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Report 2025-065

Report Title: 310 Division Street Community Liaison Committee - Indemnification

Committee Name: Social Services

Committee Meeting Date: April 2, 2025

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Community and Social Services

Reviewed by: Darrell Mast
Municipal Solicitor
Corporate Services

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Community and Social Services

Approved by: Jennifer Moore, CAO

Council Meeting Date: April 16, 2025

Strategic Plan Priorities: Innovate for Service Excellence
 Ignite Economic Opportunity
 Foster a Thriving Community
 Propel Sustainable Growth
 Champion a Vibrant Future

Recommendation

“That the Social Services Committee, having considered Report 2025-065 ‘310 Division Street Community Liaison Committee – Indemnification’, recommend that County Council enact a By-law at the April 16, 2025 County Council meeting to confirm that members of the 310 Division Street Community Liaison Committee are covered under Northumberland County By-law 55-08: A By-law to provide for the indemnity and defence of councillors and employees of the County of Northumberland against liability incurred while acting on behalf of the County of Northumberland.”

Purpose

The purpose of this report is to confirm that members of the 310 Division Street Community Liaison Committee (CLC) are included under the County's Indemnification By-law 55-08.

Background

The County formed a CLC for 310 Division Street, with the inaugural meeting taking place in December 2024. Members of the CLC have inquired about their liability exposure while acting as part of the CLC. While the CLC is not a decision-making body, it is recommended that By-law 55-08 applies to the CLC members, to safeguard against any potential liability issues raised in the future.

Consultations

External discussions have taken place with the CLC on this report and internal consultations have occurred with the Municipal Solicitor.

Legislative Authority / Risk Considerations

Sections 278 and 279 of the *Municipal Act, 2001* allow for municipalities to pass by-laws to provide for the indemnification of its employees and Council.

By-law 55-08 outlines the circumstances where the County can indemnify individuals while acting on its behalf.

Discussion / Options

By-law 55-08: 'A By-law to provide for the indemnity and defence of councilors and employees of the County of Northumberland against liability incurred while acting on behalf of the County of Northumberland' outlines circumstances for the indemnity and defense of employees and councilors when acting on behalf of the County.

Section 1.b. of the by-law defines an employee as "any salaried officer, or any other person in the employ of the County and persons that provide their services on behalf of the County without remuneration, exclusive of reimbursement of expenses or honoraria, if Council of the County has passed a by-law designating such persons or class of persons as employees for the purposes of this By-law."

As such, in order to ensure that all members of the CLC are included under the indemnification by-law, it is proposed that Council enact a by-law clarifying that any current or future member of the 310 Division Street CLC are included in this by-law.

Financial Impact

There is no financial impact.

Member Municipality Impacts

N/A

Conclusion / Outcomes

It is recommended that County Council enact a By-law at the April 16, 2025 County Council meeting confirming that members of the 310 Division Street Community Liaison Committee are covered under Northumberland County By-law 55-08.

Attachments

- 1) Report 2025-065 ATTACH 1 'A By-law to Designate Certain Volunteers as Employees for the Purposes of By-law 55-08'