor Chapman
Councillor Drew

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(160) That the families of Orchard Villa be advised of the action taken at the
May 27, 2020 meeting of Regional Council with respect to endorsement
of the City of Pickering's correspondence (CC 14) regarding the Call for
an Investigation – Outbreaks and Deaths at Long-Term Care Homes,
Retirement Homes and other Congregate Facilities.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Collier
Councillor Crawford

No

Councillor Anderson
Councillor McLean

Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Chapman

Declarations of Interest: None

Moved by Councillor Marimpietri, Seconded by Councillor John Neal,
(161) That Council recess for ten minutes.

CARRIED

Council recessed at 4:56 PM and reconvened at 5:06 PM

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillor Bath-Hadden, and Councillors Leahy and McLean who attended later in the meeting.

9.3 Support for Immediate COVID-19 Autism Funding
[CARRIED ON A RECORDED VOTE]

Moved by Councillor Lee, Seconded by Councillor Crawford,
(162) Whereas the COVID-19 pandemic has drastically disrupted the lives of parents, families and caregivers of children living with special needs including autism spectrum disorders; and

Whereas the routines that families relied upon were stopped suddenly and without immediate remedy – school, therapies, supports, sports, and social connections – leaving children on the spectrum anxious, stressed and parents feeling stranded, unsupported and drained; and

Whereas parents across Ontario have been struggling to meet the complex care and educational needs of children with autism – leaving some parents to fill the role of speech language pathologists, occupational therapists, behavioural therapists, educators, physiotherapists, and others when the option of online services is not available (or not feasible to those most severely impacted), often leaving additional children in a household to suffer; and

Whereas the many families that do not qualify for the Canada Emergency Response Fund are desperately waiting for the government(s) to intervene and provide relief;

Therefore be it resolved that Durham Region Council calls on the Province of Ontario to:

1. Deem select autism supports (like IBI/ABA therapy) as essential services to allow in-person therapies for those who cannot access them online; and
2. Relax funding rules so more can be done to provide for children with special needs and their families; and
3. Extend the timing available to spend a child's allocated service funding (as many services are currently unavailable); and
4. Provide families regular and timely guidance regarding the government's programs, intentions and commitments; and

That this resolution be distributed to the Provincial Minister of Children, Community and Social Services, and Associate Minister of Children and Women's Issues; Durham Region MPPs; and Durham Region municipalities.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Anderson	None
Councillor Ashe	
Councillor Barton	
Councillor Brenner	
Councillor Carter	
Councillor Chapman	
Councillor Collier	
Councillor Crawford	
Councillor Dies	
Councillor Drew	
Councillor Foster	

Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor McLean

Declarations of Interest: None

10. Committee Reports

There were no committee reports.

11. Unfinished Business

There was no unfinished business to be considered.

12. Other Business

- 12.1 Public Meetings Regarding Proposed Amendments to Regional Transit Development Charge By-law No. 81-2017 and Regional Residential and Non-residential Development Charge By-law No. 28-2018 (2020-F-9)
-

[CARRIED]

Moved by Councillor Foster, Seconded by Councillor Wotten,

(163) A) That Report #2020-F-09 of the Commissioner of Finance be received for information; and

- B) That all submissions received by Regional Council and the written submissions received by the Regional Clerk by noon on June 1, 2020, including those opinions expressed verbally at the May 27, 2020 public meetings, be received and referred to Regional staff for consideration in the preparation of the final development charge

recommendations and amending by-laws scheduled to be presented to Regional Council for approval on June 24, 2020.

CARRIED

12.2 Cancellation of Certain Unpaid Water/Sewer Accounts and Update of the Regional Policy Regarding Cancellation of Accounts (2020-F-10)
[CARRIED]

Moved by Councillor Foster, Seconded by Councillor Lee,

(164) A) That Regional Council ratify the cancellation of water and sewer accounts totalling \$67,551.64; and

B) That the policy regarding the cancellation of accounts be amended as follows:

The Commissioner of Finance be authorized to approve the cancellation of accounts and monies owed to the Region for amounts up to the prevailing limit for Small Claims Court Actions and, upon the recommendation of the Commissioner of Finance, the Finance and Administration Committee approve the cancellation of accounts and monies owed to the Region for amounts over this limit provided:

- That the Director of Legal Services is satisfied that the account is not legally enforceable, or;
- That all reasonable efforts have been made to collect the account and where the additional costs to collect the account would not be justified for the amount involved and the monies owing are determined to be uncollectible.

