# THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH MOUNT FOREST AQUATICS AD-HOC ADVISORY COMMITTEE AGENDA

TUESDAY, JANUARY 25, 2022 @ 7:00 P.M.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. https://us02web.zoom.us/j/84639438150

Or join by phone:

1 855 703 8985 (Toll Free) Webinar ID: 846 3943 8150

SUBJECT	PAGE	LEAD	ACTION
Calling to Order		Chair	
Adoption of Agenda			
Recommendation: THAT the agenda for the January 25, 2022 Township of Wellington North Mount Forest Aquatics Ad-Hoc Advisory Committee meeting be accepted and passed.		Chair	Resolution
Disclosure of Pecuniary Interest		Chair	
Minutes of Previous Meeting			
November 9, 2021 – received by Recreation, Parks and Leisure on December 6, 2021. Received by Council on December 13, 2021	001	Chair	
Business Arising from the Minutes			
CAO 2021-008 Fundraising Committee Guidelines	006		
<ul> <li>Elect a Committee Treasurer</li> </ul>			
Recommendation:			
THAT the Mount Forest Aquatics Ad Hoc Advisory Committee receive for information report CAO 2021- 008 on Fundraising Committee Guidelines.		CAO	Resolution
THAT the Mount Forest Aquatics Ad Hoc Advisory Committee recommend be appointed as Committee Treasurer.			
Items for Consideration			
CLK 2021-029 Lottery Licensing Open Session	009		
Schedule A - I			
Recommendation:		Director of Operations	Resolution
THAT the Mount Forest Aquatics Ad Hoc Advisory Committee receive for information report CLK 2021- 029 on Lottery Licensing.		2ostor or operations	

Fundraising Opportunities	024		
Recommendation: THAT the Mount Forest Aquatics Ad Hoc Advisory Committee receive for information the Fundraising Opportunities as presented.		Director of Operations	Resolution
Merchandise and Promotional Material Inventory Update	028		
Recommendation: THAT the Mount Forest Aquatics Ad Hoc Advisory Committee receive for information the Merchandise and Promotional Material Inventory Update as presented.		Member Lamont & Member Hewson	Resolution
Other Business/Roundtable			
Adjournment			
Recommendation: THAT the Township of Wellington North Mount Forest Aquatics Ad-Hoc Advisory Committee meeting of January 25, 2022 be adjourned at p.m		Chair	Resolution

# THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH MOUNT FOREST AQUATICS AD-HOC ADVISORY COMMITTEE MINUTES NOVEMBER 9, 2021 @ 7:00 P.M. VIA ELECTRONIC MEETING

# Committee Members Present:

Sherry Burke, Councillor, Chairperson Jayme Hewson, Public Member Larissa Lamont, Public Member Shelley Weber, Public Member Jessica McFarlane, Public Member

# Committee Members Absent:

Laurie Doney, Public Member Al Leach, Lions Member Vern Job, Lions Member Ray Tout, Lions Member

# Staff Present:

Mandy Jones, Community Recreation Coordinator

Mike Givens, CAO

Tasha Grafos, Administrative Support

Guest: Steve McCabe, Councillor,

Chairperson of Recreation Parks Leisure Committee

# **CALLING THE MEETING TO ORDER**

Chair Burke called the meeting to order at 7:08 p.m.

# ADOPTION OF THE AGENDA

RESOLUTION: MFA 2021-029 Moved: Member McFarlane Seconded: Member Lamont

THAT the agenda for the Special meeting of November 9, 2021, Township of Wellington North

Mount Forest Aquatic Ad-Hoc Advisory Committee meeting be accepted and passed.

**CARRIED** 

# **DISLCOSURE OF PECUNIARY INTEREST**

No pecuniary interest declared.

# MINUTES OF PREVIOUS MEETING - September 20, 2021

Accepted by Recreation, Parks and Leisure Committee on October 5, 2021. Accepted by Council on October 12, 2021.

# **BUSINESS ARISING FROM THE MINUTES**

October 12, 2021, Council Meeting Minutes

Council directed Chair McCabe of the Recreation, Parks and Leisure Committee to ensure that Councillor Burke, as Chair of the Mount Forest Aquatics Ad-Hoc Advisory Committee, be invited

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# THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH MOUNT FOREST AQUATICS AD-HOC ADVISORY COMMITTEE MINUTES NOVEMBER 9, 2021 @ 7:00 P.M. VIA ELECTRONIC MEETING

to attend a Deputation at the Council meetings of Southgate and West Grey to request financial contributions to the pool project.

RESOLUTION: 2021-326 Moved: Councillor McCabe Seconded: Councillor Burke

THAT the Council of the Corporation of the Township of Wellington North direct the Recreation, Parks and Leisure Committee Chair to request to appear as a deputation at a future Council meeting of the Township of Southgate and Municipality of West Grey to request that Southgate and West Grey Councils consider a financial contribution to the new Mount Forest outdoor pool and aquatics facility, as well as promote awareness of the public engagement process that will be a part of the conceptual design for the project, as recommended by the Recreation, Parks and Leisure Committee.

**CARRIED** 

Chair Burke relayed to Committee that member Job wanted to ask that we include a delegation to present to the Lions Club. The Lions have not solidified with the Committee or Township the dollar amount they are going to donate towards the pool.

Chair Burke suggested that when we are approaching Southgate, West Grey, and securing an amount from the Lions Club, that corporate sponsorship should also be considered. The committee should decide which sponsors to reach out to.

Member Hewson asked for clarification about Southgate and West Grey sponsorship of the project, asking if they would have input into the design of the pool.

Chair Burke explained that they would be invited to participate in the public consultation meetings, where their thoughts could be heard about the design. This project differs from the splashpad project in that the Township will be seeking public engagement on design ideas. This committee will have to fundraise for any additional features the committee would like to see added to the conceptual design. The conceptual design will be the basic pool. The architects may add some ideas for additional features that we may want to consider.

Community Recreation Coordinator verified that Chair Burke's explanation of the design process was correct. The public consultation meetings will be for the public to provide input on the conceptual design and this is where West Grey and Southgate would be involved.

Member McFarlane questioned if the architects could provide pricing for additional features.

Member Lamont further questioned if there was a catalogue of sorts available from the firm to see what additional equipment is available to add.

Community Recreation Coordinator explained there will be a meeting with the architechts on site, to show them the location of the pool. They then can assess the land to better help them visualize how the layout will work. They will then present conceptual designs and hold meetings for public engagement. The Lions club would be involved with the public consultation as well.

# THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH MOUNT FOREST AQUATICS AD-HOC ADVISORY COMMITTEE MINUTES NOVEMBER 9, 2021 @ 7:00 P.M. VIA ELECTRONIC MEETING

# ITEMS FOR CONSIDERATION

1. Merchandise and Promotional Material

Member Lamont provided an inventory update, telling the committee that reordering t-shirts and ordering fall and Christmas items has been difficult. The merchant that was previously used is not able to turnaround an order for this committee until the new year.

There were no merchandise sales made at the 88.7 The River Golf Tournament.

Member Lamont told the committee that Earthly Basics Co was donating proceeds from their garland gnome workshop and sales of the gnomes.

There was a discussion concerning the low inventory of merchandise and this committee agreed they would not take part in the November 13<sup>th</sup> Mount Forest Agricultural Craft Show. It was agreed that the committee would take some time to prepare and be a part of the upcoming Ladies Night in Mount Forest on November 18<sup>th</sup>. Chair Burke stated she would approach Marty Young at Young's Home Hardware to see if the group could have a table within the store. The committee wants to prepare a brochure that will include project details on one side (location of the pool, timeline, etc.) and a product listing on the reverse side.

Guest Councillor Steve McCabe joined the meeting at 7:30pm.

The committee discussed a quote received from Hometown Apparel. The quote stated that they provided an "at cost" quote for product and then would split the profits of sales with the committee. The committee agreed that this was not the way they would like to purchase merchandise. Member Lamont will reach out to the company and ask that they provide a cost per item and not be involved with the profits of the merchandise sales.

Chair Burke expressed the need for the committee to begin logging all financial activity and inventory into a financial ledger. This will remain a standing item on the agenda moving forward.

Councillor McCabe asked what the bank account balance was.

Chair Burke answered that nothing has been spent, \$1480 has been given to the township to hold in trust for the committee.

Member Lamont asked if the Township could provide a float to the committee for events, so they are not using personal money for this.

Community Recreation Coordinator stated this could be accommodated by the Township. The committee asked for a float of \$80 - \$100 made up of \$5s and \$10s.

Member Hewson expressed that being able to accept email transfers would be beneficial to this group.

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# THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH MOUNT FOREST AQUATICS AD-HOC ADVISORY COMMITTEE MINUTES NOVEMBER 9, 2021 @ 7:00 P.M. VIA ELECTRONIC MEETING

CAO stated that the Township would work with this committee to be able to accept e-transfers, however, there needs to be a better capture of a financial ledger and inventory before this can happen.

# 2. Brainstorm Future Fundraising Ideas – 2022 Program Timeline

Member Lamont wants to host a Colour Run fundraiser. A date has not ben selected for the event. They have connected with Trish Walton who ran the Youth Action Council Colour Run a few years ago and they have begun seeking quotes for the powder paint. Another idea that was suggested is hosting a Drive In "date night" similar to what Hanover did but partnering with Deb Hewson's Cheez N More Charcuterie.

Member Weber would like to start a Bubbles & Suds fundraiser for the group. This is a wine and beer tasting festival. Another idea is a money wall, where envelopes are chosen and indicate the donation the person will make.

Member McFarlane would like to see a schedule for 2022 that lays out an event every other month. She suggested a You've Been Flocked fundraiser. This involves a flock of pink plastic flamingos being placed in someone's yard with a note saying they have been flocked. They then pay to have the flamingoes removed. Insurance can be purchased as well, to ensure you don't get flamingoes on your lawn. The price to purchase 20 flamingoes is approximately \$225. An idea to generate exposure and community involvement.

Member Weber also suggested working with schools to do a Dance-A-Thon type fundraiser.

Chair Burke suggested that 88.7 The River would likely be willing to partner again for a Radio-A-Thon.

The committee agreed that if involving schools, all local schools should be invited, including Egremont Community School in Southgate.

To explore the Hanover Date Night idea, it was agreed that Chair Burke or Councillor McCabe would ask April Marshall about the event that was held previously.

Chair Burke asked that the group start to make plans and get quotes for their ideas. Shelley for Bubbles & Suds and Larissa and Jayme for the Colour Run (pick a date) and Date Night. There is a need to meet with the Lions to coordinate events so that there is no interference between the groups.

# **ROUNDTABLE**

Member Weber suggested introducing events to coincide with Mother's Day and Father's Day and being prepared to be a part of the Fireworks Festival.

Member Lamont asked if these meetings would continue in Zoom or be in person.

# THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH MOUNT FOREST AQUATICS AD-HOC ADVISORY COMMITTEE MINUTES NOVEMBER 9, 2021 @ 7:00 P.M. VIA ELECTRONIC MEETING

Chair Burke said that she was unsure at this time. Council meetings are remaining virtual until the end of 2021.

# **ADJOURNMENT**

RESOLUTION: MFA 2021-030

Moved: Member Weber Seconded: Member Hewson

THAT the Township of Wellington North Mount Forest Aquatics Ad-Hoc Advisory Committee

Special meeting of November 9, 2021, be adjourned at 8:26 p.m.

CARRIED

# **NEXT MEETING**

TBD



# **Staff Report**

To: Recreation, Parks & Leisure Committee Meeting of December 7, 2021

**From:** Director of Finance, Director of Operations, Deputy Treasurer, Community

Recreation Co-Ordinator & CAO

**Subject:** CAO 2021-008 Fundraising Committee Guidelines

# RECOMMENDATION

**THAT** Council of the Township of Wellington North receive Report CAO 2021-008 being a report on Fundraising Committee Guidelines;

**AND FURTHER THAT** Recreation, Parks & Leisure Committee endorse the implementation of the fundraising committee guidelines as laid out in this report.

# PREVIOUS PERTINENT REPORTS/BY-LAWS/RESOLUTIONS

Charitable Donations Receipt Policy 01.17 Resolution 2017-009

# **BACKGROUND**

Township council has tasked volunteer committees with raising funds for recreation enhancements. We have a pro-active group of volunteers looking to raise funds for a new outdoor pool in Mount Forest and they have many creative ideas around fundraising. In some instances, these fundraising committees do not have the financial structure or autonomy of service clubs like a Lions Club. In these instances, fundraising becomes even more challenging.

Staff have met and discussed implementing guidelines that afford these fundraising focused committees the autonomy they have been requesting, while ensuring that the accountability required when dealing with public projects and public funds remain in place.

