

THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC HEALTH AND SOCIAL SERVICES COMMITTEE

REPORT 4-2008

Minutes of a meeting of the Public Health and Social Services Committee held in Committee Room 4, Regional Municipal Building, 2201 St. David's Road, Thorold, Ontario, on Tuesday, April 1, 2008 at 2:00 p.m.

ATTENDANCE

Committee: Councillors Baty, Co-Chair; Casselman, Co-Chair; Partington, Regional Chair; Cordiner; Greenwood; Henderson; Katzman; Marshall; Rigby; Timms.

Staff: Mr. Trojan, Chief Administrative Officer; Dr. Williams, Medical Officer of Health; Mr. Hutchings, Commissioner, Community Services; Ms. Gilroy, Regional Clerk; Ms. Reilly, Legislative Assistant.

Staff

Other: Community Services Dept; Ms. Cousins, Director, Operational Support Services; Mr. Kerwin, Administrator, Woodlands-Rapelje Lodge; Ms. Pennisi, Director, Social Assistance & Employment Opportunities; Mr. Ventresca, Director, Seniors Services.
Public Health Dept.: Ms. Decou, Medical Epidemiologist; Dr. Feller, Associate Medical Officer of Health; Dr. Klooz, Associate Commissioner of Health; Ms. Partington, Education and Quality Improvement Manager; Mr. Lorenzo, Manager, Tobacco Program; Ms. Rix, Manager, Tobacco Control; Ms. Suggett, Epidemiologist; Ms. Wodchis, Director, Chronic Disease and Injury Prevention.
Corporate Services: Mr. Kyne, Director, Legal Services; Mr. Moffatt, Manager, Property Management.
Human Resources: Ms. Fontana, Director, Corporate Health Services & Employee Relations; Mr. Nicol, Commissioner, Human Resources.

CLOSED SESSION

37. Moved by Councillor Henderson
Seconded by Councillor Timms

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to personnel, property and legal matters.

Carried.

38. Moved by Councillor Katzman
Seconded by Councillor Henderson

That Michael Perley, Director, Ontario Campaign for Action on Tobacco, be allowed to attend Closed Session during deliberations of Report PHD 13-2008, respecting Update on Appeal Decision.

Carried.

39. Update on Appeal Decision
Confidential PHD 13-2008

Moved by Councillor Greenwood
Seconded by Councillor Timms

That Confidential Report PHD 13-2008, April 1, 2008, respecting Update on Appeal Decision, be received for information.

Carried.

40. Moved by Councillor Rigby
Seconded by Councillor Henderson

That this Committee do now rise with report.

Carried.

PRESENTATION

41. Contraband Tobacco

Ms. Rix, Manager, Tobacco Control, introduced Mr. Perley, Director, Ontario Campaign for Action on Tobacco, noting that Mr. Perley has been a long time advocate for tobacco legislation and a smoke-free Ontario. Ms. Rix advised that enforcement agencies were invited to Committee but could not attend due to internal policies.

Mr. Perley presented information on Contraband Tobacco which are cigarettes for which federal and/or provincial excise and/or sales taxes have neither been levied by those selling, nor paid by those required to pay them. Contraband may include main-brand product delivered to reserves via quota system, or product manufactured by licensed or unlicensed manufacturers on reserves in Quebec, Ontario or New York State.

Mr. Perley described the difference between Counterfeit and Contraband Tobacco, noting Counterfeit cigarettes are manufactured to resemble main-brand Canadian product which is manufactured offshore (e.g. China) and shipped into Canada via east and west coast ports.

Contraband product originates in the St. Regis Mohawk territory of the U.S. side of the Akwasasne Reserve and is primarily in clear plastic bags of 200 cigarettes, which typically sell for \$8-\$20 per bag. Additional bags are produced by unlicensed on-reserve manufacturers in Ontario and Quebec. Contraband also appears in the form of main-brand products supplied to Ontario reserves under the provincial quota system, which instead of being consumed by First Nations, is resold through smoke shacks. A further variety of Contraband appears in the form of product manufactured under license by Grand River Enterprises (on Six Nations reserve near Brantford), which is licensed for shipment to Canadian reserves or export out of Canada, but which is diverted instead into non-First Nations market.