CARRIED

12.3 Update on Financial Implications of Regional Programs and Services Impacted by the COVID-19 Pandemic (2020-F-11)
[CARRIED]

Moved by Councillor Leahy, Seconded by Councillor Carter,

(165) A) That Regional Council endorse the Federation of Canadian Municipalities (FCM) recommendations outlined in their submission entitled: 'Protecting Vital Municipal Services', and that FCM be so advised;

B) That Regional Council endorse the Association of Municipalities of Ontario (AMO) measures described in their letter addressed to the Federal and Ontario Finance Ministers re: Municipal Government Services and Ontario and Canada's Economic Recovery, and AMO be so advised; and

- C) That Regional Council receive Report #2020-F-11 of the Commissioner of Finance as an update of the financial implications to the Region related to the ongoing responses to the COVID-19 pandemic.

CARRIED

12.4 New Durham Tourism Brand (2020-EDT-3)
[CARRIED]

Moved by Councillor Chapman, Seconded by Councillor Marimpietri,

- (166) A) That the proposed new Durham Tourism brand be approved for use; and

- B) That Report #2020-EDT-3 of the Commissioner of Planning and Economic Development be circulated to Durham Region area municipalities.

CARRIED

12.5 Mixed Waste Transfer and Pre-Sort Anaerobic Digestion Facility Siting Report – Response to Comments from the Municipality of Clarington (2020-WR-1)
[CARRIED ON A RECORDED VOTE] [SEE MOTION (167) AND RECORDED VOTE ON PAGES 29 AND 30]

Moved by Councillor Ashe, Seconded by Councillor Smith,

- (167) A) That Report #2020-WR-1 of the Commissioner of Works be received for information; and

- B) That a copy of Report #2020-WR-1 of the Commissioner of Works be forwarded to the Municipality of Clarington.

CARRIED LATER IN THE MEETING
(See Following Motion)

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,

- (168) That the main motion (167) of Councillors Ashe and Smith be referred to consideration of Item 12.7 of Other Business (Report 2020-COW-20).

MOTION DEFEATED ON THE FOLLOWING
RECORDED VOTE:

Yes

Councillor Anderson
Councillor Brenner
Councillor Foster
Councillor Marimpietri
Councillor John Neal
Councillor Joe Neal

No

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Crawford
Councillor Dies
Councillor Drew
Councillor Highet

Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Collier
Councillor McLean

Declarations of Interest: None

The main motion (167) of Councillors Ashe and Smith was then put to a vote and
CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes
Councillor Ashe
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Chapman
Councillor Collier
Councillor Dies
Councillor Drew
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No
Councillor Anderson
Councillor Foster
Councillor John Neal
Councillor Joe Neal

Members Absent: Councillor Bath-Hadden
Councillor Crawford
Councillor McLean

Declarations of Interest: None

Moved by Councillor Lee, Seconded by Councillor Foster,
(169) That Council recess for one hour.

Council recessed at 6:38 PM and reconvened at 7:40 PM

The Regional Clerk conducted a roll call following the recess and all members of Council were present, with the exception of Councillor Bath-Hadden and Councillors Crawford, Kerr and Mulcahy who attended later in the meeting.

12.6 Approval of Request to Release a Regional Easement (2020-W-26)
[CARRIED]

Moved by Councillor Marimpietri, Seconded by Councillor Chapman,
(170) A) That the easement of the property identified as Lot 4 and 5, Block 17, Plan of Village of Newcastle Hanning's Plan Undated Newcastle, in the Municipality of Clarington, subject to an easement as in N108992 be released from title;

B) That the Legal Department be authorized to register a Release of Easement on title to the subject property; and

C) That the Regional Chair and Clerk be authorized to execute all documents associated with this agreement.

CARRIED

12.7 Organics Management Solution – Joint Venture/Co-ownership with Epcor Utilities Inc., Recommended Project Site, Current Business Case and Risk Assessment Update, and Procurement Process (2020-COW-20)
[CARRIED ON A RECORDED VOTE] [SEE MOTION (171) AND RECORDED VOTE ON PAGE 34]

Moved by Councillor Lee, Seconded by Councillor Leahy,
(171) A) That Regional Municipality of Durham ("Region") staff be authorized to pursue a joint venture/co-ownership relationship with Epcor Utilities Inc. ("EPCOR") for the co-development of the Region's long-term organics waste management solution, including a mixed waste transfer facility, a pre-sort facility and an anaerobic digester with biomethane upgrading system (the "Project");

- B) That Regional staff be authorized to continue negotiations with EPCOR to establish a Co-Owners' Agreement and other ancillary agreements to the Co-Owners' Agreement;
- C) That 393 Courtice Road, Municipality of Clarington ("South Clarington Site") be approved as the recommended development site for the Project based on the siting evaluation enumerated herein;
- D) That Regional staff be authorized to issue the Request for Prequalification in or around June 2020; and
- E) That approval be granted for up to an additional \$1.25 million (to be funded from the approved Project Budget) in external consulting fees up to the Request for Proposal close and selection of a preferred Design, Build, Operate and Maintain ("DBOM") vendor team. These consulting fees include up to \$800,000 for Deloitte LLP, up to \$400,000 for WeirFoulds LLP, and \$50,000 for P1 Consulting.

