

MINUTES

P.O.A. SUB-COMMITTEE TO THE LEEDS AND GRENVILLE JOINT SERVICES COMMITTEE

Tuesday, February 2, 2010

Council Chambers
25 Central Avenue West, Brockville

Sub-Committee

Members Present: Chair Ron Holman, Bill Thake, Warden, Bill Gooch, United Counties of Leeds and Grenville
Suzanne Dodge, Town of Prescott
Jim Garrah, Town of Gananoque
Dave Henderson, City of Brockville

Other Members Present: Mel Campbell, John Conley, Roger Haley, Frank Kinsella, Jim Pickard, Doug Struthers, United Counties of Leeds and Grenville

Staff Present: Nigel White, Director of Corporate Services/Treasurer
Diane Gilligan, Operational Supervisor, POA
Pat Huffman, Accounting Services Manager/Deputy Treasurer
Lesley Todd, Clerk, Manager, POA Court Service
Andrea Bolton, Deputy Clerk (Recording Secretary)

Others Present: Christine Endicott, Recorder and Times

Election of Sub-Committee Chair and Vice Chair

Mr. White called for nominations for the position of Chair of the Provincial Offences Act Sub-Committee.

Mr. Gooch nominated Mr. Holman. Mr. Henderson seconded the nomination. Mr. Holman allowed his name to stand.

Mr. White called for nominations a second and third time. No other nominations were received. Mr. Henderson moved the nominations be closed.

Following the nomination put forward by Mr. Gooch, seconded by Mr. Henderson, it was recommended that Mr. Holman be elected Chair. Carried.

Mr. White called for nominations for the position of Vice Chair of the Provincial Offences Act Sub-Committee.

Mr. Gooch put his name forward for the position of Vice Chair. Mr. Henderson seconded the nomination.

Mr. White called for nominations a second and third time. No other nominations were received. Mr. Thake moved the nominations be closed.

Following the nomination put forward by Mr. Gooch, seconded by Mr. Henderson it was recommended that Mr. Gooch be elected Vice Chair. Carried.

1.0 Opening Remarks

Mr. Holman took the chair and called the meeting to order at 11:43 a.m.

2.0 Adoption of Agenda

Motion

**Moved by Mr. Henderson and seconded by Mr. Gooch
THAT the Agenda for the February 2, 2010 POA Sub-Committee Meeting be adopted. Carried.**

3.0 Disclosure of Pecuniary Interest and General Nature Thereof - Nil

4.0 Adoption of Minutes of the Previous Committee Meeting

Motion

**Moved by Mr. Gooch and seconded by Mr. Thake
THAT the minutes of the POA Sub-Committee meeting held on October 6, 2009, be approved as distributed. Carried.**

5.0 Delegations/Presentations – Nil

6.0 Correspondence, Communications and Petitions – Nil

7.0 Information Items – Nil

8.0 Staff Reports

8.0.1 Revenue Comparison 2003-2009

Mrs. Todd advised that the variance between the 2009 budget and actual revenue was a shortfall of approximately \$318,000, noting that the reduction in tickets for 2007 to 2008 carried over into the first part of 2009, however, revenue did increase in the latter part of 2009. She advised that there is no predictive trend that can be applied to budgeting for revenue and therefore monthly averages are used.

Motion

Moved by Ms. Dodge and seconded by Mr. Garrah

THAT the Revenue Comparison 2003-2009, be received and filed. Carried.

8.0.2 POA Activities

Mrs. Todd summarized the report, noting that the ticket collection process in 2010 will be reviewed. She advised that a \$25 in house collection fee now applies to the fines that are sent to the collection agency and that staff are looking at sending more fines to collections sooner. Mrs. Todd noted that the Justice of the Peace at the new courtroom is pressing for participation in the early resolution process. She stated that while court costs will not be generally reduced by the process; no officers are required to attend which could result in a reduction in police overtime costs. Although an early resolution process could result in a fine being reduced, the fine may be paid sooner. A staff report on this matter will be brought forward in the coming months. Mrs. Todd outlined the increase in fines associated with the Highway Traffic Act, noting that it is believed the increase is intended as a deterrent; however, more fines may be challenged at court as a result of the increase.

Mrs. Todd noted that resolutions are often attempted on the day of the scheduled court date, and can result in extended court days. Mr. Garrah noted that a lot of money is spent on sending police officers to court, and any reduction in their court time will save money.