# Fundraising Guidelines

# **Bank Account**

- Township facilitates creation of bank account (chequing), with defined signing authorities;
- Monthly statements submitted to township or township has access to account or both:
- o Bank statement becomes part of agenda for fundraising committee meetings;
- o Committee may pursue other methods of receiving donations. i.e., etransfers:
- Committee will have access to funds more easily for things like a \$100 float to sell goods at a craft event as an example;
- Committee purchases made through committee bank account;
- Committee purchases will still be subject to Harmonized Sales Tax (HST) however, may be eligible to claim Input Tax Credits (ITC) upon reconciliation and in compliance with Canada Revenue Agency (CRA). Once all books and records are reconciled by township staff, the value of the credit will be transferred to the committee.

# **Charitable Donation Receipts**

- o Committee will be subject to the Township's Charitable Donations Receipt Policy;
- Receipts in excess of \$250.00 must be co-signed by Township i.e., Township Treasurer or Deputy Treasurer;
- o Committee to designate two members that can issue receipts;
- Receipts cannot be issued until funds have been received;
- o Triple donation receipt book issued to designated committee members.
  - One receipt for donor.
  - One receipt for committee,
  - One receipt for township;
- <u>Charities</u> must keep a copy of all receipts they issue for at least two years from the end of the calendar year the donations were made in;
- Donations that involve establishing fair market value, in kind, or net against cost of items (stones, benches, etc.) must involve consultation with Township;
- Donations that involve naming rights or use of Township property must involve consultation with Township;
- Once project is complete / commissioned, donations are no longer eligible for charitable donation receipts, and receipt books must be returned to the Township.

# Reporting/Record Keeping

- Fundraising committee appoints their own treasurer;
- Committee treasurer reconciles bank statement to the donations for submission to Township finance department on a periodic basis with applicable donation receipts provided for retention by Township;

- Committee treasurer to prepare Income Statement for regular review at Committee meetings;
- o Committee establish inventory tracking system in consultation with Township;
- o Committees are subject to audit scrutiny (both internal staff, and external);
- Books & records detailed books and records must be maintained retention of vendor invoices, and deposit records – 7 years;

# FINANCIAL CONSIDERATIONS

To date, no specific fundraising dollar goal has been established for the committee. Council direction is that outdoor pool "enhancements" are to be fundraised for. It is anticipated that once the design concept for the outdoor pool has been confirmed, then a value associated with the enhancements will be established.

It is expected that the current staff compliment can support the increased administration required to support these fundraising committees. This is subject to change as the number of projects undertaken increase.

### **ATTACHMENTS**

..\..\ADMINISTRATION\A11 Policies\POLICIES\Charitable Donations Receipt Policy.pdf

https://www.canada.ca/en/revenue-agency/services/forms-publications/publications/rc4049/gst-hst-information-municipalities.html#P182\_11227

# Do the report's recommendations align with our Strategic Areas of Focus? Yes No N/A Which priority does this report support? Modernization and Efficiency Partnerships Municipal Infrastructure Alignment and Integration

The above guidelines are reflective of the Townships commitment to partner with community volunteers to enhance or add services and facilities that the community has identified as important. It is hoped that the guidelines enable fundraising committees to raise dollars using modern techniques while attaining accountability measures that are essential to maintaining the public trust.

Prepared By: Michael Givens, CAO

Recommended By: Michael Givens, Chief Administrative Officer Wichael Givens



# Staff Report

**To:** Mayor and Members of Closed Council Meeting of November 8, 2021

Moved to open Council Meeting of November 22, 2021

From: Karren Wallace, Director of Legislative Services/Clerk

**Subject:** CLK 2021-029 being a report on Lottery Licensing

# RECOMMENDATION

**THAT** the Council of the Corporation of the Township of Wellington North receive report CLK 2021-029 being a report on lottery licensing;

**AND FURTHER THAT** Council direct staff to issue correspondence to all service groups who have held lottery licenses in the past 24 months that lottery funds may not be used for municipal capital facilities, pursuant to the Alcohol and Gaming Authority Rules (AGCO);

**AND FURTHER THAT** service groups be encouraged to draft their own letters to their Member Provincial Parliament using the template provided or their own version.

**AND FURTHER THAT** the Clerk forward this resolution and draft MPP letter to our Member of Parliament as well as the Association of Municipalities of Ontario (AMO), Association of Municipal Clerks and Treasurers of Ontario (AMCTO), member municipalities and the AGCO.

# PREVIOUS PERTINENT REPORTS/BY-LAWS/RESOLUTIONS

May 11, 2015 correspondence from North Perth requesting support of a resolution regarding Lottery Licenses (Schedule A)

May 25, 2015-RESOLUTION 2015-231

THAT the Council of the Corporation of the Township of Wellington North support the resolution of the Municipality of North Perth concerning the AGCO Lottery Licencing Policy.

Report CAO 2015-27 Lottery Licensing (Schedule B)

October 29, 2015 correspondence to Randy Pettapiece MPP regarding use of lottery funds (Schedule C)

November 10, 2015 copy of correspondence from Randy Pettapiece to the Honourable Madeleine Meilleur MPP, Attorney General (Schedule D)

February 23, 2016 delegation by Wellington North regarding challenges small community groups face in raising funds for community benefiting projects

April 15, 2016 correspondence to Ministry of Attorney General (Schedule E)

### **BACKGROUND**

As a result of various capital projects being undertaken in the municipality, including a splash pad and BMX Skateboard Park in Arthur and a splash pad and pool in Mount Forest, coupled with COVID restrictions, service clubs have faced challenges in meeting fundraising commitments to these projects. Some members of service groups have approached municipal staff and elected officials questioning why lottery funds can not be used toward these projects.

NOTE: Ontario is one of only 2 provinces in Canada where municipalities have the delegated responsibility to issue lottery licenses, where prize values do not exceed \$49,999.00. (Source: October 27, 2021 email from Rusty Parr, Gaming Registration Officer at The Alcohol and Gaming Commission of Ontario)

The regulatory framework which municipalities and license holders in Ontario must follow is:

- Lottery Licensing Gaming and Control Act, 1992
- Criminal Code of Canada
- Terms and Conditions of Licenses
- Registrar's Standards and Directives
- Lottery Licensing Policy Manual (AGCO)

Staff have provided consistent information to inquiries directly from the Lottery Licensing and Policy Manual (LLPM), that lottery funds are not permitted to be used to fund municipally owned capital facilities/projects located on municipal land.