CARRIED LATER IN THE MEETING ON A
RECORDED VOTE
(See Following Motions)

Moved by Councillor Nicholson, Seconded by Councillor Joe Neal,
(172) That Parts A), B) and E) of the main motion (171) of Councillors Lee and Leahy, be divided from the remainder and voted on separately.

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Barton
Councillor Brenner
Councillor Carter
Councillor Dies
Councillor Marimpietri
Councillor McLean
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson

No

Councillor Ashe
Councillor Chapman
Councillor Collier
Councillor Crawford
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Mitchell
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten

Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden
Councillor Mulcahy

Declarations of Interest: None

Moved by Councillor Joe Neal, Seconded by Councillor John Neal,
(173) That Item 12.7 (Report 2020-COW-20) be referred back to staff to
report at the June 24, 2020 Council meeting on:

- A) The issues raised by the delegates, including the correspondence of Kathleen Powers;
- B) A draft agreement or letter of intent with Epcor Utilities Inc.;
- C) Clarification on the transportation cost issue; and
- D) A written opinion from Deloitte on the corporate taxation issue.

MOTION DEFEATED

ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Brenner
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor Kerr
Councillor Marimpietri
Councillor McLean
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson
Councillor Wotten
Councillor Yamada

No

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Dies
Councillor Drew
Councillor Highet
Councillor Leahy
Councillor Lee
Councillor Mitchell
Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Smith
Regional Chair Henry

Members Absent: Councillor Bath-Hadden

Declarations of Interest: None

Moved by Councillor Collier, Seconded by Councillor Nicholson,
(174) That the main motion (171) of Councillors Lee and Leahy be
amended by deleting Parts A) and B) in their entirety.

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Brenner
Councillor Collier
Councillor Crawford
Councillor Marimpietri
Councillor McLean
Councillor John Neal
Councillor Joe Neal
Councillor Nicholson

No

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Dies
Councillor Drew
Councillor Foster
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Mitchell
Councillor Mulcahy
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

Members Absent: Councillor Bath-Hadden

Declarations of Interest: None

Moved by Councillor Brenner, Seconded by Councillor Foster,
(175) That consideration of the main motion (171) of Councillors Lee
and Leahy be deferred to the June 24th meeting of Regional
Council.

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Anderson
Councillor Brenner
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor McLean
Councillor John Neal
Councillor Joe Neal
Councillor Yamada

No

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Dies
Councillor Drew
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee

Councillor Marimpietri
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Regional Chair Henry

Members Absent: Councillor Bath-Hadden

Declarations of Interest: None

The main motion (171) of Councillors Lee and Leahy to adopt the recommendations contained in Item 12.7 of Other Business was then put to a vote and CARRIED ON THE FOLLOWING RECORDED VOTE:

Yes

Councillor Ashe
Councillor Barton
Councillor Carter
Councillor Chapman
Councillor Dies
Councillor Drew
Councillor Highet
Councillor Kerr
Councillor Leahy
Councillor Lee
Councillor Marimpietri
Councillor McLean
Councillor Mitchell
Councillor Mulcahy
Councillor Nicholson
Councillor Pickles
Councillor Roy
Councillor Smith
Councillor Wotten
Councillor Yamada
Regional Chair Henry

No

Councillor Anderson
Councillor Brenner
Councillor Collier
Councillor Crawford
Councillor Foster
Councillor John Neal
Councillor Joe Neal

Members Absent: Councillor Bath-Hadden

Declarations of Interest: None

13. By-laws

There were no by-laws.

14. Confirming By-law

24-2020 Being a by-law to confirm the proceedings of Regional Council at their meeting held on May 27, 2020.

Moved by Councillor Ashe, Seconded by Councillor Chapman,
(176) That By-law Number 24-2020 being a by-law to confirm the proceedings of the Council of the Regional Municipality of Durham at their meeting held on May 27, 2020 be passed.

CARRIED

15. Adjournment

Moved by Councillor Kerr, Seconded by Councillor Lee,
(177) That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:34 PM

Respectfully submitted,

John Henry, Regional Chair & CEO

Ralph Walton, Regional Clerk