Mr. Perley highlighted the revenue and expense of manufacturing Contraband noting that one illegal cigarette manufacturing machine (\$75,000 on internet) can produce 60 bags per hour or just over 1,400 bags per day. The 2008 Federal Budget has banned sale of these machines to unlicensed manufacturers. If the machine is run continuously and bags are sold for \$10 per bag, gross revenue from one machine would equal \$5.1 million per year, minus downtime, maintenance and cost of raw materials.

The size of the Contraband market is estimated that between 1 in 4 and 1 in 3 cigarettes smoked in Ontario is Contraband. 24% of butts collected around Ontario schools have been found to be Contraband.

Mr. Perley presented the following sample remedies to this problem:

- Increase search/seizure powers (Currently Ontario Provincial Police can enforce/Tobacco Enforcement Officers do not have authority)
- Confiscate raw materials destined for unlicensed manufacturers (Quebec has the authority, Ontario does not)
- Tax refund/rebate systems for reserves (as in Alberta, Manitoba, New Brunswick, Quebec and Saskatchewan)
- Posting of performance bonds by licensed manufacturers (\$5 million plus) and revoke licenses if product becomes Contraband.

Committee was advised that the above and other potential remedies will have to form part of a joint First Nations-provincial tobacco control framework for reserve communities, to include tobacco control programming, education, cessation assistance, etc.

*Enforcement Related to the Sale
of Contraband Tobacco Products:*

Ms. Rix, Manager, Chronic Disease, circulated information outlining the roles and responsibilities of the various enforcement agencies that deal with Contraband Tobacco. This document is attached to Report PHSS 4-2008 being the minutes of the Public Health and Social Services Committee meeting of April 1, 2008 and can be found behind the PHSS Blue Book tab for information.

Moved by Councillor Timms
Seconded by Councillor Cordiner

That the presentation by Mr. Michael Perley, Director, Ontario Campaign for Action on Tobacco, regarding Contraband Tobacco be received; and

That staff prepare a resolution on the issues of enforcement and advocacy related to Contraband Tobacco, as discussed at Committee, for presentation to Regional Council for support at its meeting of Thursday, April 10, 2008.

Carried.

(Refer to Councillor Information Requests.)

ITEMS FOR CONSIDERATION

42. 2008 Seniors Services Amending Agreements
Between Hamilton Niagara Haldimand Brant (HNHB)
Local Health Integration Network (LHIN) and Niagara Region
COM 13-2008

Moved by Councillor Rigby
Seconded by Councillor Greenwood

That Report COM 13-2008, April 1, 2008, respecting 2008 Seniors Services Amending Agreements Between Hamilton Niagara Haldimand Brant (HNHB) Local Health Integration Network (LHIN) and Niagara Region, be received; and

That this Committee recommends to Regional Council that the Regional Chairman and Clerk be authorized to execute the necessary documents to enter into the 2008 Amending Agreements with Hamilton Niagara Haldimand Brant Local Health Integration Network (LHIN) for the receipt of an additional \$372,000 annually and the creation of corresponding 8.0 full-time equivalents (FTEs) of Registered Practical Nurse (RPN) positions.

Carried.

43. Initiation of 2008 Community Services Capital Program
COM 14-2008 (CSD 38-2008)

Moved by Councillor Rigby
Seconded by Councillor Cordiner

That Report COM 14-2008, April 1, 2008 (CSD 38-2008, April 2, 2008) respecting Initiation of 2008 Community Services Capital Program, be received.

That a capital budget allocation in the gross and net amount of \$500,000 be approved for the Community Services Capital Program as submitted in the 2008 Capital Budget and summarized in Appendix 1.

That approval be given to fund the projects with \$500,000 from the Capital Levy Reserve Fund.

That the Regional Clerk be directed to ensure that the appropriate By-laws are prepared for presentation to Regional Council.

Carried.