Specifically Section 2.8.1(A) of the LLPM provides:

Eligibility criteria for building funds

The licensing authority may approve an eligible organization to use up to a maximum of 50 per cent of net lottery proceeds for the capital costs of construction, repair or the leasehold improvement of real property including land and buildings, if:

- the property is owned by the eligible organization or is leased on a long-term basis from a non-profit organization; and
- · the organization can show that a public benefit will result

Full copy of the LLPM is at this link:

https://www.agco.ca/sites/default/files/llpm\_en\_2020\_0.pdf

In order to support this information, the municipality sought a legal opinion that confirms lottery proceeds may not be directed to municipally owned capital facilities/projects which are owned/located on municipal property. The full email is attached as Schedule E. REDACTED

As an additional resource, staff reached out to other municipalities to see if they issue licenses to fund municipal capital facilities/projects and overwhelmingly the response was no. See Schedule F for responses. PARTIALLY REDACTED

There are some examples of lottery funds being raised for purposes that are not permitted under the legislative framework, either the municipality issued the license in contravention of the legislation or the organization held a lottery without a license. This is very common in 50/50 draws at hockey games or buck and does. Problems are created for municipalities who are issuing the licenses within the rules by the municipalities who don't follow the rules as it creates an uneven playing field for service clubs and opens staff up to criticism.

In a conversation with a representative from the AGCO on October 26, 2021, they acknowledged that lotteries are held without licenses or licenses are issued for improper reasons, but that the AGCO does not actively monitor for these situations. If someone reports it to the AGCO they will follow up with education. Enforcement falls under the jurisdiction of the police, under the Criminal Code of Canada.

# FINANCIAL CONSIDERATIONS

There are no financial implications in receiving this report.

# **ATTACHMENTS**

Schedule A - May 11, 2015 correspondence from North Perth requesting support of a resolution regarding Lottery Licenses

Schedule B - Report CAO 2015-27 Lottery Licensing

Schedule C - October 29, 2015 correspondence to Randy Pettapiece MPP regarding use of lottery funds

Schedule D - November 10, 2015 copy of correspondence from Randy Pettapiece to the Honourable Madeleine Meilleur MPP, Attorney General

Schedule E - April 15, 2016 correspondence to Ministry of Attorney General

Schedule F – October 19, 2021 email from Peter A. Hertz re: legal opinion REDACTED

Schedule G – municipal survey **PARTIALLY REDACTED** 

Schedule H- correspondence to user groups and organizations

Schedule I-suggested let	tter to MPP's				
STRATEGIC PLAN 2019 - 2022					
Do the report's	recommendation	ons align with our Strate	gic Areas of Focus?		
	Yes	□ No	⊠ N/A		

Prepared By: Karren Wallace, Director of Legislative Zarren Wallace

Services/Clerk

Recommended By: Michael Givens, Chief Administrative Officer Michael Givens



A Community of Character

330 Wallace Ave. N., Listowel, ON N4W 1L3 Phone: 519-291-2950 Toll Free: 888-714-1993

May 11th, 2015

Association of Municipalities of Ontario #801-200 University Avenue, Toronto, ON M5H 3C6

RE: Municipality of North Perth Resolution concerning the AGCO Lottery Licencing Policy

To All Ontario Municipalities:

Please be advised, the Council of the Municipality of North Perth at their regular meeting on Monday, April 27th, 2015 passed the following Resolution:

### "THAT:

WHEREAS: The Municipality of North Perth provides many "charitable purposes beneficial to the community";

AND WHEREAS: Service Clubs have shown an interest to assist the Municipality by raising money through the process of a lottery scheme if permitted in the Lottery Licensing Policy Manual;

AND WHEREAS: At this time the Lottery Licensing Policy Manual regulated by Alcohol and Gaming Commission of Ontario does not permit municipalities to be recipients of proceeds raised from lottery schemes;

NOW THEREFORE BE IT RESOLVED THAT: The Council of the Municipality of North Perth request that the Alcohol and Gaming Commission of Ontario change the Lottery Licensing Policy to allow eligible organizations to use the proceeds from lottery licenses for construction, renovation and improvement of buildings owned by or on land owned by municipalities used for the relief of poverty; the advancement of education; the advancement of religion; or other charitable purposes beneficial to the community, including the i) promotion of arts and cultural activities; ii) pursuits related to cultural, ethnic, native, historic and heritage; iii) improvement of the quality of health through medical research; treatment programs and preventative programs; and iv) youth sporting activities.

AND FURTHER THAT: This resolution be forwarded to the following:

- · Randy Pettapiece, MPP Perth Wellington
- The Honourable Madeline Meilleur, Attorney General
- Association of Municipalities of Ontario
- Perth County Municipalities



A Community of Character

330 Wallace Ave. N., Listowel, ON N4W 1L3 Phone: 519-291-2950 Toll Free: 888-714-1993

The Municipality of North Perth encourages all municipalities in Ontario to support their request to urge the AGCO to revisit and revise the Lottery Licensing Policy Manual.

Yours truly,

Patricia Berfelz, CMC

Clerk,

Municipality of North Perth

DISCLAIMER: This material is provided under contract as a paid service by the originating organization and does not necessarily reflect the view or positions of the Association of Municipalities of Ontario (AMO), its subsidiary companies, officers, directors or agents.

# Schedule B

# Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

TO:

ADMINISTRATION AND FINANCE COMMITTEE

**MEETING OF OCTOBER 26, 2015** 

FROM:

**MICHAEL GIVENS** 

CAO

SUBJECT:

**CAO 2015-27 LOTTERY LICENCING** 

# **RECOMMENDATION**

THAT the Administration and Finance Committee of the Township of Wellington North receive for information report CAO 2015-27 Lottery Licensing;

AND FURTHER THAT Administration and Finance Committee directs the CAO to finalize a letter to the Perth-Wellington MPP and Perth-Wellington MP on behalf of Council and include this report as an attachment to the letter in the hopes of drawing needed attention and action to the lottery licensing process and policies.

# PREVIOUS REPORTS PERTINENT TO THIS MATTER

N/A

### **BACKGROUND**

Established February 23, 1998, the Alcohol and Gaming Commission of Ontario (AGCO) regulates the sale, service, and consumption of beverage alcohol and ensures that casino gaming, charitable gaming and lotteries are conducted in the public interest, by people who are socially and financially responsible.

Order in Council 1413/08 provides the legal authority for the Registrar of Alcohol and Gaming and municipal council to issue licences to charitable or religious organizations to conduct and manage lottery schemes. The Registrar issues Terms and Conditions of Licences pursuant to the Criminal Code, to regulate each type of lottery event. These terms and conditions are captured in the Lottery Licensing Policy Manual.

Eligibility Requirements for a lottery licence:

- Constituting documents, including by-laws
- Detailed program descriptions
- Previous financial statement and current budget
- Current listing of the board of directors
- Details of proposed use of lottery proceeds (must fall within defined Charitable Categories)
- Any other documentation that would assist in determining eligibility
- Documents must be updated on a regular basis

As the Committee can see, just determining and providing the required documentation to confirm eligibility is very difficult for small, volunteer based community groups and frequently puts Township staff in a very difficult position. Township staff absolutely support the use of lottery schemes to raise funds for worthwhile community causes but the stringent eligibility requirements and limited use of lottery proceeds requirements do not allow Township staff to issue lottery licenses in many instances.

