



Council Report

Report Number:	BLDG2025-002
Meeting Date:	July 22, 2025
Title:	Records Transfer Agreement with Haliburton Kawartha Northumberland Peterborough Health Unit
Description:	Transfer of Haliburton Kawartha Northumberland Peterborough Health Unit Historic Hardcopy Records to City of Kawartha Lakes
Author and Title:	Susanne Murchison, Chief Building Official

Recommendations:

That Report BLDG2025-002, **Records Transfer Agreement with Haliburton Kawartha Northumberland Peterborough Health Unit**, be received;

That the Records Transfer Agreement, substantially in the form as outlined in Appendix A to Report BLDG2025-002, be approved; and

That the Mayor and Clerk be authorized to execute this Agreement.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

In Q4 of 2014 the Haliburton Kawartha Northumberland Peterborough Health Unit (HKNPHU) forwarded notice to the City that they would no longer be providing the services relating to enforcement of the Building Code Act with respect to private on-site sewage systems past the end of the then current agreement, being December 31, 2014. The municipality negotiated an extension for a further six months to allow transitional time to prepare to take the program in-house in the Building Division.

At the time in 2014 the HKNPHU was not prepared to provide the complete record set to the municipality, as their legal department had given the opinion that they were required to maintain the records permanently. Over the first few years following the commencement of the City administering the program City staff were frequently required to attend the HKNPHU offices to retrieve information from the files. Eventually the HKNPHU provided the City with copies of their databases, which contained many but not all pre-2015 records. Building & Septic Division staff were still frequently required to attend the HKNPHU offices to retrieve "missing pieces" of files or to verify if indeed a paper file existed where a digital file could not be located.

Between 2015 and 2020 staff attempted discussions with HKNPHU to inquire if they would be agreeable to transfer the historic hardcopy files to the City to create a more efficient process and better customer experience. At that time they were not amenable to the proposal. In early 2021 HKNPHU reached out to re-start the conversation, stating they required the office space, looking at the need to acquire a storage space off-site and were now interested in the City being that storage site. The Chief Building Official commenced discussions at this time with the end goal of having an agreement in place which would allow the City to receive the records.

Over the next few years a few different versions of a draft agreement were shared back and forth, however the main point that could not be agreed upon was the "ownership" of the records post-transfer. HKNPHU wanted to retain full control of the records preventing the City from digitizing and destroying paper records, and essentially limiting the municipal role to that of storage space at no cost. Through further discussions between the legal teams for both parties it was finally agreed that the City would assume the records and have the rights to maintain them in whatever format they choose.

It is estimated that the City will be receiving approximately 150 boxes of files in this transfer. The files will need to be received and housed in our Records Center, while Building & Septic Division staff review each hardcopy file to confirm completeness of

the digital database. As this process proceeds a database level listing will be created by Building & Septic Division staff in order to facilitate tracking which files were received and documenting the remainder of their hardcopy lifecycle through to destruction. Septic files are a permanent retention and the plan is to fully digitize the records and destroy the hardcopies.

This report addresses the execution of the records transfer agreement.

Rationale:

The Chief Building Official and HKNPHU have reached a mutual agreement for the transfer and retention of the hardcopy records created by HKNPHU dating from 1970s through to 2014. The transfer of the files will provide efficiencies for both staff and customers moving forward. Currently City staff attend the HKNPHU Lindsay office to obtain copies from time to time, however should the records not be transferred the timing for retrieval will be greatly impacted due to location and availability of HKNPHU staff to retrieve the record. Obtaining ownership of the hardcopy records by the City will provide efficiencies to timing, improved customer and staff experience, and over the next few years will provide City staff with the ability to fully digitize the database of records.

Other Alternatives Considered:

An alternative would be to leave the records in the possession of the HKNPHU, with the knowledge that in-person to the hardcopy records would no longer be available and retrieval of copies would be fully dependant on the HKNPHU staff availability and processes.

Alignment to Strategic Priorities

For reference the four strategic priorities within the 2024-2027 Kawartha Lakes Strategic Plan are:

1. A Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This report aligns with priority 3: A Vibrant and Growing Economy, through the action "... encourage sustainable growth and development", by aiding to streamline the approvals process with easier and timelier access to the historic files.

This report aligns with priority 4: Good Government, through the action "... provide innovative and efficient service delivery for better customer experiences", by reducing the time required for a historic records search and leveraging digital solutions. The action "...provide accountable government and responsible management of resources" is also achieved, by streamlining the processes associated with the historic records search.

Financial/Operation Impacts:

Assumption of paper records from an agency external to the municipality brings a measure of liability along with it to maintain those records over time. The proposed agreement between the parties will address responsibilities.

The City Solicitor has been consulted throughout the preparation of the draft agreement.

Consultations:

City Solicitor

Supervisor Part 8 Sewage Systems

Manager of Corporate Records and Archival Services

Haliburton Kawartha Northumberland Peterborough Health Unit

Attachments:

Appendix A – Copy of final draft agreement executed by HKNPHU



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System Records Agre

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Department Head: Leah Barrie, Director of Development Services