With respect to the \$25 in house collection fee, Mr. Gooch asked if staff have experienced any negative feedback. Mrs. Todd explained that the fee was applied for under the Municipal Act and approved by the Ministry, however, an additional \$25 fee applied for under the Provincial Offences Act was denied. Mr. Holman asked if the cost of the collections process can be charged back, and if so, should all collections be turned over to outside agencies. Mrs. Todd advised that the cost is charged back; however, persons still have the option of requesting an extension, and the system must allow for that. As a result, there is some initial follow up that must be done by staff. In response to a question from

Mr. Garrah, staff advised that collection agencies charge 16.5% commission on the fine itself, not including the \$25 in house fee. The commission is added into the cost, and recovered, along with the \$25 fee.

With respect to the increased fines under the Highway Traffic Act, Ms. Dodge noted that it is already difficult to collect fines, and asked how the Ministry expects the increased fines to be collected. Staff advised that these fines have not been increased in at least ten years and it is believed the increase is intended as a deterrent. It was noted by Mr. Holman that the increase has been advertised by the Province.

In response to a question from Mr. Garrah, staff confirmed that under a driving offence conviction, the drivers have 90 days to pay the fine, and failure to pay can result suspension of the driver's licence. Mr. Garrah asked if the insurance companies were notified by the Ministry of the suspensions, and advised that a database has been developed that includes the VIN number of the vehicle and whether or not it is insured.

Mr. Thake asked staff if there has been any greater cooperation between the Attorney General and the Ministry with respect to licensing information. Mrs. Todd advised that there is an agreement with the Ministry of Transportation for limited access to contact information.

Mr. Holman asked if the Municipal Court Managers' Association has made any progress. Mrs. Todd noted that the Association has been very proactive, and their input is being heard more frequently. She pointed to some of the changes in the Good Governance Act as examples of Association recommendations.

Motion

**Moved by Mr. Garrah and seconded by Ms. Dodge
THAT the Report "Update on POA Activities", be received and filed.
Carried.**

8.0.3 2010 Draft Budget

The POA Department Budget net revenue has decreased from \$1,503,100 to \$1,104,900 a decrease of \$398,200 or 26.49%. Mrs. Todd reviewed the budget, noting that it is divided into three areas, revenues, office operations and court operations. With respect to revenue it was noted that 2009 concluded with just over \$2 million in revenue and that this is the estimate for 2010. Mrs. Todd noted there are three things that could impact their ability to patrol highways in 2010; the Olympics, the G8 Summit and the G20 Summit. Officers from across the country are required to attend these events, taking officers from our area and thereby impacting their ability to patrol the highways. With respect to court operations, it was noted that court costs have risen as the new courtroom at 32

Wall Street became fully functional. The cost of interpreters for a multitude of languages grew in 2009, and \$15,000 is budgeted for 2010. Upon a question from Mr. Gooch it was noted that the interpreters are paid \$25 per hour for a minimum of three hours.

Regarding the budget for office operations, Mrs. Todd noted that in 2009, \$100,000 was budgeted under capital reserves for courtroom construction and there is no capital in the 2010 budget, and that salaries have been adjusted to reflect movement through the grid. It was noted that illness and overtime hours occurred in 2009, and that 2010 hours have been reduced to mitigate the salary increases. With respect to the purchase of tickets in 2010, it was noted that the advent of e-ticketing has cause uncertainty around the cost, as paper must be supplied to the police using e-ticketing methods.

In summary Mrs. Todd noted the 26% increase in budget was the result of the reduction in revenue and the increase in court costs with the additional courtroom functioning. She noted a \$10,000 contribution to reserves for modifications to the counter at the POA office in 2011. It was noted that the courtroom modifications ran over budget and precluded this much needed modification in 2009.

Motion

**Moved by Mr. Gooch and seconded by Mr. Thake
THAT the POA Sub-Committee receive the 2010 Budget – Draft One
documents, dated February 2, 2010. Carried.**

9.0 Sub-Committee, Special and AdHoc Committee Reports – Nil

10.0 Unfinished Business

11.0 Announcements

12.0 Notice of By-Laws/Notice of Motions – Nil

13.0 Media Questions

There were no questions from the media.

14.0 Questions from the Public

There were no members of the public in attendance.

15.0 Closed Meeting – Nil

16.0 Adjournment

Motion

**Moved by Mr. Henderson and seconded by Mr. Thake
THAT the meeting of the POA Sub-Committee adjourn at 12:05 a.m.
Carried.**

Ron Holman, Chair