

Municipality of Lakeshore – Report to Council

Legal and Legislative Services

Legal Services



To: Mayor & Members of Council
From: Susan Hirota, Corporate Leader – General Counsel
Date: March 25, 2024
Subject: OPP Detachment Board (North) - Administration

Recommendation

Authorize the Town of Tecumseh to provide administrative support to the new Essex County OPP Detachment Board (North);

Authorize the creation of a new Administrative Support position dedicated to the OPP Detachment Board (North) and for Administration to work with the Town of Tecumseh and the Town of Essex to proceed with drafting a job description and advertisement for the position;

Approve the administrative components related to the municipal liaison support and proposed meeting scheduled;

Approve the financial administration and compensation provisions;

Direct Administration to forward the proposed arrangements regarding the OPP Detachment Board (North) administration as the Municipality of Lakeshore's recommendations, subject to concurrence with the Town of Tecumseh and the Town of Essex, for their consideration;

Recommend the administrative and financial arrangements approved by the three member municipalities to the newly formed Essex County OPP Detachment Board (North) for its adoption; and

Endorse the Town of Tecumseh's selection of Christopher Hales as the at-large representative for the OPP Detachment Board (North) for the remainder of 2024, all as presented at the April 9, 2024 Council meeting.

Strategic Objectives

This report does not relate to any of Council's strategic objectives but is brought forward due to the coming into force of the *Community Safety and Policing Act* on April 1, 2024 and the need to establish the administrative components of the new Essex County OPP Detachment Board (North).

Background

On March 26, 2019, Ontario passed the *Community Safety and Policing Act, 2019* (CSPA), as part of the *Comprehensive Ontario Police Services Act, 2019*. The CSPA comes into force on April 1, 2024 and will replace the current *Police Services Act* (PSA). Effective April 1, 2024, all current OPP police services boards established under section 10 of the PSA are dissolved.

On October 25, 2023, the Ministry of the Solicitor General (Ministry) sent a letter to all local municipalities confirming that the Essex County OPP Detachment Board proposal had been approved by the Ministry which established a North Board (Essex, Lakeshore, Tecumseh) and a South Board (Kingsville, Leamington, Pelee, Caldwell First Nation).

Administration has been working with the senior administrations of the Town of Essex and the Town of Tecumseh (collectively the "Senior Administration") to develop the administrative components of the new Board for consideration by each respective Council. This report focuses on the initial administrative components.

Comments

Senior Administration from the three municipalities recommend the overall Board administration be undertaken by Tecumseh on a fee for service basis, including overhead expenses such as the Administrative Support, financial support services, use of the electronic agenda management software (eScribe), records management, website, livestreaming, hosting meetings, etc. incurred by the host municipality.

Details regarding financial oversight will be forthcoming in a separate report on the Board budget, together with arrangements to be facilitated through a cost-sharing agreement.

Administration

a) Administrative Support

Each of the three municipalities do not have the staffing resources to provide dedicated Administrative Support for the new Board. However, Tecumseh's current Administrative Support (Executive Assistant to the CAO) will assist the new Board in this role on an interim basis.

To carry out the various Board secretariat, administrative and coordination duties, it is recommended that a new position (“Administrative Support”) specifically for the Board administration be created and that Council authorize Administration to work with the Town of Tecumseh and the Town of Essex to draft a job description and advertise for the proposed new position. It is anticipated that this position will be part-time. The staffing enhancement costs will be outlined in the upcoming budgetary report.

b) Municipal Liaison Support

For the three municipalities, two CAOs currently serve as Police Services Board Secretaries (Tecumseh and Essex), with the Corporate Leader – General Counsel acting as Municipal Liaison for Lakeshore. It is jointly recommended that the Municipal Liaison support role continue with representation from each municipality to provide the new Board with governance support in an advisory capacity.

c) Meetings

In accordance with section 43 of the CSPA, at least four (4) meetings shall be held per year. Senior Administration collectively recommends six (6) meetings per year, with any additional meetings and closed meetings to be held at the call of the Chair. This mirrors the Lakeshore Police Services Board’s practice.