44. Receipt of Additional Funding for Seniors Community Programs from the Hamilton Niagara Haldimand Brant (HNHB) Local Health Integrated Network(LHIN)
COM 15-2008

Moved by Councillor Henderson
Seconded by Councillor Katzman

That Report COM 15-2008, April 1, 2008, respecting Receipt of Additional Funding for Seniors Community Programs from the Hamilton Niagara Haldimand Brant (HNHB) Local Health Integrated Network (LHIN), be received for information.

That the Regional Chair and Clerk be authorized to execute any required accountability agreement with the Hamilton Niagara Haldimand Brant (HNHB) Local Health Integrated Network (LHIN) in order to receive the identified Provincial funding for the project enhancement, and additional staff.

That the additional funding from the LHIN be applied to:

- a) Continue with the expanded or enhanced Seniors Community Programs from the previously approved Emergency Department Action Plan (EDAP) funding.
- b) Add 1.0 full-time equivalents (FTEs) of required staff with the exclusive utilization of the LHIN funding, to support the intended expansion or enhancement of the identified Seniors Community Programs.

Carried.

45. Fort Erie Youth without Secure Housing
COM 17-2008

Moved by Councillor Rigby
Seconded by Councillor Cordiner

That Report COM 17-2008, April 1, 2008, respecting Fort Erie Youth without Secure Housing, be received, **as amended**.

That a current budget allocation in the gross and net amount of \$90,000 be approved from the Council Business Plan budget allocation as submitted in the 2008 Current Budget; and

That approval be given to direct these funds toward the Fort Erie Youth without Secure Housing project; and

That future reports include under "Financial Implications" the amount of the Council Business Plan budget, the amount allocated and the amount remaining within the approved budget allocation.

Carried.

46. Agreement to Launch Transitional
Supported Housing Pilot Project for Young Women
COM 18-2008

Moved by Councillor Rigby
Seconded by Councillor Henderson

That Report COM 18-2008, April 1, 2008, respecting Agreement to Launch Transitional Supported Housing Pilot Project for Young Women, be received.

That this Committee recommend to Regional Council that the Regional Chair and Clerk be authorized to execute the necessary documents to enter into an agreement with YWCA to launch a transitional housing pilot project for young women who are homeless.

Carried.

ITEMS FOR INFORMATION

47. Niagara Region 2006 Census – Age and Sex Release
PHD 11-2008

Moved by Councillor Katzman
Seconded by Councillor Henderson

That Report PHD 11-2008, April 1, 2008, respecting Niagara Region 2006 Census- Age and Sex Release, be received for information.

Carried.

(Refer to Councillor Information Request.)

48. Student Practice Education 2007
PHD 12-2008

Moved by Councillor Cordiner
Seconded by Councillor Henderson

That Report PHD 12-2008, April 1, 2008, respecting Student Practice Education 2007, be received for information.

Carried.

49. “Engaging YOUth” 2008 Young Leaders Symposium
COM 19-2008

Councillor Baty, Co-Chair, reminded Councillors of the Young Leaders Symposium which is to be held on Wednesday, April 23, 2008 at Four Points Sheraton, Thorold at 8:30 a.m. to 2:15 p.m. He commented that he enjoyed attending the symposium last year but was unable to attend this year due to Niagara Week. Councillor Baty urged those Councillors that are not attending Niagara Week to try and attend this interesting and informative seminar.

Mr. Hutchings, Commissioner, Community Services, advised that he has contacted the Business Education Council of Niagara (BEC) to ensure that next year's symposium will not conflict with Niagara Week.

Moved by Councillor Cordiner
Seconded by Councillor Henderson

That Report COM 19-2008, April 1, 2008, respecting “Engaging YOUth” 2008 Young Leaders Symposium, be received for information.

Carried.

50. Seniors Services Accreditation Award 2008-2011
COM 20-2008

Moved by Councillor Henderson
Seconded by Councillor Katzman

That Report COM 20-2008, April 1, 2008, respecting Seniors Services Accreditation Award 2008 – 2011, be received for information.

Carried.

