

August 21, 2018

NOTICE OF
BOARD OF DIRECTORS' MEETING

DATE: TUESDAY, AUGUST 28, 2018

TIME: 9:30 A.M – 11:00 A.M

LOCATION: WATERSHED CONSERVATION CENTRE
BOARDROOM

- | AGENDA: | | TIME |
|----------------|---|-------------|
| 1. | Approval of Agenda | 9:30am |
| 2. | Declaration of Conflicts of Interest | |
| 3. | Minutes of the Previous Meeting:
Tuesday June 26, 2018 | |
| 4. | Business Arising from the Minutes | |
| 5. | Business for Approval | 9:35am |
| | (a) Mid-Year Financial Update & Revised Budget
(I.Wilcox/C.Saracino)(Doc: FIN #740)
(Report attached)(10 minutes) | |
| | (b) West London Dyke/Blackfriar's Bridge Project
(C.Tasker/F.Brandon-Sutherland/)(10 minutes) | |
| | (c) NDMP Intake Five Funding Proposals
(C.Tasker/E. Lounsbury)(Doc: FC #1337)
(Report attached)(5 minutes) | |
| | (d) Regulations Mapping Updates
(T.Annett)(Doc: ENVP #5956)
(Report attached)(10 minutes) | |
| 6. | Closed Session – In Camera | |
| 7. | Business for Information | 10:10am |
| | (a) Administration and Enforcement - Section 28
(T. Annett) (Doc: ENVP #6372)
(Report attached)(5 minutes) | |

- (b) Admin By-Law Best Management Practice
(I.Wilcox/T.Annett)(Doc: ENVP #6287)
(Report attached)(15 minutes)
- (c) Financial Modernization Plan
(C.Saracino)(Doc: FIN #737)
(Report attached)(10 minutes)
- (d) Board Meeting Transparency – Audio Recording
of Board Meetings
(I.Wilcox/C.Harrington)(Doc: WP# 1407)
(Report attached)(5 minutes)
- (e) Conservation Areas – Fixed Opening Date
(J.Howley)(Doc: CA #4718)
(Report attached)(5 minutes)
- (f) Board of Directors Self Evaluation
(I.Wilcox)(Doc: #120286)
(Report attached)(5 minutes)

- 8. August FYI 10:55am
- 9. Other Business (Including Chair and General
Manager's Comments)
- 10. Adjournment 11:00am



Ian Wilcox, General Manager

c.c. Chair and Members of the Board of Directors

T.Annett	G.Inglis	C.Ramsey	M.Snowsell	M.Viglianti
B.Glasman	D.Charles	C.Saracino	P.Switzer	I.Wilcox
C.Harrington	B.Mackie	A.Shivas	C.Tasker	K.Winfield
T.Hollingsworth	S.Musclow	J.Skrypyk	B.Verscheure	
J.Howley	B.Hertner	F.Brandon-Sutherland	E.Lounsbury	

MINUTES
BOARD OF DIRECTORS' MEETING
TUESDAY, AUGUST 28, 2018

Members Present:	M.Blackie M.Blosh R.Chowen A.Hopkins T.Jackson S.Levin	N.Manning S.McCall-Hanlon A.Murray B.Petrie J.Salter G.Way
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Regrets:	M.Ryan T.Birtch	H.McDermid
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Solicitor:	G.Inglis
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Staff:	T.Annett F.Brandon-Sutherland D.Charles C.Harrington T.Hollingsworth J.Howley E.Lounsbury S.McDonald	S.Musclow C.Saracino A.Shivas J.Skrypyk M.Snowsell C.Tasker K.Winfield
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1. Approval of Agenda

G.Way moved – M.Blosh seconded:-

“RESOLVED that the UTRCA Board of Directors
approve the agenda as posted on the member’s website.”

CARRIED.

2. Declaration of Conflicts of Interest

The Chair inquired whether the members had any conflicts of interest to declare relating to the agenda. There were none.

3. Minutes of the Previous Meeting
June 26, 2018

S.McCall-Hanlon moved – G.Way seconded:-

“RESOLVED that the UTRCA Board of Directors approve the Board of Directors’ minutes dated June 26, 2018 as posted on the Members’ web-site.”

CARRIED.

4. Business Arising from the Minutes

There was no business arising from the minutes.

5. Business for Approval

(a) Mid Year Financial Update & Revised Budget
(Report attached)

C.Saracino reviewed the revised budget. The most significant change is the inclusion of the land transaction with the City of London, which presents a forecasted depletion of reserves. The timeline for the closure of the land transaction was unknown. In the future, if staff are aware of land transactions they will be reflected in the budget, but that is not always the case.

In operating, the surplus is slightly higher than originally forecast, while in capital there is a larger than forecasted deficit.

N.Manning moved – S.Levin seconded:

“RESOLVED that the Board of Directors approve the recommendation as presented in the report.”

CARRIED.

(b) West London Dyke/Blackfriar’s Bridge Project
(Report attached)

C.Tasker outlined the report. If approved, the work will proceed as soon as possible to keep the Blackfriar’s Bridge project on track. This is the beginning of Phase four of the West London Dykes project. After concerns were raised regarding justifying single sourcing this project, the following resolution was approved.

S.Levin moved – A.Hopkins seconded:

“RESOLVED that the recommendation be amended to include ‘noting the report explains the rationale behind the award’.”

CARRIED.

S.Levin moved – B.Petrie seconded:

“RESOLVED that the Board authorizes UTRCA staff to award the WLD Phase 4 – Blackfriars Bridge Transition work that was deemed acceptable by the project team. This includes the reconstruction of ~25 m of dyke, connecting the south abutment of BF Bridge to the dyke, and connecting this section of the dyke to the northern extent of the Phase 4a reconstruction, noting the report explains the rationale behind the award.”

CARRIED.

- (c) NDMP Intake Five Funding Proposals
(Report attached)

S.Levin moved – T.Jackson seconded:

“RESOLVED that the Board of Directors approve the recommendation as presented in the report.”

CARRIED.

- (d) Regulations Mapping Updates

T.Annett introduced the two recommendations presented to the Board. Board members discussed and raised concerns regarding the impacts on landowners, the complex implications, a need for direct communications with affected landowners, and the need for better communication and education with Municipal staff. Education with Municipal staff will continue, and happen on an annual basis. It was asked that this be added to the standard annual presentation to the Municipalities.

Board members expressed the need for networking between the legislative pieces in order to reduce the loss of sensitive lands due to reduced options for development.

B.Petrie moved – G.Way seconded:

“RESOLVED that the Board of Directors approve the first recommendation as presented in the report.”

CARRIED.

S.McCall-Hanlon moved – B.Petrie seconded:

“RESOLVED that the Board of Directors amend the second recommendation to include ‘recognizing that education is a key factor’.”

CARRIED.

S.Levin moved – S.McCall-Hanlon seconded:

“RESOLVED that the Board of Directors approve the transition policy approach outlined in this report be implemented by staff, recognizing that education is a key factor’.”

CARRIED.

6. Closed Session – In Camera

There being property and legal matters to discuss,

A.Hopkins moved – B.Petrie seconded:-

“RESOLVED that the Board of Directors adjourn to Closed Session – In Camera.”

CARRIED.

Progress Reported

Staff updated the Board on a property matter regarding the Glengowan lands and a legal matter regarding the Fanshawe Cottages.

7. Business for Information

(a) Administration and Enforcement – Section 28
(Report attached)

Staff clarified that Storm Water Management ponds now require section 28 permits. It was suggested that education around the function of stormwater management ponds be provided to the public.

S.Levin moved – N.Manning seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

(b) Admin By-Law Best Management Practice
(Report attached)

T.Annett and M.Viglianti presented the Administrative By-Law Best Management Practice to the Board.

S.Levin moved – B.Petrie seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

A.Hopkins left the meeting at 11:30am

- (c) Financial Modernization Plan
(Report attached)

T.Jackson moved – A.Murray seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

- (d) Board Meeting Transparency – Audio Recording
(Report attached)

The Board asked that all staff and presenters use the microphone when addressing the Board.

S.Levin moved – B.Petrie seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

- (e) Conservation Areas – May 1st Opening
(Report attached)

S.Levin moved – T.Jackson seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

- (f) Board of Directors Self Evaluation
(Report attached)

T.Jackson moved – S.McCall-Hanlon seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

8. August FYI
(Attached)

R.Chowen moved – G.Way seconded:-

“RESOLVED that the Board of Directors receive the August FYI.”

CARRIED.

9. Other Business

There have been no recent updates regarding the announcement of the transfer of Conservation Authorities to the Ministry of Environment, Conservation & Parks. The status quo is being maintained until a transition plan is approved by the Province.

The Management agreement with the city of Woodstock regarding Pittock Conservation Area was approved by Woodstock City Council. Public announcements will occur through the fall and winter, with the changes coming into effect in the spring of 2019.

It was suggested that if the Board tours the Glengowan lands in October, a visit to the Cade property be included.

10. Adjournment

There being no further business, the meeting was adjourned at 11:45 a.m on a motion by B.Petrie.



Ian Wilcox
General Manager
Att.

To: UTRCA Board of Directors
From: Ian Wilcox, Christine Saracino
Date: 21 August 2018 **Agenda #:** 5 (a)
Subject: 2018 Mid-year Results and Revised Budget **Filename:** FIN #740

Recommendation:

The Board approves the 2018 Revised Budgets as presented: projected operating surplus \$78,695 and projected capital spending deficit \$320,819.

Financial Results to Date:

The balance sheet (Statement of Financial Position and Accumulated Surplus) at the end of July reflects recent cash management activities. With slowly rising interest rates on secure GIC balances over 120 days and our long term portfolio operating, excess cash is now being invested for longer periods.

Though we still anticipate the cash receipt of funding for some \$600,000 of NDMP costs incurred in late 2017 and early 2018, recorded revenues for the current year are on track. Certain park revenues have shown some adverse impact due to very hot weather but not so much as to require a new overall forecast. Total operating expenditures of \$10.2M to July of a total \$15M budget seem excessive, but this is skewed by the inclusion of \$1.9M in costs for recent land transactions. Without this item, expenses are as expected and reflect 56% of costs incurred at the 58% mark in the year. As a result, we do not anticipate any untoward changes in the current year results aside from the land transactions.

Operating Budget Revisions:

We have received notification of several new grants since the operating budget was first approved. The portions of these grants which apply to the remainder of 2018 are included in the revised budget along with planned expenses to fulfil the agreements. The forecast net change to the projected operating surplus is small. The ultimate size of the surplus is in part dependent on how much of the new grant revenue can be expended by the end of December.

