

**MUNICIPALITY OF LEAMINGTON**

**AGENDA**



**SPECIAL COUNCIL MEETING  
TO BE HELD**

**MONDAY, JUNE 28, 2010  
COMMENCING AT 1:00 P.M.**

**IN THE COUNCIL CHAMBERS**

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**MATTERS FOR CONSIDERATION:**

**(A) REPORTS OF STAFF & DELEGATIONS:**

1. Report CAO 09/10 dated June 28, 2010 re: Essex County Tornado Assistance Fund.  
Pages 2-5

**(B) CONSIDERATION OF BY-LAWS:**

By-law 48-10, being a by-law to confirm the proceedings of the Council of the Municipality of Leamington at its Special Meeting held June 28, 2010.

JB

**REPORT**

TO: MAYOR AND MEMBERS OF COUNCIL  
FROM: WILLIAM J. MARCK  
CHIEF ADMINISTRATIVE OFFICER  
DATE: JUNE 28, 2010  
RE: ESSEX COUNTY TORNADO ASSISTANCE FUND

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**AIM:**

To request Council to authorize the Clerk and Mayor to enter into an agreement with the Minister of Municipal Affairs and Housing for the purpose of administering the Essex County Tornado Assistance Fund.

**BACKGROUND:**

In response to the damage caused by the June 6, 2010 tornado which affected Leamington, Kingsville and Essex, the Province of Ontario announced a one million dollar Special Assistance Grant (SAG) for assisting in the clean-up for both the private and public sector in Leamington, Essex and Kingsville.

The grant was provided to offset municipal costs for the clean-up and to assist the private sector with the replacement of essential needs and clean-up of fallen trees and debris. Reimbursement from the Essex County Tornado Assistance Fund is for matters that are not covered under insurance (insurance deductibles are not eligible).

Since the announcement, clarification has been provided by the Ministry of Municipal Affairs and Housing on how the one million dollars is to be distributed. Further, the Province has developed an agreement on how the program will be administered by the Municipality of Leamington.

The funding will be distributed as follows:

- (a) \$100,000 to Kingsville for public clean-up costs;
- (b) \$100,000 to Essex for public clean-up costs;
- (c) \$400,000 to Leamington for public clean-up costs;
- (d) \$400,000 for the private sector in the communities of Leamington, Kingsville and Essex for clean-up costs for matters that are eligible (see page 2 of report).

An item (D) noted above is the subject of the agreement.

<p><u>Eligible Individuals:</u></p> <ul style="list-style-type: none"> <li>• Homeowner;</li> <li>• Resident or tenant for personal property only</li> </ul> <p><u>Examples of Eligible Costs:</u></p> <ul style="list-style-type: none"> <li>• Restoration, repair or replacement to pre-tornado condition of primary residence and garage;</li> <li>• Removal of fallen trees, tree limbs and other debris clean-up (reimbursement for tree removal cannot exceed \$2,000 per property and stump removal is not an eligible cost);</li> <li>• Emergency living costs incurred during the period of the event (e.g. evacuation costs, accommodation and meals, essential clothing);</li> <li>• Transportation costs related to evacuation from primary residence;</li> <li>• Essential furnishings including fridge, stove, washer and dryer, furnace, freezer, television;</li> <li>• Food supplies in long-term storage (e.g. in freezers and root cellars);</li> <li>• Heat and light supplies (e.g. fuel for light and heat, heaters)</li> <li>• Essential baby items/furnishings</li> </ul>	<p><u>Ineligible Individuals:</u></p> <ul style="list-style-type: none"> <li>• Owners of seasonal homes;</li> <li>• Farmers (except for principal residences);</li> <li>• Business enterprises;</li> <li>• Tourist;</li> <li>• Renters of seasonal homes;</li> <li>• Owners of homes under construction</li> </ul> <p><u>Examples of Ineligible Costs:</u></p> <ul style="list-style-type: none"> <li>• Loss of income, loss of opportunity or inconvenience;</li> <li>• Insurance deductibles;</li> <li>• Non-essential furnishings, e.g. audio-visual equipment (DVD, video camera) recreational/ sports equipment, recreational room furnishings, documents/books, tools, seasonal decorations;</li> <li>• Docks, boat houses, boat lifts, pleasure boats, recreational vehicles, trailers, swimming pools;</li> <li>• Luxury items such as jewellery, fur coats (unless used as a regular winter coat), cosmetics. etc.</li> <li>• Antiques and collectables;</li> <li>• Losses recoverable at law;</li> <li>• Personal injury;</li> <li>• Meals and accommodation (except in cases of evacuation during the immediate disaster period);</li> <li>• Landscaping, fencing, driveways, retaining walls, garden or lawn damage, garden sheds;</li> <li>• Tree replanting</li> <li>• Loss of canned goods and refrigerated foodstuffs;</li> <li>• Repair or replacement of personal vehicles lost or damaged;</li> <li>• Private roads, bridge and erosion;</li> <li>• Sewage backup</li> </ul>
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It is noted that tenants are eligible for emergency living costs and loss of furniture etc. All claims will be reviewed by a Claims Review Committee.