The complex application and reporting requirements associated with lottery licenses will and has undoubtedly forced many well meaning community groups "underground" without licenses. Township acknowledges that abuse of lotteries needs to be curbed but this should not be a function of municipal staff.

In May of 2015, the Municipality of North Perth circulated a resolution through AMO that Wellington North supported, requesting that the AGCO change Lottery Licensing Policy to allow eligible organizations to use proceeds from lottery licenses for construction, renovation and improvements of buildings owned by or on land owned by municipalities. Indications are that this would require a change to the criminal code and to my knowledge has not gained any real traction.

At this time, I would suggest to the Committee that the AGCO and the Registrar needs to reconsider lottery licensing eligibility requirements, the role of the AGCO in administering and enforcing lottery licensing, and the eligible use of lottery proceeds. With that said, I would recommend that Wellington North issue a letter to our MP and MPP in a manner similar to the attached Appendix "A".

	FINANCIAL IMPLICATIONS	
N/A		
	STRATEGIC PLAN	

This report relates directly to the implementation of the Township of Wellington North Strategic Plan, in particular continuing a partnership with local organizations and utilizing existing space within Township owned space in Mount Forest.

Do the report's recommendations advance the Strategy's implementation?

x Yes Which pillars does this report support?

x Strategic Partnerships

PREPARED BY:	RECOMMENDED BY:

# Michael Givens

Michael Livens

MICHAEL GIVENS
CAO

MICHAEL GIVENS
CHIEF ADMINISTRATIVE OFFICER

# Schedule C Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

October 29, 2015

Randy Pettapiece MPP - Perth-Wellington 55 Lorne Avenue East, Unit 2 Stratford, ON N5A 6S4

Dear Mr. Pettapiece:

Frequently the Township is approached by community groups requesting lottery licenses. Unfortunately, because of the stringent licencing requirements stipulated by the AGCO, that municipalities are bound to abide by, in many instances the Township and other municipalities are not able to grant lottery licenses to well meaning community groups.

All of these groups are looking for opportunities to raise funds to benefit their communities, an approach the Township of Wellington North knows that you support and advocate for.

Community groups looking to raise funds for the betterment of their community should not be forced "underground" by rigid requirements established by the Province through the AGCO.

AGCO should educate community groups on the requirements of lottery licencing. This should not be a municipal responsibility. We certainly are willing to continue to work with the AGCO in administering lottery licensing in the Province; but, municipal staff should not be expected to educate applicants on provincial requirements or be responsible for continually explaining why a well meaning community group is ineligible for a lottery licence.

Additionally, municipal staff should not be held responsible for policing illegal lottery activities taking place within their municipality. This should fall exclusively within the domain of the AGCO.

The Township of Wellington North respectfully requests that the AGCO and the Registrar of Alcohol and Gaming review the lottery licensing eligibility requirements, the role of the AGCO in administering, educating and enforcing lottery licensing and the eligible use of lottery proceeds.

On behalf of the Township of Wellington North we would ask that you give consideration to the concerns raised in this correspondence and the attached report prepared by the Chief Administrative Officer for the Township of Wellington North.

We would respectfully request that you speak with your other member municipalities to confirm they are experiencing the same frustration we are and then consider raising this matter in the appropriate manner with the Registrar of Alcohol and Gaming as the MPP for Perth-Wellington.

If you have questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely,

Michael Givens Chief Administrative Officer

Encl.

Cc John Nater, MP, Perth-Wellington

# Schedule D





THE OF WELLINGTON NURTE

Perth-Wellington Constituency Office Stratford, Ontario

November 10, 2015

The Hon. Madeleine Meilleur, MPP Attorney General 11<sup>th</sup> Floor, 720 Bay Street Toronto ON M5G 2K1

Dear Minister,

Enclosed is a copy of a letter I received from Michael Givens, CAO of the Township of Wellington North, concerning stringent lottery licensing requirements imposed by the Alcohol and Gaming Commission of Ontario (AGCO).

Mr. Givens' letter is detailed and self-explanatory. He states: "Community groups looking to raise funds for the betterment of their community should not be forced 'underground' by rigid requirements established by the Province through the AGCO." Mr. Givens also makes a very strong case that municipal staff should not be held responsible for educating lottery applicants on provincial requirements, or be held responsible for policing activities taking place within the municipality.

I have previously written to you on issues relating to the AGCO and the municipalities I represent, and I believe your government and the AGCO must do more to address their concerns. As Attorney General, you oversee the AGCO. How do you respond to the township's concerns, and will your government support the changes they are advocating?

Sincerely,

Randy Pettapiecé, MPP Perth-Wellington

RP:sy

Enclosure

C: John Nater, MP, Perth-Wellington Jean Major, CEO, Alcohol and Gaming Commission of Ontario Michael Givens, CAO, Township of Wellington North Karren Wallace, Clerk, Township of Wellington North

### Schedule E

April 15, 2016

Mr. Jerry Khouri Senior Policy Advisor Minister's Office Ministry of the Attorney General 720 Bay Street, 11th Floor Toronto, ON M7A 2S9

Mr. Khouri,

RE: Lottery Licensing

The Township of Wellington North met with your Ministry at ROMA/OGRA in February 2016 to discuss challenges small community groups face in raising funds for community benefiting projects.

As a follow-up to this meeting the municipality was asked to provide specific examples where community groups were deemed ineligible for lottery license or had experienced challenges and submit them.

Our submission is outlined herein:

- Maintaining a lottery trust account is financially challenging for small groups as service charges are high and very few financial institutions offer an account without service charges;
- An eligible organization can only be licensed for only one raffle lottery event at a time with the exception of calendar draws and blanket raffle licenses. Small community groups sometimes have draw dates that are months away and would like to hold another raffle within a shorter time frame;
- There are groups who would like to fundraise through a lottery but are not considered eligible as they do
  not meet the charitable definition. Some examples have been a high school class wanting to purchase
  coats for the homeless and a community group wanting to raise funds for Syrian refugees.
- Some groups have expressed an interest in having a raffle linked to the purchase of a prize, e.g. selling
  chocolate bars a purchaser would be eligible to win a prize in a raffle.

The general public needs more education about the legislation, including:

- Lottery licensing is not municipal legislation
- Charges for violations fall under the Criminal Code of Canada
- Minors cannot purchase lottery tickets or win prizes
- Who is eligible and what the limitations on how the money can be used

Thank you for your time and consideration of our input.