Agricultural Adaptation Council: \$513,000 over 3 years
Environment and Climate Change Canada - Medway Creek Phosphorus Reduction: \$600,000 over 4 years
Environment and Climate Change Canada - Water Quality Monitoring: \$27,000
Public Safety Canada – Flood Risk Communication Tools: \$21,500

In addition, we have included the net impact on reserves of the land transactions completed in 2018 to date, or \$1,283,266.

Capital Budget Revisions:

We added \$81,000 for expenditures for capital works at park properties approved by the Board in April.

We have also removed those projects which were not approved through the WECI program in April. The net result of these changes is a reduction of funding of approximately \$610,000 along with reductions in the drawing of flood control reserves associated with those projects.

Recommended by:

Ian Wilcox,
General Manager

Prepared by:

Christine Saracino
Supervisor, Finance & Accounting

Upper Thames River Conservation Authority
Statement of Financial Position and Accumulated Surplus (unaudited)
as at July 31, 2018

FINANCIAL ASSETS	Current Year	Prior Year	Notes
Cash and equivalents			
Bank Balances	399,782	3,706,595	Surplus cash holdings depleting
Petty Cash, Floats and Advances	8,302	8,014	
Short-term Investments	8,539,486	5,536,331	
PHN Investment Portfolio	2,517,139	-	Long-term investment pool being funded
	<u>11,464,709</u>	<u>9,250,940</u>	
Restricted Cash			
Source Water Protection Bank Account	326,043	333,454	
Glengowan Bank Account	203,366	237,577	
	<u>529,410</u>	<u>571,031</u>	
Receivable Amounts			
Accounts Receivable	778,678	2,230,359	Levy cleared earlier in 2018
Federal Taxes Receivable	34,553	33,648	
Accrued Receivables	608,285	11,271	NDMP funding not yet received
	<u>1,421,516</u>	<u>2,275,278</u>	
	<u>13,415,634</u>	<u>12,097,249</u>	
FINANCIAL LIABILITIES			
Accounts Payable and Accrued Liabilities			
Wage-related payables	625,783	467,429	
Federal Taxes Payable	57,058	56,008	
Accounts Payable	640,207	537,209	
Amounts held for other groups	13,551	27,708	
	<u>1,336,599</u>	<u>1,088,353</u>	
Deferred Revenues			
Funding carried forward temporarily	24,804	73,694	
Customer prepayments	6,105	-	
Advanced WECl,SWP, NDMP funding	603,985	1,142,108	
Deferred and Committed Capital Funding	1,770,522	-	Funding for capital depreciation in future
	<u>2,405,415</u>	<u>1,215,803</u>	
Term Loan (water system)	-	391,704	
	<u>3,742,014</u>	<u>2,695,860</u>	
NET FINANCIAL ASSETS	<u>9,673,620</u>	<u>9,401,389</u>	
NON-FINANCIAL ASSETS			
Tangible Capital Assets	61,166,213	60,605,004	
less accumulated amortization	<u>(23,378,470)</u>	<u>(22,923,102)</u>	
Net tangible capital assets	37,787,743	37,681,902	
Capital projects in progress	20,866	107,648	Reflects projects completed in early '18
Prepaid Expenses, Deposits and Inventories	87,985	131,399	
Accumulated Surplus	<u>47,570,215</u>	<u>47,322,338</u>	
Equity in Tangible Capital Assets	39,064,170	22,561,165	Rebalanced equity accounts in late 2018
All other Equity	(2,225,108)	14,284,825	to reflect actual growth of assets
Current year Surplus	3,493,285	3,628,138	Spending rate is similar to 2017
Reserves	7,237,868	6,848,210	
Accumulated Surplus	<u>47,570,215</u>	<u>47,322,338</u>	

Upper Thames River Conservation Authority

Summary Statement of Operating Activities

For The Period Ending July 31, 2018

	2018 YTD Actual	2018 Budget Approved	Revised by	2018 Budget Forecast	Notes
OPERATING ACTIVITIES:					
Levy Funding					
Municipal Operating Levy	3,701,512	3,605,251	-	3,605,251	
Dam and Flood Control Operations Levy	1,351,126	1,351,126	-	1,351,126	
Operating Reserve Levy	32,400	32,400	-	32,400	
	5,085,038	4,988,777	-	4,988,777	
Government Transfer Payments	-	351,020	-	351,020	
Contracts					
Municipal within Watershed	570,880	812,337	-	812,337	
Municipal without Watershed	12,920	75,840	-	75,840	
Provincial	841,264	956,911	(26,500)	930,411	
Federal	314,363	625,330	326,485	951,815	New federal contracts
All other	1,606,606	1,522,947	102,075	1,625,022	
	3,346,032	3,993,365	402,060	4,395,425	
User Fees					
Conservation Areas	3,067,263	3,559,859	-	3,559,859	
Planning and Permit Fees	145,509	195,000	-	195,000	
Education Fees	135,156	102,700	27,000	129,700	
	3,347,928	3,857,559	27,000	3,884,559	
Other Revenues	1,762,377	1,681,084	462,149	2,143,233	Primarily gain on sale of land
Total Revenues	13,541,376	14,871,805	891,209	15,763,014	
Mission Cost Centres					
Community Partnerships	893,320	1,417,652	30,744	1,448,396	
Water and Information Management	1,534,545	2,686,574	-	2,686,574	
Environmental Planning and Regulations	1,025,458	1,858,588	-	1,858,588	
Conservation Services	949,309	1,559,792	130,000	1,689,792	Corresponds to new federal grants
Watershed Planning & Research	657,719	1,036,483	-	1,036,483	
Conservation Areas	2,376,126	4,514,804	30,000	4,544,804	Removal of fuel tank
Lands and Facilities Management	2,776,358	1,750,273	1,891,000	3,641,273	Land transfer cost
Service Cost Centres	8,909	104,368	-	104,368	
Total Operating Expenditures	10,221,744	14,928,534	2,081,744	17,010,278	
Surplus (deficit) in Current Operations	3,319,632	(56,729)	(1,190,535)	(1,247,264)	
(To) or from Equity [Reserves]	(52,400)	57,993	1,267,966	1,325,959	Depleting reserves for land transfer
Balance of Operating Activities	3,267,232	1,264	77,431	78,695	
Depreciation	494,898	828,446	-	828,446	
Net Cash Surplus (Deficit)	3,762,130	829,710	77,431	907,141	

Upper Thames River Conservation Authority

Summary Statement of Capital Activities

For The Period Ending July 31, 2018

	2018 YTD Actual	Approved Budget	Budget Revision	Total Revised	Notes
CAPITAL ACTIVITIES:					
Capital Maintenance Levy	-	168,324	-	168,324	
Capital Expenditures (excl Flood Control)	(363,390)	(479,500)	(81,000)	(560,500)	Parks erosion and paving projects
	(363,390)	(311,176)	(81,000)	(392,176)	
Flood Control Capital Levy	490,240	2,399,077	(209,323)	2,189,754	
WECI and NDMP Capital Funding	443,755	3,607,077	(331,312)	3,275,765	
Net Flood Control Reserve Transfers	-	61,374	(69,119)	(7,745)	
	933,995	6,067,528	(609,754)	5,457,774	Reduced WECI and associated revenues
Flood Control Expenditures	(619,833)	(6,063,090)	676,674	(5,386,416)	Reduced costs due to unapproved WECI funding
	314,162	4,438	66,919	71,357	
Surplus (deficit) from Capital Activities	(49,228)	(306,738)	(14,081)	(320,819)	

To: UTRCA Board of Directors
From: Chris Tasker, Manager, Water and Information Management
Date: August 23, 2018 **Agenda #:** 5 (b)
Subject: Tender Award – For Approval **Filename:** Doc: #120327
West London Dyke Phase 4 - Blackfriars
Bridge Transition Work

Report Purpose:

To update the board on the procurement processes followed and obtain Board approval to accept the tender received for the West London Dyke (WLD) Phase 4 Blackfriars Bridge Transition Work.

Background:

The City of London Blackfriars Bridge Rehabilitation (BF) project is currently underway and is scheduled to be completed in November 2018. There is a portion of the scheduled Phase 4 dyke work that connects to the bridge abutments and is in the immediate vicinity, i.e. within 25 m, of the BF project. There are potential issues associated with having two prime contractors in close proximity including but not limited to: ministry approval being required for more than one prime contractor on the same construction site, delineation of construction sites, construction logistics, and disputes over liability in the event of a claim.

For these reasons the City of London BF project team requested that the WLD work in the immediate vicinity of the bridge abutments be completed through the same contractor or that this section be delayed until the BF project was completed and the warranty on the work had expired (November 2019).

If this section is delayed it will create significant constructability issues in future phases in order to connect the Phase 4a work to the south abutment of Blackfriars Bridge. It would result in wasted costs in the BF project, additional project complications, and more disruption to nearby residents and vehicular traffic across Blackfriars bridge.

If all of Phase 4a was delayed it would severely limit/eliminate our ability to utilize the remaining \$1.435 M of federal funding, acquired through the National Disaster Mitigation Program, and \$0.377 M of provincial funding through the Water and Erosion Control Infrastructure (WECI) program, to reconstruct the stretch of the WLD from Carrothers Street to Blackfriars Bridge.

The contractor for the BF project is McLean Taylor Construction Ltd (MT). MT is a reputable contractor who has performed well on UTRCA projects in the past. MT is currently working on two significant infrastructure projects for the UTRCA that were obtained through a competitive bid process.

The scheduled work that is not in the immediate vicinity of BF was tendered through a competitive bid process. The lowest and only tender was submitted by Ro-buck Contracting Ltd, the same contractor who completed the previous Phases of the WLD reconstruction work. The results of the procurement process satisfied UTRCA purchasing policy and were determined to be good value by the project team. A letter of intent has been issued to Ro-buck for WLD Reconstruction Phase 4a, the reconstruction of 180 m of dyke. A contract with Ro-buck will be executed shortly upon finalization of the contract documents.

Report on the Procurement Process:

Review and input on tender package performed by:

- UTRCA,
- City of London,
- Dillon Consulting (the consulting engineer on the BF project),
- and Stantec (the consulting engineer for the WLD Bridge Transition project)

A tender package was finalized by Stantec and forwarded to MT. In the development of the tender package, redundancies between projects were identified and eliminated. Additionally the tender separated all of the work into different components and specified our privilege to award either all of the work or portions of the work depending on what best served the interest of the UTRCA.