Tecumseh will host and livestream the Board meetings initially and subject to the Board’s preference thereafter.

Financial Administration and Compensation

Section 67(3) of the CSPA states that the remuneration and expenses of the Board shall be as provided in the regulations. The current description of the regulation provided by the Ministry states that the amount of the remuneration will be determined by unanimous agreement by the municipalities within the detachment area, or the Province will determine the amount to be paid if unanimous agreement cannot be reached. Board costs are to be allocated equally unless a different arrangement is unanimously agreed to.

Jointly, Senior Administration proposes compensation in accordance with Tecumseh’s current remuneration model, as set out in the table below.

<p>Remuneration (2024 annual rate)</p>	<p>Chair \$3,561 Members \$2,947 Administrative Support (interim) \$2,947 Municipal Liaison \$2,947</p>
<p>Per diem for training and conferences only (does not apply to Board meetings)</p>	<p>\$200 full day \$100 half day</p>

The Lakeshore Police Services Board members currently receive \$125 per meeting. The Essex Police Services Board Chair currently receives \$2,100 per year and the other Board members receive \$1,800 per year.

The compensation for the dedicated Administrative Support will be determined once the job description has been created and the pay evaluated.

Related travel expenses would be per the respective municipal policies until the new Board adopts a consolidated travel policy.

Notwithstanding that the recommendations outlined within this report were derived jointly with Senior Administration from Essex and Lakeshore, all recommendations regarding the administrative and financial arrangements are subject to the concurrence of the Councils of the Town of Tecumseh, the Town of Essex and the Municipality of Lakeshore and eventual adoption by the newly formed Essex County OPP Detachment Board (North).

Tecumseh Council adopted the recommendations of Senior Administration at its meeting on March 19, 2024:

Motion: RCM – 55/24

“That Report CAO-2024-03 entitled “OPP Detachment Board Administration” be received;

And that authorization be given for the Town of Tecumseh to provide administrative support to the new Essex County OPP Detachment Board – North;

And further that authorization be given to Administration to create a new Administrative Support position dedicated to the OPP Detachment Board – North and proceed with drafting a job description and advertisement for the position;

And furthermore, that the administrative components relating to municipal liaison support and proposed meeting schedule **be approved**;

And furthermore, that the financial administration and compensation provisions outlined within Report CAO-2024-03 **be approved**;

And furthermore, that the proposed arrangements regarding the OPP Detachment Board – North administration **be forwarded** as the Town of Tecumseh’s recommendations, subject to concurrence with the Town of Essex and Municipality of Lakeshore, for their consideration;

And furthermore, that the administrative and financial arrangements approved by the three member municipalities **be recommended** to the newly formed Essex County OPP Detachment Board – North for its adoption.”

At the same meeting, Tecumseh Council selected Christopher Hales as the at-large representative for the remainder of 2024 and directed that his name be forwarded as the Town of Tecumseh’s recommendation to the Town of Essex and Municipality of Lakeshore for their consideration.

Others Consulted

Senior Administration from the Town of Tecumseh and the Town of Essex.

Financial Impacts

For the balance of 2024, the new Board is expected to operate within the remaining balances of the cumulative approved budgets of the three member municipalities (Tecumseh, Lakeshore, Essex).

As the new Board is intended to be administered through Tecumseh, actual costs incurred by Tecumseh to administer the program will be recovered equally from the three participating municipalities.

Report Approval Details

Document Title:	OPP Detachment Board (North) - Administration.docx
Attachments:	
Final Approval Date:	Apr 3, 2024

This report and all of its attachments were approved and signed as outlined below:

Prepared by Susan Hirota

Approved by Justin Rousseau and Truper McBride