Yours truly

Karren Wallace, Clerk Cc: MPP Pettapiece

# Schedule F

October 19, 2021 email from Peter A. Hertz re: legal opinion **REDACTED** 

# Schedule G

QUESTION: Has anyone had an issue with a non-profit organization or service club wanting a lottery license so they can raise funds to contribute to a capital facility (e.g. a pool, an arena, a park?).

MUNICIPALITY	COMMENT
	Have received these requests, but don't issue licenses, suggest municipalities lobby the province
	Lots of licenses issued outside of the rules of the AGCO, or held with no license, no enforcement by the AGCO
	funds cannot not be used for capital operating costs or renovations etc but may be used for equipment and must demonstrate that the purchase is over and above the services that the organization can provide and must be of public benefit.
	if a club wanted to raise funds for a pool/splashpad, but do not own land/building and will not be maintaining these assets then you cannot issue the licence.
	We have had many inquiries over the years but have not approved those requests. From my perspective, this remains an ineligible expense.
	We get the same requests, mainly from the Legions but have not issued any licenses
	We get these types of comments from organizations saying "other municipalities do it" but we don't issue.  • Sec. 2.8.1 – Building Funds – does provide for capital expenditures, it just can't be on municipally-owned facilities.
	We have not issued a license but we have an organization who is interested in this as well and who also insist that it is done elsewhere.
	We just shut them down siting the AGCO regs and have not been challenged any further, challenging when one municipality does it and others follow the rules
	Same issue, please share results
	Same issue, please share results
	The City of Hamilton does not approve funds/licenses that intend on using funds for capital projects – as per the LLPM
	If the capital facility is owned by a municipality, then we would definitely not issue a lottery license to a group who wanted to use the proceeds like that.
<b>,</b>	We have had these questions before and we don't allow it. It's unfortunate – hopefully AGCO will reconsider
•	We do not allow fundraising for capital expenditures. Most of the big ticket items listed would be municipal infrastructure, which is not eligible for lottery proceeds.
	Would not issue a license for capital projects, has experienced some political interference
	Would not issue a license for capital projects
	Only issue pursuant to AGCO rules
	No
	Would not issue a license for capital facilities and have experienced political pressure



### **SCHEDULE H**

DATE

**USER GROUP** 

# **Lottery Licensing**

As a result of numerous inquiries by various Wellington North organizations and user groups regarding the use of lottery funds, Council passed the following resolution at the November 22, 2021 meeting:

THAT the Council of the Corporation of the Township of Wellington North receive report CLK 2021-029 being a report on lottery licensing;

AND FURTHER THAT Council direct staff to issue correspondence to all service groups who have held lottery licenses in the past 24 months that lottery funds may not be used for municipal capital facilities, pursuant to the Alcohol and Gaming Authority Rules (AGCO);

AND FURTHER THAT service groups be encouraged to draft their own letters to their Member Provincial Parliament using the template provided or their own version.

AND FURTHER THAT the Clerk forward this resolution and draft MPP letter to our Member of Parliament as well as the Association of Municipalities of Ontario (AMO), Association of Municipal Clerks and Treasurers of Ontario (AMCTO), member municipalities and the AGCO.

I am enclosing a copy of Report CLK 2021-029 for your information.

In order to elevate the issue to try and effect change in Provincial legislation, Council is requesting that your organization and your main branch in Ontario, endorse the attached correspondence by reprinting this on your letterhead and signature and forward to the local Member of Provincial Parliament. A full listing of all MPP's is at this link: <a href="https://www.ola.org/en/members/current">https://www.ola.org/en/members/current</a>

Yours truly

# Karren Wallace

Karren Wallace Director of Legislative Services, Clerk Ext 4227

### **SCHEDULE I**

### YOUR ORGANIZATION LETTERHEAD

DATE

**MPP** 

# **Lottery Licensing in Ontario**

We are writing to you to bring awareness to a situation that many service clubs and charitable organizations struggle with in Ontario, regarding the use of proceeds of lottery funds.

The current legislation does not permit lottery funds be used to fund municipally owned capital facilities/projects located on municipal land. Section 2.8.1(A) of the Lottery Licensing Policy Manual)

The regulatory framework which municipalities and license holders in Ontario must follow is:

- Lottery Licensing Gaming and Control Act, 1992
- Criminal Code of Canada
- Terms and Conditions of Licenses
- Registrar's Standards and Directives
- Lottery Licensing Policy Manual (AGCO)

As a result, charitable organizations and service clubs are hindered from being able to fundraise through lotteries for much needed municipal infrastructure that enhances the lives of members of the municipality. Specifically, in Wellington North, there is a BMX Skateboard Park in Arthur and a pool in Mount Forest in the planning stages, however which service clubs and organizations cannot contribute lottery proceeds to assist with these important initiatives. COVID has resulted in service clubs and organizations facing challenges in meeting fundraising commitments to these projects through other events such as luncheon's, silent auctions, etc.

Additionally, there are many examples of lottery funds being raised for purposes that are not permitted under the legislative framework, either the municipality issued the license in contravention of the legislation or the organization held a lottery without a license. This is very common in 50/50 draws at hockey games or buck and does. It creates an uneven playing field for service clubs and organizations.

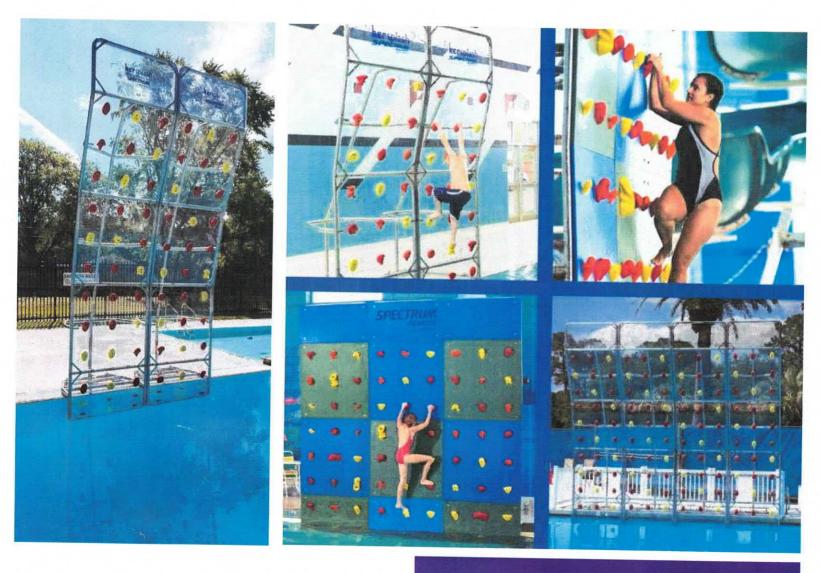
The AGCO does not actively monitor for these situations. If someone reports it to the AGCO, they will follow up with education. Enforcement falls under the jurisdiction of the police, under the Criminal Code of Canada.