Project Funding and Costs:

This project is in the 20 Year Capital Repair Plan for 2018 and was approved for the 2018 WECEI submission. This project received funding through the National Disaster Mitigation Program as well as the WECEI program.

Funding

Total Funding for 2018-2019 WLD Reconstruction		
Funding Source	Amount	Expiry Date
2018 WECEI	\$ 377,303	March 31, 2019
NDMP	\$ 1,435,000	September 30, 2019
2018 City of London	\$ 1,116,440	-
2019 City of London	\$ 166,797	-
Total	\$ 3,095,540	-

Costs

Costs for 2018 WLD Reconstruction			
Contractor	Work	Amount	Price / meter
Ro-buck Contracting Ltd.	180 m dyke reconstruction	\$ 2,641,094	\$14,600
McLean Taylor Construction Ltd.	25 m dyke reconstruction	\$ 454,446	\$18,200
Total		\$ 3,095,540	-

It should be noted that the Ro-buck cost includes a \$225,000 contingency, and the McLean Taylor cost includes at \$50,000 contingency.

Tender Evaluation:

The tender bid was received from MT. The tender was evaluated based on:

- knowledge of the project complications,
- comparison to unit costs obtained through a competitive process for the dyke reconstruction further downstream,
- and comparisons to alternative courses of action.

After review with our consultant it was determined that the tender bid submitted by MT represents acceptable value for a portion of the work identified in the tender. While the unit pricing for the Bridge Transition work is higher than the pricing received for the WLD Reconstruction Phase 4a, there are added complications and liability that the contractor needs to deal with in working in such close proximity to the BF bridge abutments. The alternative course of action, delaying the work until after November 2019, would result major constructability issues, more disruption, and likely even higher costs than the pricing submitted by MT. In addition this would not enable the UTRCA and the City of London to utilize the full amount of approved government funding within the required time-frame.

MT elected to exclude the transition work to the North of BF Bridge from their tender and as a result this work will not be completed in this construction year. UTRCA has no concerns with this; the work will be completed in a subsequent phase. This will allow the UTRCA to seek additional funding for this section of dyke reconstruction and for the work to occur when there are less constrictions/complications at the construction site.

Recommendation

We recommend that the Board authorize UTRCA staff to award the WLD Phase 4 – Blackfriars Bridge Transition work that was deemed acceptable by the project team. This includes the reconstruction of ~25 m of dyke, connecting the south abutment of BF Bridge to the dyke, and connecting this section of the dyke to the northern extent of the Phase 4a reconstruction.

Please contact staff if there are any questions.

Recommended by:
Chris Tasker, Manager
Water and Information Management

Prepared by:
Fraser Sutherland, Project E.I.T.
Water and Information Management

To: UTRCA Board of Directors
From: Chris Tasker, Manager, Water & Information Management
Date: August 28, 2018 **Agenda #:** 5 (c)
Subject: NDMP Intake Five Funding Proposals **Filename:** FC# 1337

Recommendation:

That the UTRCA Board of Directors support the submission of proposals for federal funding from the National Disaster Mitigation Program (NDMP).

Background:

The National Disaster Mitigation Program (NDMP) is a 5 year, \$200 million, federal program established in April 2015 to reduce impacts of natural disasters on Canadians. No commitments have been made to continue this program past 2019-20.

UTRCA has been successful at receiving funding through previous intakes of the NDMP for various projects which have been instrumental in meeting our environmental goals by facilitating:

- Updating hazard mapping and modelling;
- Modernizing the hydrometric network;
- Supporting development of a Southwestern Ontario flood forecasting database;
- Capital maintenance and improvements to West London Dykes and St Marys Floodwall; and
- Education on flooding.

It is required that proposals include a resolution from the CA board supporting the projects. More information about the program and the projects previously supported by the board is available in the report distributed by email June 2, 2016 as well as the update reports presented at the June and September 2016 meetings.

Discussion:

The Ontario Ministry of Municipal Affairs and Housing (MMAH) is receiving project proposals for a 5th and final intake to the NDMP program for projects to be completed in the 2019-20 fiscal year (completed by March 31, 2020). Proposals must be submitted to MMAH by September 14, 2018. The proposals will be reviewed by MMAH (with technical support provided by MNRF and other ministries) to determine which proposals will be submitted to Public Safety Canada on October 31, 2018.

Staff are reviewing potential projects and assembling information to be able to submit funding project proposals. This report is intended to request board support for submission of proposals which may include new projects as well as additional phases to projects that were successful in obtaining funding in previous phases of the program such as:

- Modernizing the hydrometric network;
- Development of a Southwestern Ontario flood forecasting database;
- Capital maintenance to structures such as West London Dykes and St. Marys Floodwall;

- Education on Flooding; and
- Flood mitigation planning.

Some projects (including flood hazard mapping and modelling) have obtained NDMP funding from previous intakes that will continue to support these endeavours through the 2019-20 fiscal year.

Staff will continue to work through the province and federal review process to refine projects and facilitate approval of funding. Following submissions, an update report will be presented to the board to provide information on the project proposals submitted.

Recommended by:

Chris Tasker, Manager
Water & Information Management

Prepared by:

Emma Lounsbury
Water Control Structures Technologist

To: UTRCA Board of Directors
From: Tracy Annett
Date: August 20, 2018
Subject: Regulation Mapping Update Process

Agenda #: 5 (d)
Filename: C:\Users\annett\Documents\GroupWise\5956-1.doc

RECOMMENDATIONS

THAT the Upper Thames River Conservation Authority Board of Directors endorses the Procedure for Updating Section 28 (Regulation Limit) Mapping.

And further,

THAT the transition policy approach outlined in this report be implemented by staff.

SUMMARY

The purpose of this report is to provide the Board of Directors with an overview on implementing updated Regulation Limit mapping, and a proposed Transition Policy for implementation.

Conservation Ontario has recently provided an updated guidance document entitled the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations” endorsed April 2018. It should be noted that the Regulation applies to all areas described by the regulation and that in cases where there is a discrepancy between the mapping and the text of the regulation, the text prevails O.Reg 157/06 Section 2(3). The document provides some guidance with respect to appropriate public consultation/notification for mapping updates, however, ultimately suggests that each CA should determine an appropriate consultation process.

As a result of efforts to fulfill Strategic Plan Target #3 (Reduce flood and erosion risk by updating flood models and hazard mapping for all UTRCA subwatersheds by 2020), substantial amounts of improved information is being generated to inform hazard limits (eg. flood modeling, digital elevation models, etc.), however, formal updates to the Regulation Limit mapping have not yet been undertaken with this information. At this time, it is deemed prudent to formalize a Transition Policy (outlined below) to aid in directing staff on this matter.

BACKGROUND

UTRCA Regulation Limit mapping was originally prepared in 2006 with the most up-to-date information available at the time. The process for developing the mapping was documented in the *Determination of Regulation Limits for the Upper Thames River Conservation Authority, 2006*. The process substantially followed the *Approval Process Document: A Guideline Document to Assist Conservation Authorities with the Process of Obtaining Approval for their new Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation, October 2005*, prepared by the Ministry of Natural Resources and Conservation Ontario. Further, Conservation Ontario’s Peer Review Implementation Committee reviewed the UTRCA mapping process prior to finalizing the Regulation Limit mapping and ultimately submission for approval by the Minister in 2006.

On April 16th, 2018 Conservation Ontario Council endorsed an updated guidance document regarding Regulation Mapping updates: *Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Conservation Ontario staff report and protocol document attached)

The report states that:

Since the creation of the “Protocol for Updates to Section 28 Mapping” in 2006, there have been advances in technology, mapping and modelling as well as how agencies communicate with the public. Multiple CAs had contacted Conservation Ontario for guidance on how to adhere to the 2006 Protocol, given that the Peer Review & Implementation Committee no longer existed. In 2017, the S. 28 Regulations Committee moved forward with modernizing and updating the Protocol to provide clarification on the role of the Committee and to reflect new technological advances in regulatory mapping.

The report also emphasizes that:

In cases where there is a discrepancy between the mapping and the text of the regulation, the text prevails.

As such, the mapping is generally produced using the *best available information*, and are useful tools for CA staff, municipalities, landowners, and other stakeholders in screening applications with respect to regulated areas. As part of an on-going process, UTRCA staff undertake routine updates that refine the Regulation Limit to be consistent with the most recent and best available information. (eg. new information is acquired through aerial photo interpretation, site specific technical studies, confirmation of features through site visits, technological advances, etc). As a result, newly acquired data may result in changes to the mapping over time. As noted above, in the event of any discrepancies between the mapping and the actual features on the property, the text of Ontario Regulation 157/06 prevails.

In addition, it should be noted that the Regulation applies to all areas described by the text of the Regulation, whether mapped or not.

STRATEGIC PLAN IMPLEMENTATION

The Strategic Plan (June 2016) Target #3 includes: **Reduce flood and erosion risk by updating flood models and hazard mapping for all UTRCA subwatersheds by 2020.** Specific actions identified to achieve the target include:

- Update flood hazard and erosion limit mapping based on updated modelling results and detailed information submitted through planning and permit activities.
- Undertake consultation and communication with municipalities and stakeholder groups to clearly identify changes and regulatory impacts.
- Ensure updated mapping is provided to watershed municipalities to incorporate into Official Plans and Zoning By-Laws to be consistent with natural hazard and climate change adaption policies contained in the Provincial Policy Statement
- Establish a comprehensive maintenance program to ensure natural hazard information is kept up-to-date and able to support regulation limit mapping and the ability to effectively implement Section 28 of the Conservation Authorities Act.

As a result of efforts to fulfill this Target, substantial amounts of improved information is being generated to inform hazard limits (eg. flood modeling, digital elevation models, etc.), however, formal updates to the Regulation Limit mapping have not yet been undertaken with this information. At this time, it was deemed prudent to formalize a Transition Policy to aid in directing staff on this matter.

TRANSITION POLICY

UTRCA staff shall apply the following Transition Policies when reviewing development proposals:

- When making decisions regarding hazard lands, the Conservation Authority shall utilize the most recent and best available information including recent updates to floodplain modelling, watercourse and wetland mapping – recognizing the regulation continues to be ‘text based’
- When the available information is deemed insufficient to make decisions regarding hazard lands, the CA shall require the applicant to collect information, undertake calculations/modeling, produce mapping etc. to allow an informed decision to be made regarding the hazard lands; (*Environmental Planning Policy Manual* Section 2.2.7.1.3 – Riverine Flood Hazards – Determination of Limits, page 2-8)
- Where the ‘Principle of Development’ has been established under the *Planning Act*, the Authority will work with the proponent and the municipality to pursue a resolution where possible.