**COMMENTS:**

**How the Program will be Administered**

The Municipality of Leamington will enter into a service contract with Mr. Bruce Maycock (recommended by the Ministry of Municipal Affairs and Housing) to oversee the Essex County Tornado Assistance Fund and to receive applications for assistance for losses. Mr. Maycock has a number of years experience administering programs under ODRAP and was recently involved in administering the storm event at Peterborough and tornado event in the County of Grey.

Mr. Bruce Maycock will be provided an office at the Kinsmen Complex after July 5, 2010. Appropriate advertisements will be placed this Wednesday in the local newspapers of each community and on the municipal internet sites. Applications will be available in the municipal offices and for downloading from municipal internet sites. There will also be advertising on the local radio stations.

Mr. Maycock will be available to assist residents in completing the application and answering any specific questions in regard to claims. The deadline for receiving applications will be July 21, 2010. Once all applications have been received, then Mr. Maycock will review same and provide guidance to the Provincial Review Committee.

**Provincial Review Committee**

The Ministry of Municipal Affairs and Housing has established a Provincial Review Committee who will oversee approval of applications. The Committee will be comprised of three (3) representatives from the Ministry of Municipal Affairs and Housing and the three (3) local Chief Administrative Officers (or their designates). Those applications that are refused are eligible for reconsideration provided that there is additional information provided. Should there be a dispute amongst the parties, and/or from a resident, then the disputed claim will be forwarded to the Assistant Deputy Minister of Municipal Affairs and Housing for final review and decision.

At the end of the process, it will be necessary to prepare a treasurer's report and have the accounts audited.

**FINANCIAL IMPACT:**

Costs associated with hiring Mr. Maycock, advertising, audits and other related costs of the program will be charged to the \$400,000 fund that is provided for private use.

It is unknown at this time, whether the amount allocated to Leamington for public clean-up will suffice. Council is reminded that a great deal of the costs associated with public clean-up and disposal was a result of trees that had fallen on private property and taken to the street for collection.

**CONCLUSION:**

The costs associated with both the public and private sectors as a result of the June 6, 2010 storm event is unknown at this time. Obviously, once the Essex County Tornado Assistance Fund has been established and applications received, the Municipality will have a better understanding of the costs associated with private claims and also have the opportunity to compile its costs for storm clean-up. This agreement is specific to the \$400,000 allocated to the private sector in the three communities.

**RECOMMENDATION:**

That the Mayor and Clerk be authorized to execute an agreement between the Corporation of Municipality of Leamington and the Ministry of Municipal Affairs and Housing for the purpose of establishing, overseeing and processing the Essex County Tornado Assistance Fund.

Respectfully submitted,

WJM/lj  
Attch.

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