Specifically we are requesting that:

- 1. The AGCO becomes responsible for monitoring and enforcing contravention so the legislation, including contacting the Police where appropriate.
- 2. That the legislation be amended so service clubs and charitable organizations can contribute lottery funds to municipal projects.

Yours truly

# Fund Raising Opportunities (Climbing Wall)





# Fund Raising Opportunities (Water Features)







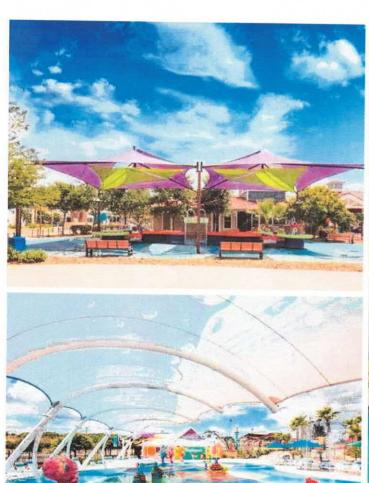


# Fund Raising Opportunities (Donor Tile / Turf)





# Fund Raising Opportunities (Sun Shades)







Reorder

Reorder

Reorder

Reorder

# **AQUATICS INVENTORY LIST**

Item 1 - 4T

Item 3 - TS

Item 3 - TM

Item 3 - TL

Item 3 - TXL

Item 3 - T2XL

Item 4 - Hat

Item 5 - Tumbler

4T

**Unisex - Small** 

Unisex - Medium

Unisex - Large

Unisex - XL

Unisex 2XL

**Tumblers** 

Hats

INVENTORY ITEMS: 11			TOTAL QTY: 129		TOTAL INVENTO	RY VALUE: \$2,439.94	TOTAL SALE VAI	LUE: \$3,440.00	
SKU	DESCRIPTION	UNIT	QTY	REORDER QTY	COST	INVENTORY VALUE	SALE PRICE	INVENTORY VALUE2	REORDER
18 Months	Item 1 - 18M	Each	0	2	\$18.00	\$0.00	\$30.00	\$0.00	Reorder
2T	Item 1 - 2T	Each	1	2	\$18.00	\$18.00	\$30.00	\$30.00	Reorder
3Т	Item 1 - 3T	Each	4	2	\$18.00	\$72.00	\$30.00	\$120.00	

\$18.00

\$18.00

\$18.00

\$18.00

\$18.00

\$18.00

\$17.69

\$22.82

3

0

3

0

2

0

86

30

Each

Each

Each

Each

Each

Each

Each

Each

2

2

2

2

2

5

5

\$30.00

\$30.00

\$30.00

\$30.00

\$30.00

\$30.00

\$25.00

\$30.00

\$54.00

\$0.00

\$54.00

\$0.00

\$36.00

\$0.00

\$1,521.34

\$684.60

\$90.00

\$0.00

\$90.00

\$0.00

\$60.00

\$0.00

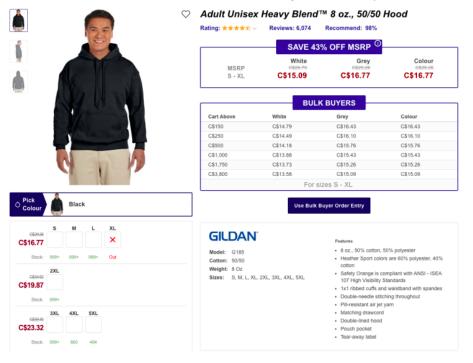
\$2,150.00

\$900.00

Store Option 1: Hometown Boutique: \*Turn around time is 3 ish weeks- after Christmas Holidays\*

# Sweaters: Logo location would be top right or left

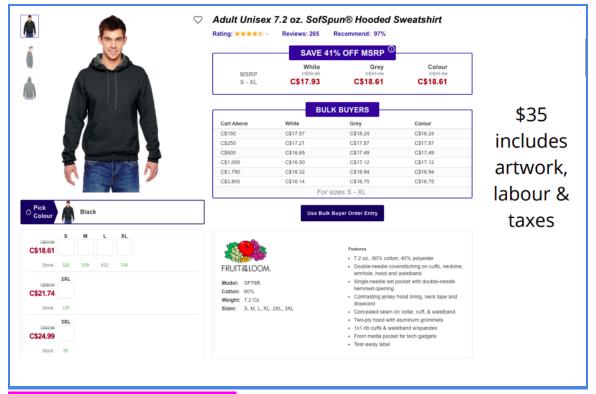
Option 1: Gildan \*Black sweater with white logo option only



\$30 includes artwork, labour & taxes

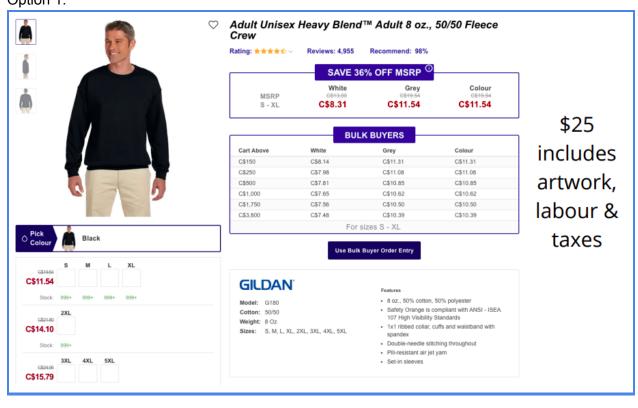
Recommended sell price would be: \$40-\$50- A \$10-\$20 pool profit

Option 2: Fruit of the Loom \*Black sweater with white logo option only



Recommended sell price would be: \$45-\$55- a \$10-\$20 pool profit

Long Sleeve Crew Neck: \*Black option with white logo option only Option 1:



Recommended sell price would be: \$35-\$45. A \$10-\$20 pool profit

Linen Tote Bag: \*White bag with black logo. Logo location would be middle of the big Option 1:



# <u>Heavy Linen Tote</u> <u>with Gusset</u>

14.5" x 15" \$13

Includes artwork, taxes & labour

Recommended sell price would be: \$20. A \$7 pool profit. Logo location would be right or left side of the mask