*It is recognized that there may be historic planning approval decisions that were made in the absence of current technical information which could now preclude development under the Conservation Authorities Act regulations. Where possible, if an issue remains unresolved, the Conservation Authority should work with the proponent and the municipality to pursue a resolution (*Policies and Procedures for Conservation Authority Plan Review and Permitting Activities*– CALC Chapter Section 3.7, May 2010).*

In these situations, innovative efforts may be necessary to address the site constraints and accommodate the development. However, in some cases where hazard mapping changes are significant and satisfactory resolution is not attainable, approvals pursuant to Section 28 of the Conservation Authorities Act should not be granted. Applicants/proponents in such circumstances should be strongly encouraged to modify their development proposals or be advised that UTRCA approval can only be pursued through a hearing in accordance with Section 28 (12) of the *Conservation Authorities Act*.

PUBLIC CONSULTATION

The CO Mapping Update Procedure 2018 provides suggested direction on how notification and public consultation be undertaken with respect to mapping updates.

From the CO Mapping Update Procedure 2018, the level of public consultation and notification is dependent on the extent of the update. Where mapping updates are deemed minor, then notification to the Board of Directors and/or posting a notice on the CA website is suggested to be sufficient as a best management practice. For more major mapping updates, it is suggested that an increased level of public consultation is appropriate, including at least one public meeting to provide information and receive comments. Ultimately, it is suggested that each CA should determine an appropriate consultation process for their mapping updates.

When comprehensive floodplain modelling is undertaken as part of an Environmental Assessment (EA) (i.e. Dingman Creek Subwatershed Stormwater Servicing Class EA), the EA process provides the vehicle for public consultation. In a similar manner, incorporation of updates through a comprehensive *Planning Act* circulation provides the opportunity for public consultation.

It is recommended that the level of public consultation and notification with respect to mapping updates be evaluated on a case-by-case basis.

CONCLUSION

As the UTRCA continues the significant task of completing updates to flood models and hazard mapping across the watershed, Environmental Planning and Regulations staff try to rely on the best available information in their review of new development proposals coming forward through *Planning Act* and *Conservation Authorities Act* applications. We strive to be consistent in our approach to the review and approval process, using the Environmental Planning Policy Manual as our guide. However, given the frequently changing status of pertinent information, it is often challenging to deal with proposals that may have been part of an application process for many months (or in some cases, several years). This report has tried to briefly summarize the progress being made and how staff intend to proceed while modelling and mapping updates continue. Subsequent reports will be provided to the Board as Target #3 work progresses.

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Attachment:

Conservation Ontario Council Report and “*Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations*” endorsed April 2018.



VISION 2016 – 2020

Conservation Ontario will be the leader in engaging Conservation Authorities in matters of common interest and in shaping effective policy related to Conservation Authorities

Conservation Ontario Council Report

From: Leslie Rich, Policy and Planning Liaison

Date: April 6, 2018

Subject: Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation

Summary

Further to queries from CA staff, the Conservation Ontario Section 28 Regulations Committee identified the need to modernize guidance on how Conservation Authorities (CAs) should undertake Section 28 regulatory mapping updates. The 2006 Protocol was updated for consultation with Conservation Authority staff and feedback was received from twelve CAs. The attached Procedure aims to provide greater clarity for CAs around the expectations for consultation and technical review of updated S.28 regulatory mapping.

Recommendation

THAT Council endorse the proposed “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations” dated April, 2018

AND THAT it be shared with the Ministry of Natural Resources and Forestry

Background

At the December, 2006 meeting Conservation Ontario Council endorsed the “Protocol for Updates to Section 28 Mapping, Ontario Regulation 97/04: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”. This document was created to meet the requirements of the *Approval Process Document: A Guideline Document to Assist Conservation Authorities with the Process of Obtaining Approval for their new Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation* (CO and MNR, 2005) to ensure accurate reporting of mapping updates for technical review, peer review, public notification, and filing

with the Ministry of Natural Resources. At that time, the Peer Review & Implementation Committee (now known as the CO Section 28 Regulations Committee) still played a lead role in reviewing CA mapping updates.

The 2005 *Approval Process Document* relates to the initial approval process for CA regulations across the province and it outlines the roles of the CO Peer Review Committee and MNRF. The last section of the document relates to the ongoing maintenance of regulation schedules. It states:

5.3 Maintenance

Additions or modifications to regulation schedules that maintain the intent and improve the accuracy of the regulated area, such as updated wetland boundaries, will not require an approval process. These will normally be site-specific amendments. The Conservation Authority will consult the affected municipality and keep a listing of these modifications to the regulated area and file a report with the peer review committee and MNR.

Additions or modifications to the regulation schedules resulting from comprehensive or larger scale studies require re-circulation through the Peer Review/MNR process and notification if they substantially change the impact of the regulation. A copy of the mapping highlighting the proposed modification(s) and the rationale for the change(s) as well as a record of any consultation will be provided to the Peer Review Committee in support of the amendment application.

Since the creation of the “Protocol for Updates to Section 28 Mapping” in 2006, there have been advances in technology, mapping and modelling as well as how agencies communicate with the public. Multiple CAs had contacted Conservation Ontario for guidance on how to adhere to the 2006 Protocol, given that the Peer Review & Implementation Committee no longer existed. In 2017, the S. 28 Regulations Committee moved forward with modernizing and updating the Protocol to provide clarification on the role of the Committee and to reflect new technological advances in regulatory mapping.

Current Status

The purpose of this proposed Procedure (see attached document) is to provide guidance to Conservation Authorities for recording and tracking regulatory mapping produced and updated under the enabling Ontario Regulation 97/04 in Ontario. The proposed Procedure would replace the existing 2006 “Protocol for Updates to Section 28 Mapping” which built upon the 2005 *Approval Process Document*. This Procedure meets the intent of the *Approval Process Document* and will assist CAs in the development of consistent and defensible mapping products, accurate reporting of mapping updates, public consultation, and notification of MNRF.

The proposed Protocol update was the topic of multiple CO Section 28 Regulations Committee meetings and MNRF staff confirmed, for the new Procedure, their staff position that should be receiving updated regulatory mapping. Nancy Davy (GRCA) and Barb Veale (CH) took the lead in creating a final draft of the document for consultation with CAs. The draft protocol was circulated to CA Section 28 and CA GIS/IM leads for review. Comments were received by Ausable Bayfield, Credit Valley, Crowe Valley, Grand River, Grey Sauble, Kawartha, Lakehead Region, Maitland Valley, Nottawasaga Valley, Rideau Valley, South Nation, and St. Clair Region Conservation Authorities. CA comments focused on clarifying the

relationship of this Procedure to the 2005 and 2006 documents; the role of the CO Section 28 Regulations Committee and clarification regarding major versus minor mapping updates.

Comments that were received from CA staff were incorporated into this document. A final draft was circulated to Nancy Davy and Barb Veale to confirm their acceptance of the changes.

Conclusion

An updated “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulations” will provide greater clarity to CAs who are embarking on S. 28 mapping updates. The Procedure clarifies that the new role for the CO Section 28 Committee is to provide advice on major mapping updates. It is anticipated that this updated Procedure will provide guidance to CAs related to S. 28 mapping updates until such time as a new S.28 regulation is created by the province.

Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations

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Background

The 'Generic Regulation' or Ontario Regulation 97/04 was approved by the Province in 2004. This regulation outlined the required content for each (individual) Conservation Authority (CA) Regulation. Further information on this process can be found in Appendix 1. A document was developed by Conservation Ontario (CO) and Ministry of Natural Resources (and Forestry) (MNR) to provide assistance to CAs on the approval and consultation process and review of mapping associated with this regulation. This document was entitled:

Generic Regulation - Approval Process Document: A Guideline Document to Assist Conservation Authorities with the Process of Obtaining Approval for their new Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation, October 2005.

The majority of this document relates to the initial approval process for CA regulations across the province and it outlines the roles of the CO Peer Review Committee and MNR. The last section of the 2005 guideline relates to the ongoing maintenance of regulation schedules. It states:

5.3 Maintenance

Additions or modifications to regulation schedules that maintain the intent and improve the accuracy of the regulated area, such as updated wetland boundaries, will not require an approval process. These will normally be site-specific amendments. The Conservation Authority will consult the affected municipality and keep a listing of these modifications to the regulated area and file a report with the peer review committee and MNR.

Additions or modifications to the regulation schedules resulting from comprehensive or larger scale studies require re-circulation through the Peer Review/MNR process and notification if they substantially change the impact of the regulation. A copy of the mapping highlighting the proposed modification(s) and the rationale for the change(s) as well as a record of any consultation will be provided to the Peer Review Committee in support of the amendment application.

The Peer Review Committee has evolved to become the CO Section 28 Committee (S. 28 Regulations Committee). While the CO Section 28 Committee no longer has a role in reviewing technical updates to Regulation mapping, it has an ongoing role to provide information and advice to CAs.

Objective

There have been several advances in technology, mapping and modelling as well as how agencies communicate with the public since the release of the 2006 Protocol for Updates to Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations. Further to queries from CA staff, the CO Section 28 Regulations Committee identified the need to modernize and update the mapping protocol.

The objective of this document is to provide guidance to Conservation Authorities for recording and tracking regulatory mapping produced under the enabling Ontario Regulation 97/04 in the

absence of a replacement of section 5.3 of the *Approval Process Document* (Conservation Ontario & Ministry of Natural Resources, 2005). This guideline will meet the intent of the *Approval Process Document* and will assist CAs in the development of consistent and defensible mapping products, accurate reporting of mapping updates, public consultation, and notification to MNRF.

Role of the CO Section 28 Regulations Committee

The S. 28 Regulations Committee is comprised of CO staff and representatives from several CAs with planning, regulations and technical expertise. This committee provides advice and information with respect to hazard mapping. In this regard, the committee is available to all CAs to provide technical assistance and advice, as follows:

- **Review of Mapping** –The S. 28 Regulations Committee should be contacted when:
 - new mapping methodologies are proposed that are different from those previously endorsed by the Peer Implementation and Review Committee (*Guidelines for Developing Schedules of Regulated Areas, October 2005* or a CA specific methodology endorsed in 2006),
 - a new methodology is being used that wasn't used in the past, or
 - a significant change to the methodology is proposed.

The S. 28 Regulations Committee will provide advice, recommend consultation with a CA technical discussion group or recommend a CA engage or consult with a technical expert to conduct a peer review. When making a submission, the CA should describe the proposed methodology and indicate how it differs from the previous mapping guidance documents.