MINUTES

51. Report 1-2008

Moved by Councillor Rigby
Seconded by Councillor Cordiner

That Report 1-2008, being the minutes of the Accessibility Advisory Committee Ontarians with Disabilities Act meeting of January 16, 2008, be received.

Carried.

CORRESPONDENCE

52. Moved by Councillor Rigby
Seconded by Councillor Cordiner

That Communication PHSS 11-2008 from Dennis Roughley, Chair, Board of Health (February 20, 2008) regarding West Nile Virus (WNV) Program Update, be received.

Carried.

OTHER BUSINESS

53. 3rd Annual Niagara Youth Tobacco Summit

Dr. Feller apprised Committee of the 3rd Annual Niagara Youth Tobacco Summit to be held on Wednesday, April 2, 2008 at 9:00 a.m. to 1:30 p.m. at the Parkway Convention Centre. This youth-led initiative is intended to create awareness about tobacco issues affecting youth and encourage high school students to enhance tobacco awareness projects within their schools. There will be a key-note speaker, youth presentations and concurrent workshops to allow students the opportunity to engage with a media and communications panel, and discuss youth advocacy and global tobacco issues.

54. Public Health Building, Welland

Committee was apprised of a media release that was sent out today, April 1, 2008, advising that Regional Council has endorsed the relocation of Public Health Services in Welland to 200 Division Street from 540 King Street. Mr. Moffatt, Manager, Property Management, advised that next steps include restoration and renovation of the facility to update systems to today's standards. It is anticipated renovations will begin in late April to allow for occupancy in early 2009.

Moved by Councillor Katzman
Seconded by Councillor Cordiner

That the oral report by Mr. Moffatt, Manager, Property Management, regarding the Public Health Building in Welland be received.

Carried.

CLOSED SESSION (continued)

55. Moved by Councillor Marshall
Seconded by Councillor Rigby

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to personnel, property and legal matters.

Carried.

56. A Proposed Acquisition of Land by the Municipality
Town of Fort Erie
Confidential COM 16-2008 (CSD 41-2008)

Moved by Councillor Cordiner
Seconded by Councillor Greenwood

That Confidential Report COM 16-2008, April 1, 2008 (CSD 41-2008, April 2, 2008) respecting a Proposed Acquisition of Land by the Municipality, Town of Fort Erie, be received and the recommendations contained herein be approved.

Carried.

57. A Matter of Labour Relations: Status of ONA Local 9
(Homes for the Aged) Contract Negotiations
Confidential HR 10-2008

Moved by Councillor Katzman
Seconded by Councillor Greenwood

That Report HR 10-2008, April 2, 2008, respecting A Matter of labour Relations: Status of ONA Local 9 (Homes for the Aged) Contract Negotiations, be received for information.

Carried.

58. Moved by Councillor Katzman
Seconded by Councillor Henderson

That this Committee do now rise with report.

Carried.

COUNCILLOR INFORMATION REQUESTS

- (i) Staff's resolution regarding Contraband Tobacco consider the inclusion of some of the following suggestions by Committee as well as Mr. Perley's sample remedies outlined in his presentation:
- Authority for Public Health Tobacco Enforcement Officers to increase search/seizure powers
 - Establishing a Joint Agency Group/Committee (similar to Belleville/Kingston) made up of the various enforcement agencies to coordinate enforcement activities to track down couriers and suppliers.
 - Develop an array of advocacy measures to present to the Provincial and Federal Governments (i.e. Advocacy Day – presented by young adults such as R.E.A.C.T.)
 - Encourage Provincial/Federal Governments to include additional funding for a study/method to better identify contraband cigarettes.
- (Refer to minute 41.)
- (ii) Public Health and Community Services staff prepare a report regarding the development and presentation of a forum on "Aging in Niagara". (Casselman/Baty) (Refer to minute 47.)

ADJOURNMENT

The Committee adjourned at 4:25 p.m., to meet again in Committee Room 4 on Tuesday, April 15, 2008 at 2:00 p.m.

Brian Baty
Co-Chair

Gail Reilly
Legislative Assistant

Judy Casselman
Co-Chair

Pam Gilroy
Regional Clerk