# Masks:

Option 1: \*Black mask with white logo option only

# <u>Masks</u>

- Black colour only
  - Reusable
  - Adjustable

\$7

Includes artwork, taxes & labour



Recommended sell price would be: \$10. A \$3 pool profit

# Pop Socket: entire back of the pop socket

Option 1: \*Black or white with opposite as logo colour



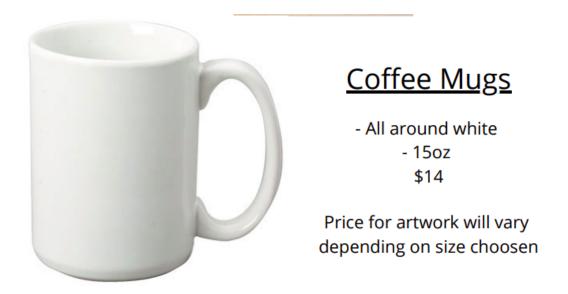
# Pop Sockets

- Black or White \$4

Includes artwork, taxes & labour

Recommended sell price would be: \$10. A \$6 pool profit

Coffee Mugs: logo location would be as much of the front of the mug as possible Option 1:



Recommended sell price would be: No recommendation is begging given as they didn't give a quote for different sizes, I have circled back around asking for sizing options

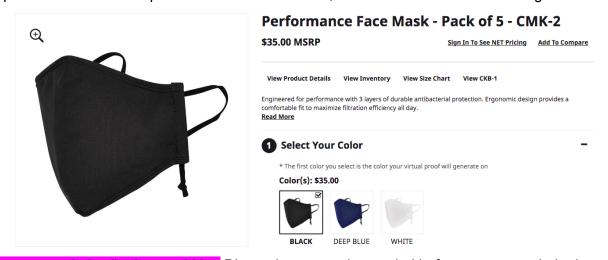
Store Option 2: Marcc Apparel: \*Turn around time is 3 ish weeks- after Christmas Holidays\*

\*\*PLEASE ALSO NOTE PRICING IS NOT GIVEN AS I NEED TO CALCULATE TAX, HST AND

DESIGN STILL! WILL DO BEFORE CIRCULATING

Masks: logo location would be left or right side of the mask

Option 1: \*Note this is a pack of 5- Stormtech \*black,blue or white with one colour logo



Recommended sell price would be: Discussion on masks needed before recommended price

Option 2: Civil \*black only with white logo

# **ADJUSTABLE BLANK**

Home / products / PPE Items / ADJUSTABLE BLANK



ADJUSTABLE BLANK CIVIL MASK

# Washable and re-usable (up to 20 times)

100 250 500 1000 \$8.00 \$7.00 \$6.50 \$6.00 \$6.00

(5a) 🙌

Available Colours:





### Info:

### **3 LAYER MASK INCLUDING FILTER**

IN STOCK - READY TO SHIP! Manufactured in an ISO 9001:2015 factory

Soft adjustable ear loops with silicone adjusters

- \*\* Outer layers \*\*
- 100% Polyester
- \*\* Mid Layer \*\*

Non-Woven Polypropylene

- \* Uv Resistant
- \* Anti Droplet \* Dust Filter
- \* Antibacterial
- \* Sweat Absorbent
- \* Cool Surface

Click here for TUV Test report

Available colour:

BLACK

Recommended sell price would be: same as above

# Sweaters:

Option 1: Gildan: \*Can pick any colour of sweater and one colour of logo



Recommended sell price would be: prices change in Jan- need to follow up then

Option 2: ATC: \*Can pick any colour of sweater and one colour of logo

Home > ATC™ EVERYDAY FLEECE HOODED SWEATSHIRT. ATCF2500





ATC™ EVERYDAY FLEECE HOODED SWEATSHIRT. ATCF2500

- 13-oz, 50/50 cotton/polyester fleece
- · Compacted yarns to minimize shrinkage
- · Double lined hood with drawstring
- Anti-nill
- Classic fit

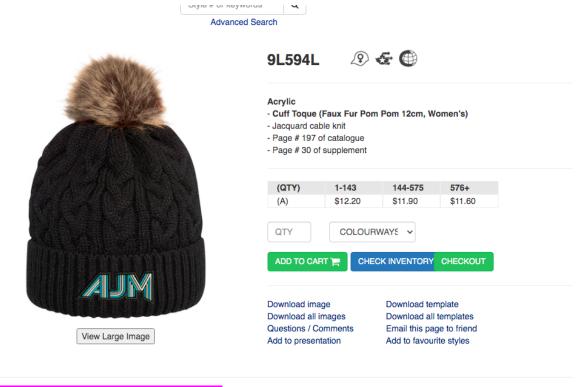
Available Sizes: S-4XL
Colour: Heather Navy

Mark Arabica Arab

Recommended sell price would be: prices change in Jan- need to follow up then

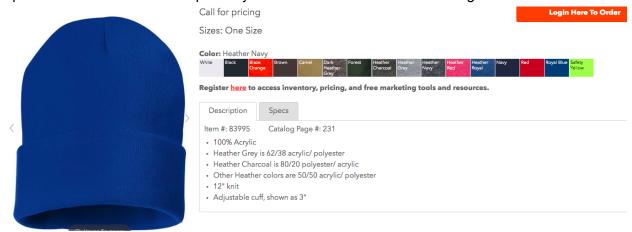
Toque: logo location would be on front trim of the toque

Option 1: AJM \*black



Recommended sell price would be: prices change in Jan- need to follow up then

Option 2: S&S Canada \*\*Can pick any colour of hat and one colour of logo



Recommended sell price would be: prices change in Jan- need to follow up then

# Option 3: Mask Option ONLY: The MoFo Mask Lady:

\*\*After speaking with Karin, she would like to donate the first 100 masks free of charge to us

\$5 per mask	*Turn around time is Mid-Jan

Recommended sell price would be: \$10-\$15. A \$5-10 pool profit

Option 4: T-shirt Option ONLY: Barefoot Boutique: (who we ordered from for the first round of t-shirts) \*Personal recommendation is that we don't order any more toddler sizes as we aren't selling quickly but look into getting true youth sizing for shirts-lots of interest) Logo location would be the same as last time.

\$18 per shirt	Adult and Youth Sizing
Colour: Black tee with white logo like last time	Last time we did 27 adult and 9 toddler (youth this round)
	*Turn around time: 3 ish weeks but heading into Christmas and her second baby (due Jan) may cause this timeline to be a bit longer

Recommended sell price would be: same as last time \$30 per shirt. \$12 pool profit

Should we wish to order anything other than the Barefoot Boutique order (that we were told to order the exact same amount with money in account), we will need to consider asking Council for seed money potentially.