The S.28 Regulations Committee will be available to discuss any outcomes from the consultation with technical discussion groups or technical experts however feedback received throughout this process should be considered advisory in nature.

- **Public Consultation** – The S. 28 Regulations Committee is available to provide advice regarding the appropriate nature and extent of public consultation that should be carried out. When making a submission, the Conservation Authority should provide a brief summary of the context and proposed public consultation process.

Mapping

As per the individual regulations administered by CAs, all mapping (paper or digital) shall be filed at the head office of the authority. For the purposes of this document and the implementation of the regulation, the term “mapping” means the maps produced in support of the regulation and referenced in the text of the regulation. **In cases where there is a discrepancy between the mapping and the text of the regulation, the text prevails.**

The regulation maps are useful tools for CAs in screening applications to determine if a development proposal is within the regulated area. These maps are comprised of different layers of information. The detailed mapping layers used to produce the general regulation maps is used by Conservation Authority staff to review and determine the hazard or feature within the regulated area. In some cases these maps are also used by municipalities as a screening tool for

planning applications or by landowners and other stakeholders to prepare for pre-consultation meetings.

Minor Mapping Changes

Often the information in the various data layers is refined based on site-specific field investigation by CA staff or other qualified professionals. These are typically minor modifications. Examples might include wetland boundary modifications, confirmation of stable top-of bank obtained through site-specific geotechnical studies, surveyed floodlines, and updates to the location of a watercourse. These modifications generally relate to individual properties (although the regulation limit may impact several properties) and are made as a result of the permit or plan review process.

Major Mapping Changes

More extensive mapping changes, made at the watershed, subwatershed, watercourse or shoreline reach, or multi-property scale are considered major. Examples of these changes might include: floodplain mapping, geotechnical mapping defining the limit of the erosion hazard, and comprehensive wetland mapping. Changes to modelling standards and availability of higher resolution data may result in a more accurate representation of the hazards. This usually requires large scale changes.

Mapping Updates

The following outlines the requirements for CA regulation map updates. The subsections below define required tracking, public consultation, and notifications. Updates include (but are not necessarily limited to) the following:

- the maintenance or refinement of mapping that was developed based on the *Approval Process Document* (Conservation Ontario & Ministry of Natural Resources (and Forestry), 2005)
- major updates following the methodologies in the *Guidelines for Developing Schedules of Regulated Areas* (Conservation Ontario & Ministry of Natural Resources (and Forestry), October 2005)
- major updates following an alternative methodology
- completely new mapping
- new base information (e.g., aerial photography, LIDAR)
- new studies (e.g., shoreline study, geotechnical or floodplain study)
- new wetland information, including PSW boundary updates (from MNRF, ELC, or field truthing)
- new floodplain estimations, or
- corrections to the previous Regulation Limit as a result of mapping changes.

Record of Mapping Changes

It is expected that CAs will track changes/updates to mapping by recording the changes required to each map sheet or include this information in the meta-data associated with the digital mapping product. A CA may indicate updates within the revision block on the map sheets more frequently. Digital map layer archives of the regulation limit and regulated features should be retained for each iteration of changes (i.e. annually or quarterly depending on update schedule).

The following is an example of paper map revision block:

REVISION NUMBER	DATE	CHANGE
3	Sept. 2018	- flood hazard limit added to ABC watercourse based on floodplain estimation which expands the regulation limit
3	Nov. 2018	- wetland boundary removed and area of interference – wetland does not exist based on field truthing – regulation limit is decreased
3	May 2019	- mapping revisions to the regulation limit have been completed as referenced in policy document or separate document. - name of who authorized the change

An example of metadata for digital records is included in Appendix 2. Conservation Authorities with digital records should have metadata for each regulated feature and the Regulation Limit. The metadata provides key information regarding the accuracy of the mapping, sources of information used to create the mapping, recent updates to the mapping etc.

Public Consultation

Landowner consultation is a best management practice for minor mapping updates. The scope of the consultation process will depend on the extent of the update.

For minor updates (e.g. minor updates that occur soon after consultation with the affected landowner), a notice on the Conservation Authority website that mapping amendments affecting individual landowners may occur on an irregular basis may be sufficient ‘public’ notice. If minor amendments to features and the regulation limit are updated annually, a best management practice may be to post a notice on the conservation authority website and/or provide notice to the CA Board and public through a report.

Public consultation should be completed for major mapping updates. The scope of the consultation process depends on the geographic nature and extent of the mapping changes (e.g., the number of properties or length of reach affected). Each CA should determine an appropriate consultation process for their mapping updates.

Where mapping is done within a municipal planning context and includes a public consultation process under the Planning Act such as the incorporation of hazard mapping into an Official Plan, a Master Environmental Servicing Plan or equivalent, comprehensive Zoning By-Law, an Environmental Assessment, or a planning process under other legislation (e.g., Renewable Energy Act) the requirements for public consultation are considered to have been met. Where possible, it is a best practice to indicate in the communication material for external processes that mapping changes agreed to by the CA will be incorporated into CA maps.

Where the Conservation Authority has made major mapping changes which are not part of a municipal process or project, a public consultation process should be carried out by the CA.

For public consultation, each CA should document the following:

- ❑ Itemization of changes made to the regulation mapping (this may be an electronic record through GIS metadata)

- A Detailed Consultation Record, including:
 - Contact list/summary of the list of groups contacted
 - Notice of Public Meeting, web based or Social Media, notifications
 - Sign in sheets from Public Meeting, and
 - A summary of all submissions received and responses provided by the Conservation Authority (outline of the volume and context should be available if requested)
- A copy of the Conservation Authority Board of Directors report and Resolution, and
- An Executive Summary of Mapping, (if not included in the Conservation Authority Board of Directors report), including:
 - Nature and extent of mapping changes (e.g., on a reach or watershed/subwatershed basis)
 - Sample maps should highlight the updates, new mapping, or mapping revisions/corrections
 - A summary of the methodologies used to prepare the mapping updates if there is any variation from the *Guidelines for Developing Schedules of Regulated Areas* or with methodologies which were previously approved through the Technical Review process.

Consultation Process and Notice

Consultation best practices noted below are guided by Planning Act consultation requirements. Each Conservation Authority must determine for itself whether and how to use or expand these requirements.

Consultation for major mapping changes should include:

- At least one public meeting to provide information and receive comments.
- Notice of the meeting to inform the public of the mapping updates should be given at least 20 days in advance by a news release, publication in a newspaper or newspapers of generally sufficient circulation in the area to provide the public with reasonable notice of the meeting and website or social media notice.
- Notice of the public meeting may be sent to the following stakeholders affected by the change in mapping:
 - Municipal Clerk(s);
 - The Manager, Program Services Section, Integration Branch Ministry of Natural Resources and Forestry.
 - The secretary of municipal or other corporation operating an electric utility;
 - The secretary of a company operating a natural gas utility;
 - The Executive Vice-President, Law and Development, of Ontario Power Generation Inc.;
 - The secretary of Hydro One Inc.;
 - The secretary of a company operating an oil or natural gas pipeline;
 - The secretary of a school board;
 - The Chief of every First Nation Council within the watershed boundary;
 - Fisheries and Oceans Canada;
 - The applicable District Office(s) of the Ministry of Natural Resources and Forestry.
 - The Manager, Community Planning and Development, Ministry of Municipal Affairs, and the Director, Provincial Planning Policy Branch, Ministry of Municipal Affairs

- UDI/Ontario or local Home Builder Associations
- Where applicable, notice should also be sent to:
 - Parks Commissions (e.g. St Clair, Niagara, St Lawrence)
 - Parks Canada
 - The Niagara Escarpment Commission
 - The Manager, Planning and Environmental Office, Ministry of Transportation (St. Catharines, Ontario)
 - The General Manager or CAO of adjacent conservation authorities.

Notification to MNRF

A summary of major mapping changes, public consultation and notification should be provided to the Manager, Program Services Section, Integration Branch MNRF.

Appendix 1

History and Background

Ontario Regulation 97/04 “Content of Conservation Authority Regulations under Subsection 28 (1) of the Act: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” (i.e. Generic Regulation) was approved in May 2004 following a prescribed public consultation process. This Regulation established the content requirements to be met in a Regulation made by a CA under Subsection 28(1) of the Conservation Authorities Act. The Regulation pertains to areas that are river or stream valleys, watercourses, wetlands and other areas where development could interfere with the hydrologic function of a wetland, adjacent or close to the shoreline of a Great Lake and inland lakes that may be affected by flooding, erosion or dynamic beach hazards, and hazardous lands. The Regulated Area represents the greatest extent of the combined hazards plus an allowance as set out in the Regulation.

In 2006, the Minister of Natural Resources and Forestry approved the Development, Interference and Alteration Regulations (individual CA Regulations) for all CAs consistent with Ontario Regulation 97/04 of the Conservation Authorities Act. These individual CA Regulations are Ontario Regulations numbered 42/06 and 146/06 to 182/06. Areas regulated under individual CA Regulations have been mapped according to the criteria and standards outlined in the *Guidelines for Developing Schedules of Regulated Areas (2005)* as approved by the Ontario Ministry of Natural Resources and Forestry and Conservation Ontario.

The *Approval Process Document (CO/MNR, 2005)* jointly undertaken by Conservation Ontario and the Ministry of Natural Resource and Forestry was to guide the mapping of regulated areas. It directed CAs to keep a listing of modifications to the regulated area, consult the affected municipality (ies), and file a report with the Peer Review Committee and MNRF. As well, it indicated that additions or modifications to the regulation mapping from comprehensive studies require re-circulation through the Peer Review/MNRF process and notification if they substantially change the impact of the regulation. A draft protocol was prepared by the Peer Review and Implementation Committee to provide direction with regard to these requirements. This protocol was approved by the Conservation Ontario Council on December 11, 2006. This 2018 Procedure is an update to that protocol.

Appendix 2

Example of Digital Metadata

Name: **Regulation Limit Ontario Regulation 150/06 Production**

General Description

Full Name	REGULATION_LIMIT
Abstract	This layer defines the limit for areas regulated under <i>Ontario Regulation 150/06 - Grand River Conservation Authority: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses</i> , which came into effect May 8, 2006. The Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation affects what and where a Conservation Authority can regulate. Specifically, this regulation allows Conservation Authorities to: 1) Prohibit, regulate or provide permission for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, watercourse or changing or interfering with a wetland. 2) Prohibit, regulate or provide permission for development if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development. IMPORTANT NOTE: The text of Ontario Regulation 150/06 supercedes the mapping as represented by this data layer. In the event of a conflict a site specific determination may be made by GRCA staff.
Feature Type	Polygon
Location	SDE_GRCA
Geographic Extent	GRCA Watershed
Maintenance Status	Quarterly

Georeferencing and Accuracy

Horizontal Datum	North American Datum 1983 (EPSG: 6269)
Vertical Datum	Not Applicable (EPSG: 0)
Spatial Projection	NAD83 UTM Zone 17N (EPSG: 26917)

Data Sources and Restrictions

Access Constraint	GRCA Open Data Licence v1
Use Constraint	None - in accordance with licence agreement
Citation	Produced using information under License with the Grand River Conservation Authority © Grand River Conservation Authority, 20** [** insert year of publication of IP].
Agency Originator	Grand River Conservation Authority (GRCA)
Agency Distributor	Grand River Conservation Authority (GRCA)
Online Link	https://data.grandriver.ca/downloads-geospatial.html
Related	Regulatory Floodplain

Entities [Dynamic Beach - Lake Erie](#)
[Shoreline Erosion Hazard - Lake Erie](#)
[Flood Hazard - Lake Erie](#)
[Regulation Limit Modifier - Wetland](#)
[River Slopes and Erosion Allowances](#)
[River Valley Slopes](#)
[Surface Hydrology - Waterbody](#)
[Surface Hydrology - Watercourse](#)
[Wetlands](#)

Under Ontario Regulation 150/06 of the Conservation Authorities Act, the Grand River Conservation Authority regulates development in areas define in Section 2 subsection 1, as summarized below:

15m adjacent to Watercourse*
 5m adjacent to Floodplain, Engineered
 15m adjacent to Floodplain, Non-Engineered
 120m adjacent to Wetlands, Provincially Significant (PSW)**
 30m adjacent to Wetlands, Non-PSW less than 2 ha**
 120m adjacent to Wetlands, Non-PSW greater than or equal to 2 ha**
 Methodology 15m adjacent to Slope Erosion
 15m adjacent to Slope Valley
 15m adjacent to Lake Erie Flood
 15m adjacent to Lake Erie Erosion
 15m adjacent to Lake Erie Dynamic Beach

*Only Regulated Watercourse features are used. This is a subset of the Watercourse layers.

**The Regulation Limit has been truncated to the nearest road and operational rail-road where wetlands are the regulated feature.

Note: Features have been divided into smaller pieces for performance purposes (Code: Dice=15000)

IMPORTANT NOTE:

Supplemental Info The text of Ontario Regulation 150/06 supercedes the mapping as represented by this data layer. In the event of a conflict a site specific determination may be made by GRCA staff.

Related Documents [Ontario Regulation 150/06](#)

Full Name (Type)	Alias name	Description and Values
MU_LTIER (Text)	Lower Tier Municipality	Name of lower tier municipality
SHAPE (ST Geometry)	Shape	Feature Geometry
OBJECTID (Long Integer)	Object ID	System-managed unique identifier
GR_FEATURE (Text)	Feature Type	Description of feature
REG_NUMBER (Text)	Regulation Number	Regulation number for the GRCA
CREATION_DATE (Date)	Creation Date	Date the regulation limit was created
LAST_REVISION_DATE	Last Revision Date	Date that the regulation limit was

(Date)		last revised
MU_UTIER (Text)	Upper Tier Municipality	Name of upper tier municipality

Update History (last 5)

Jan 12, 2018	System Update - Data: Minor updates based on inputs
Oct 04, 2017	System Update - Data: Minor updates addendum
Sep 29, 2017	System Update - Data: Minor updates based on inputs
Jul 17, 2017	System Update - Data: Updated to clean-up slivers of data that may occur during processing. Processing algorithm has also been updated.
Jun 30, 2017	System Update - Data: Minor updates based on inputs

Contact Information

Contact	Supervisor of Resource Planning Copyright © 2018 Grand River Conservation Authority (GRCA). Use is subject to GRCA's website Terms of Use .
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DRAFT

To: Chair and Members of the UTRCA Board of Directors

From: Tracy Annett, Manager – Environmental Planning and Regulations

Date: August 20, 2018 **Agenda #:** 7 (a)

Subject: Administration and Enforcement – Sect. 28 Status Report – **Filename:** Document
Development, Interference of Wetlands and Alteration to **ENVP 6372**
Shorelines and Watercourses Regulation

This report is provided to the Board as a summary of staff activity related to the Conservation Authority's *Development, Interference of Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ont. Reg. 157/06 made pursuant to Section 28 of the Conservation Authorities Act). The summary covers the period from June 15, 2018 to August 17, 2018.

Application #213/17
UTRCA

Fanshawe Conservation Area - 1424 Clarke Road - City of London

- proposal to install viewing platform on edge of pond north of reservoir
- plans prepared by B. Glasman, accounting for fluctuating water levels in reservoir and providing for secure "tether" in times of flooding
- staff approved and permit issued July 25, 2018

Application #17/18
City of Stratford

Quinlan Street west of Mornington Street – City of Stratford

- proposed construction of the Quinland Sewage Pumping Station and Associated Site Grading.
- plans prepared by R.V. Anderson Associates Limited.
- staff approved and permit issued July 5, 2018.

Application #53/18
Township of Southwest Oxford

Wray Piper Drain

- proposed installation of 2777 metres of field tile, installation of 7 concrete catch basins around a Provincially Significant Wetland
- staff and MNRF approved and permit issued August 9, 2018

Application #54/18
Township of Southwest Oxford

Wilson Drain – Shuttleworth Branch

- proposed replacement of 421 metres of closed field tile, installation of 3 concrete catch basins, through a Provincially Significant Wetland
- replacing existing field tile with tile that is slightly larger, but closed (not perforated) so no additional drainage
- staff and MNRF approved and permit issued August 9, 2018

Application #55/18

Municipality of Thames Centre

Kwiatowski Drain

-proposed brush removal of a class C drain

-staff approved and permit, signed notification form and SCR for debris removal issued June 29, 2018

Application #66/18

City of London

Avalon Street and Clarke Road - City of London

-approval required for upgrades to storm and sanitary sewers/outfall structures into Pottersburg Creek

-plans prepared by R.V. Anderson

-staff approved and permit issued June 27, 2018

Application #71/18

James and Diane Murray

740 Mornington Street – City of Stratford

-proposed kitchen addition and deck construction.

-plans prepared by JPH Design.

-staff approved and permit issued August 2, 2018.

Application #76/18

Municipality of Middlesex Centre

Denfield Road north of Sunningdale Road – Municipality of Middlesex Centre

-proposed replacement of bridge crossing the Spada Municipal Drain.

-plans prepared by GM Blue Plan Engineering Limited.

-staff approved and permit issued July 3, 2018.

Application #81/18

City of London

1319 Hyde Park Road – City of London

-proposed cleanout and sediment removal of Hyde Park 1B1 Stormwater Management facility

-plans prepared by AECOM Canada Limited

-staff approved and permit issued June 26, 2018.

Application #82/18

City of London

1961 Hamilton Road – City of London

-proposed cleanout and sediment removal of Airport Road 6 Stormwater Management facility

-plans prepared by AECOM Canada Limited

-staff approved and permit issued June 26, 2018

Application #89/18

County of Perth

Line 44 in Brodhagen – Municipality of West Perth

-proposed replacement of the Meyer Bridge crossing the North-West Thames River.

-plans prepared by B.M. Ross and Associates Limited.

-staff approved and permit issued June 13, 2018.

Application #91/18

Catherine Burns

85 Oxford Street – City of London

-proposed re-construction of two storey duplex, within proposed West London SPA

-plans prepared by D.C Buck Engineering

-staff approved and permit issued June 19, 2018.

Application #92/18

City of London

West of 530 Elmdale Avenue – City of London

- proposed Elmdale Pedestrian Bridge Lifecycle Upgrade crossing Stoney Creek
- plans prepared by Stantec Consulting Limited
- staff approved and permit issued July 16, 2018

Application #93/18

Capital Homes (Ingersoll) Inc.

Lot 29, Hartfield Street – Town of Ingersoll

- proposed single family residence and attached garage adjacent Whiting Creek.
- site plans prepared by ACI Survey Consultants Inc., Orchard Design Studio Inc. and K. Smart & Associates Limited in accordance with approved subdivision plan.
- staff approved and permit issued July 3, 2018.

Application #94/18

Laverne Kirkness

1331 Hyde Park Road – City of London

- proposed new development of one storey commercial building adjacent to 3rd Concession Drain
- plans prepared by Philip Agar Architect Incorporated, sealed and signed by AGM Engineering Limited
- staff approved and permit issued June 27, 2018

Application #95/18

South Winds Development Co. Inc.

Glendon Drive, Kilworth/Komoka – Municipality of Middlesex Centre

- proposed (Phase I) site grading, installation of servicing, construction of stormwater management facility and installation of (ravine) erosion protections works associated with the Edgewater Estates Subdivision.
- plans prepared by Land Development Solutions Engineering Inc., EXP Services Inc. (and previously Trow Associates Inc.), Dillon Consulting Limited (and previously Stantec Consulting Limited).
- staff approved and permit issued June 29, 2018.

Application #96/18

Municipality of Middlesex Centre

Risdon Drain

- proposed spot cleanout of a Class E drain
- staff approved and permit, signed notification form and SCR for spot cleanouts issued June 29, 2018

Application #98/18

County of Perth

Road 113 South of Road 119 – Township of Perth South

- proposed replacement of culvert crossing the Waldie Municipal Drain on Perth Road 113.
- plans prepared by G.M. Blue Plan Engineering Limited.
- staff approved and permit issued July 5, 2018.

Application #99/18

Town of St. Marys

Thames River, Trout Creek Floodwall – Town of St. Marys

- proposed structural repairs to existing stone and concrete floodwalls adjacent the North Thames River and Trout Creek.
- plans prepared by B.M. Ross and Associates Limited.
- staff approved and permit issued July 5, 2018.

Application #101/18

Township of Perth South

Road 140 South of Line 32 – Township of Perth South & Municipality of West Perth

- proposed replacement of Structure 63 crossing an unnamed tributary to Black Creek.
- plans prepared by B.M. Ross and Associates Limited.

-staff approved and permit issued July 5, 2018.

Application #102/18

Oxford Community Solar One LP

303 Tecumseh Street – City of Woodstock

- proposed new development of 500kW Ground Mount Solar Project adjacent to wetland
- plans prepared by S. Llewellyn and Associates Limited
- staff approved and permit issued July 19, 2018

Application #103/18

County of Oxford

Oxford County Road 59 – Township of Norwich

- proposed replacement of Bridge No. 594490 crossing the Lampman Municipal Drain.
- plans prepared by D.M. Wills Associates Limited.
- staff approved and permit issued July 18, 2018.

Application #105/18

Delaware Sportsman's Association

3144 Brigham Road – Municipality of Middlesex Centre

- proposed repair of earthen dyke and replacement of water control structure within Provincially Significant Wetland
- plans prepared by Ducks Unlimited Canada engineering staff D.J Martz, Professional Engineer.
- staff approved and permit issued July 26, 2018

Application #106/18

Henry & Matthew Hendriksen

155085 15th Line – Township of Zorra

- proposed replacement of existing residential use bridge crossing the Quinn Municipal Drain.
- plans prepared by CDNBuildings (L D'Orazio).
- staff approved and permit issued July 20, 2018.

Application #107/18

Union Gas Limited

Wilton Grove Road at Highbury Avenue - City of London

- proposed installation of 2-inch and 4-inch gas mains in conjunction with Kilally Subdivision Phase 1
- staff approved and permit issued July 17, 2018

Application #111/18

Werner Bromberg Limited

350 O'Loane Avenue – City of Stratford

- proposed site grading, installation of servicing, pedestrian bridge construction and pedestrian trail construction associated with the Avon West Condo/Townhouse subdivision.
- plans prepared by IBI Group.
- staff approved and permit issued July 31, 2018.

Application #112/18

Municipality of Middlesex Centre

Cooks Drainage Works

- proposed bottom cleanout of a Class C drain
- staff approved and permit, signed notification form and SCR for bottom cleanouts issued July 20, 2018

Application #113/18
Municipality of West Perth
155 Blanshard Street, Mitchell, ON

- proposed covered community pavilion.
- plans prepared by BM Ross.
- staff approved and permit issued August 8, 2018.

Application #115/18
Union Gas Limited
Trails at Wye Creek – Township of Perth East

- proposed installation of new gas main undercrossing two watercourses (Whirl Creek Drain and Branch B – Whirl Creek Drain)
- plans prepared by Union Gas Limited
- staff approved and permit issued August 7, 2018.

Application #116/18
Drewlo Holdings – George Bikas
Kilally Stormwater Management Facility – City of London

- proposed cleanout and sediment removal of Kilally Stormwater Management facility
- plans prepared by Biologic Incorporated and Parsons Consulting Group.
- staff approved and permit issued July 27, 2018

Application #117/18
City of London
1961 Hamilton Road, London – City of London

- proposed beaver dam removal within the Fekete Drain
- plans prepared by Paula Bustard, Stormwater Technologist, City of London
- staff approved and permit issued July 31, 2018

Application #118/18
Carlo Sorrenti – Exclusive Homes
138 Mount Pleasant Avenue – City of London

- proposed two storey rear addition to existing home, within proposed West London SPA
- plans prepared by D.C Buck Engineering
- staff approved and permit issued July 31, 2018

Application #119/18
Nathan Dundas – St. Mary's Landscaping
47 Robinson Street – Town of St. Marys

- proposed patio, armour stone retaining wall and swim spa adjacent to North Thames River
- plans prepared by Nathan Dundas, St. Marys Landscaping
- staff approved and permit issued August 13, 2018

Application #120/18
Upper Thames River Conservation Authority
Sommerville Drain – 4695 Line 5

- proposed installation of a low-level crossing at Cade Tract.
- plans prepared by Brad Glasman - UTRCA.
- staff approved and permit issued August 7, 2018.

Application #121/18
Steven Underhill – Distinctive Homes London Limited
125 Empress Avenue – City of London

- proposed two storey rear addition to existing home, within proposed West London SPA
- plans prepared by D.C Buck Engineering
- staff approved and permit issued August 1, 2018

Application #122/18

Leon Baes

5494 Line 39, RR#5, Mitchell ON

- proposed installation of a 3000mm culvert, 12 metres in length
- plans and culvert sizing prepared by Dietrich Engineering.
- staff approved and permit issued August 20, 2018

Application #123/18

Brett Ferris

37 Catherine Street – Town of Ingersoll

- proposed garage replacement located adjacent to Henderson Creek
- site plans prepared Brett Ferris
- staff approved and permit issued August 7, 2018

Application #124/18

Upper Thames River Conservation Authority

Flood Drain – Middlesex Centre

- proposed spot cleanout of approximately 300 metres on a Class A drain
- staff approved and permit and SCR for spot cleanous were issued August 3, 2018.

Application #125/18

George Bere – Development Engineering Limited

Trails at Wye Creek – Municipality of Thames Centre

- proposed cleanout and sediment removal of the Trails at Wye Creek Stormwater Management facility
- plans prepared by Development Engineering Limited
- staff approved and permit issued August 8, 2018

Application #127/18

Paul and Corrinne Koning/Oxford Ski Limited

495856 10th Line – Township of East Zorra-Tavistock

- proposed garage/shop construction associated with the Braemar Valley Trailer Park.
- survey info prepared by NA Geomatics Inc. with site plans from landowner.
- staff approved and permit issued August 3, 2018.

Application #128/18

Odesho Khoshaba

1474 Kilally Road - City of London

- proposed reconstruction of garage damaged by fallen tree
- staff approved and permit issued August 9, 2018

Application #129/18

Benjamin Tucker

49 Duke Street – City of London

- proposed development of rear two storey addition, within Coves SPA
- plans prepared Jeff Fisher, Fisher Design and Drafting Services, sealed/signed by D.C Buck Engineering
- staff approved and permit issued August 10, 2018

Application #130/18

Scott Coles – CNC Homes

45 Charles Street – City of London

- proposed one storey rear addition to existing home, within proposed West London SPA
- plans prepared by D.C Buck Engineering
- staff approved and permit issued August 10, 2018

Application #131/18

Scott Coles – CNC Homes

47 Charles Street – City of London

- proposed one storey rear addition to existing home, within proposed West London SPA
- plans prepared by D.C Buck Engineering
- staff approved and permit issued August 10, 2018

Application #133/18

Lina Dagnino and Tony D'Souza

20 Doncaster Gate - City of London

- proposed deck construction using helical pier footings
- plans prepared by Hickory Dickory Decks
- staff approved and permit issued August 14, 2018

Application #135/18

Pat and Patti Donnelly

243 Thomas Street - St. Marys

- permit required for improvements to existing shed/garage
- staff approved and permit issued August 16, 2018

Application #136/18

City of Woodstock

647 Springbank Avenue – City of Woodstock

- proposed replacement and stabilization of storm sewer main with outlet to tributary directly connected to Pittock Reservoir
- plans prepared by Harold deHaan, City Engineer for City of Woodstock
- staff approved and permit issued August 16, 2018

Reviewed by:

Tracy Annett, MCIP, RPP, Manager
Environmental Planning and Regulations

Prepared by:

Karen Winfield
Land Use Regulations Officer

Mark Snowsell
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To: UTRCA Board of Directors

From: Tracy Annett

Date: August 1, 2018

Subject: Administrative By-Law

Agenda #: 7 (b)

Filename: C:\Users\annett\Documents\GroupWise\6287-1.doc

BACKGROUND

The Conservation Authorities Act, as amended by the *Building Better Communities and Conserving Watersheds Act*, 2017, requires conservation authorities to replace current Administrative By-Laws by December 12, of this year. The new By-Laws are designed to ensure compliance with the requirements of Section 19.1 of the amended Act. These By-Laws will replace administrative regulations created under the repealed Section 30 of the Act.

DISCUSSION

Conservation Ontario provided a Model By-Law for all Conservation Authorities (CA's) to amend to their current policies and procedures. It is a goal of this Administrative By-law Model to ensure a high level of consistency among conservation authorities, with respect to governance. One way to increase this consistency, is for all conservation authorities to adopt Administrative By-laws that are based on a single model. The Upper Thames River Conservation Authority draft documents follow the model provided by Conservation Ontario.

Prior to the Model By-Law being distributed to CA's it had included comprehensive feedback from conservation authorities across the province and included various reviews by legal counsel. The final version of the template was reviewed by Conservation Ontario (CO) Council in December and endorsed by CO Council on April 16, 2018 and as discussed at that meeting it has been further amended April 23, 2018.

The document attached includes:

- Detailed Background
- Administrative By-law which outlines:
 - Meeting Procedures
 - Duties of General Manager and Secretary
 - Treasurer Duties of Board members and
 - Officers and terms Signing authority
 - Executive committee
 - Financial management
 - Transparency and Accountability
 - Records Retention
 - Review of By-law
- Appendices to the Administrative By-Law

- Code of Conduct
- Conflict of Interest
- Procedure for Election of Officers

The checklist included was utilized to ensure compliance with Section 19.1 of the Act. In addition, the complete Administrative By-Law has been attached for review at this time.

Comments shall be submitted to the General Manager prior to September 9th, 2018. The final document will be reviewed by the Authority's solicitor prior to being brought back to the Board of Director's meeting in September for final review and adoption. As noted in the By-Law, the approved by-law would not come into effect until December 31, 2018.

PREPARED BY:

Tracy Annett, MCIP, RPP, Manager
Environmental Planning and Regulations

RECOMMENDED BY:

Ian Wilcox,
General Manager

Michelle Viglianti,
Administrative Assistant



DRAFT ADMINISTRATIVE BY-LAW

for the

Upper Thames River Conservation Authority

UPPER THAMES RIVER

CONSERVATION AUTHORITY

UPPER THAMES RIVER CONSERVATION AUTHORITY

Draft Administrative By-Law

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I. Background

1. Amendments to the *Conservation Authorities Act*

The *Conservation Authorities Act*, as amended by the *Building Better Communities and Conserving Watersheds Act, 2017*, provides direction for conservation authorities to make such by-laws as are required for its proper administration. The new bylaws will replace administrative regulations created under the repealed Section 30 of the Act. Current administrative bylaws will cease to be in force upon the earlier of a) December 12, 2018 (one year after Section 19.1 came into force), or b) the day the regulation is revoked by the authority.

Section 19.1 of the Act, sets out the requirements for by-laws as follows:

By-laws

19.1 (1) An authority may make by-laws,

- (a) respecting the meetings to be held by the authority, including providing for the calling of the meetings and the procedures to be followed at meetings, specifying which meetings, if any, may be closed to the public;
- (b) prescribing the powers and duties of the secretary-treasurer;
- (c) designating and empowering officers to sign contracts, agreements and other documents on behalf of the authority;
- (d) delegating all or any of its powers to the executive committee except,
 - (i) the termination of the services of the secretary-treasurer,
 - (ii) the power to raise money, and
 - (iii) the power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the authority;
- (e) providing for the composition of its executive committee and for the establishment of other committees that it considers advisable and respecting any other matters relating to its governance;
- (f) respecting the roles and responsibilities of the members of the authority and of its officers and senior staff;
- (g) requiring accountability and transparency in the administration of the authority including,
 - (i) providing for the retention of records specified in the by-laws and for making the records available to the public,
 - (ii) establishing a code of conduct for the members of the authority, and
 - (iii) adopting conflict of interest guidelines for the members of the authority;
- (h) respecting the management of the authority's financial affairs, including auditing and reporting on the authority's finances;
- (i) respecting the by-law review required under subsection (3) and providing for the frequency of the reviews; and

(j) respecting such other matters as may be prescribed by regulation.

Conflict with other laws

(2) If a by-law made by an authority conflicts with any provision of the *Municipal Conflict of Interest Act* or the *Municipal Freedom of Information and Protection of Privacy Act* or a provision of a regulation made under one of those Acts, the provision of the Act or regulation prevails.

Periodic review of by-laws

(3) At such regular intervals as may be determined by by-law, an authority shall undertake a review of all of its by-laws to ensure, amongst other things, that the by-laws are in compliance with any Act referred to in subsection (2) or any other relevant law.

By-laws available to public

(4) An authority shall make its by-laws available to the public in the manner it considers appropriate.

Transition

(5) An authority shall make such by-laws under this section as are required for its proper administration,

- (a) in the case of an authority that was established on or before the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of that day; and
- (b) in the case of an authority that is established after the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of the day the authority is established.

Same

(6) Despite the repeal of section 30 by section 28 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, a regulation that was made by an authority under that section continues in force after the repeal until the earlier of,

- (a) the day that is one year after the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force; and
- (b) the day the regulation is revoked by the authority.

Direction by Minister

(7) The Minister may give an authority a written direction to make or amend a by-law on any matter described in subsection (1), in accordance with the direction, within such period of time as may be specified in the direction.

Compliance

(8) The authority that receives a direction under subsection (7) shall comply with the direction within the time specified in the direction.

Regulation where failure to comply

(9) If an authority fails to adopt a by-law in accordance with the direction made under subsection (7), the Minister may make regulations in relation to the matters set out in the direction that are applicable in the area of jurisdiction of the authority.

Same

(10) Any regulation made by the Minister under subsection (9) prevails over any conflicting by-law that the authority may have adopted.

2. Basis of this Draft Administrative By-law and Appendices

Conservation Ontario provided a model for an Administrative By-law and the Best Management Practices (Code of Conduct, Conflict of Interest Policy and Election of Officers Procedure) associated with the By-laws required under Section 19.1 of the *Conservation Authorities Act*. It is the guideline which was used as the basis for these governing documents.

The Administrative By-law Model and Best Management Practices for Code of Conduct and Conflict of Interest are designed to ensure compliance with the requirements of Section 19.1.

Some wording in the Administrative By-law Model is suggested, but not required. Other sections are recommended, but the draft wording is specific to the Upper Thames River Conservation Authority.

It is a goal of this Administrative By-law Model and Best Management Practices to ensure a high level of consistency among conservation authorities, with respect to governance. One way to increase this consistency, is for all conservation authorities to adopt Administrative By-laws and Best Management Practices that are based on a single model. The Upper Thames River Conservation Authority draft documents follow the model provided by Conservation Ontario.

3. Conservation Ontario's Development of Best Management Practices (BMP) and Administrative By-law Model

By-laws are considered a legal governing document. In the spirit of best management practices of transparency and accountability, the approach to the language and layout of the Administrative By-law Model is to ensure it is understandable to the general public.

All existing conservation authority by-laws received by Conservation Ontario in July and August 2017 were reviewed during the preparation of the Administrative By-law template. The Conservation Ontario Working Group provided additional input in order to prepare that draft for review by all conservation authorities.

Where municipal legislation conflicts with any part of this by-law (*e.g. Municipal Conflict of Interest Act* or the *Municipal Freedom of Information and Protection of Privacy Act* or a provision of a regulation made under one of those Acts), the provision of that Act or regulation prevails.

Along with the issues identified by the Working Group the following resources were used as reference to research and analyze best management practices:

- Existing conservation authorities By-laws/Members Guidebooks/Policy and Procedures received by Conservation Ontario:
 - Sault Ste. Marie Conservation Authority
 - Toronto Region Conservation Authority
 - Upper Thames River Conservation Authority
 - Central Lake Ontario Conservation Authority
 - Essex Region Conservation Authority
 - Kawartha Region Conservation Authority
 - Hamilton Conservation Authority
 - Lower Thames Conservation Authority
 - Nottawasaga Conservation Authority
 - Saugeen Valley Conservation Authority
 - Catfish Creek Conservation Authority
 - Grand River Conservation Authority

- Provincial and other best management practices for board governance: *Ontario Not-for-Profit Corporations Act*, Ministry of Municipal Affairs, Association of Municipalities Ontario, Board of Health Governance Toolkit, other local boards under the Municipal Act, Ontario Ombudsman Municipal Meetings FAQ, Ontario Ombudsman investigations, British Columbia Integrity Office

- Not for Profit best management practices for board governance: First Reference Policy Pro, Board Governance Classics, *Canada Not-for-Profit Corporations Act*

- Ontario legislation:
 - *Conservation Authorities Act*;
 - *Municipal Act, Municipal Conflict of Interest Act*;
 - *Municipal Freedom of Information and Protection of Privacy Act*; and
 - *Accessibility for Ontarians with Disabilities Act*.

4. Legal Review and Finalization of this Document

Bill 139, *Building Better Communities and Conserving Watersheds Act*, 2017 came into force on December 12, 2017. Each conservation authority will have until December of 2018 to have Section 19.1 compliant by-laws in place. Due to timing of the 2018 municipal elections (October 22, 2018), conservation authorities should plan on adopting their new By-laws in the late summer or fall of 2018, prior to a significant turnover in their membership.

The draft BMP and Administrative By-law Model was circulated to all 36 conservation authorities in November 2017 and amendments were made further to the comments received. It was presented to Conservation Ontario Council on December 11, 2017, and received endorsement in principle.

South Nation Conservation coordinated a legal review of the document in February 2018.

Ministry of Natural Resources and Forestry staff reviewed the document and sought feedback from the Ministry of Municipal Affairs and the Association of Municipalities of

Ontario. The requested changes resulting from those discussions have been incorporated. A 'final' version of the BMP and Administrative By-law Model was forwarded to MNRF staff on March 7, 2018 and minor edits (e.g. wording changes, elimination of duplication) were undertaken at their request on April 5, 2018. This final version was brought to the April 16, 2018 Conservation Ontario Council meeting for endorsement. Beginning in April 2018, training and assistance will be available to individual conservation authorities so they can adopt their own version of the BMPs and Administrative By-law in 2018.

II. Administrative By-Law Model

Introduction

The Upper Thames River Conservation Authority (UTRCA) is a non-share corporation, established under Section 3 of the *Conservation Authorities Act*, with the objects to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, coal and minerals.

Under the Act, municipalities within a common watershed are enabled to petition the province to establish a conservation authority. The purpose of the Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario. The Authority is comprised of its Members, appointed as representatives by the Participating Municipalities

City of London & County of Middlesex

- City of London (four members)
- Township of Middlesex Centre (one member)
- Township of Thames Centre & Township of Lucan-Biddulph (one member)

County of Oxford (five members)

- Township of Blandford-Blenheim & Township of East-Zorra Tavistock
- Town of Ingersoll
- Township of Norwich & Township of South-West Oxford
- City of Woodstock
- Township of Zorra

County of Perth

- Township of Perth East (one member)
- Township of Perth South, Town of St. Marys & Municipality of South Huron (one member)
- City of Stratford (one member)
- Township of West Perth (one member)

Mission/Vision - The Members of the Conservation Authority form the General Membership of the Conservation Authority. The Members are bound by the Act and other applicable legislation. The Authority must always act within the scope of its powers. As a non-share corporation, the Authority has the capacity and, subject to the Act and other applicable legislation, the rights, powers and privileges of a natural person. The powers of a conservation authority to accomplish its objects are set out in the Act, including those identified under subsection 21(1)

Vision of the UTRCA
Inspiring a healthy environment.

Mission of the UTRCA
The UTRCA is dedicated to achieving a healthy environment on behalf of the watershed municipalities through leadership, expertise, education, and community collaboration.

Ends

1. To protect life and property from flooding and erosion hazards;
2. To protect and improve water quality; and
3. To manage and expand natural areas
4. To provide outdoor recreation and education opportunities

Short term Goals

The short term goals are presented in the current strategic plan.

<http://thamesriver.on.ca/wp-content/uploads//Targets/EnvironmentalTargets-June2016.pdf>

Powers of authorities

21 (1) For the purposes of accomplishing its objects, an authority has power,

(a) to study and investigate the watershed and to determine programs and services whereby the natural resources of the watershed may be conserved, restored, developed and managed;

(b) for any purpose necessary to any project under consideration or undertaken by the authority, to enter into and upon any land and survey and take levels of it and make such borings or sink such trial pits as the authority considers necessary;

(c) to acquire by purchase, lease or otherwise and to expropriate any land that it may require, and, subject to subsection (2), to sell, lease or otherwise dispose of land so acquired;

(d) despite subsection (2), to lease for a term of five years or less land acquired by the authority;

(e) to purchase or acquire any personal property that it may require and sell or otherwise deal therewith;

(f) to enter into agreements for the purchase of materials, employment of labour and other purposes as may be necessary for the due carrying out of any project or to further the authority's objects;

(g) to enter into agreements with owners of private lands to facilitate the due carrying out of any project;

(h) to determine the proportion of the total benefit afforded to all the participating municipalities that is afforded to each of them;

(i) to erect works and structures and create reservoirs by the construction of dams or otherwise;

(j) to control the flow of surface waters in order to prevent floods or pollution or to reduce the adverse effects thereof;

(k) to alter the course of any river, canal, brook, stream or watercourse, and divert or alter, as well temporarily as permanently, the course of any river, stream, road, street or way, or raise or sink its level in order to carry it over or under, on the level of or by the side of any work built or to be built by the authority, and to divert or alter the position of any water-pipe, gas-pipe, sewer, drain or any telegraph, telephone or electric wire or pole;

(l) to use lands that are owned or controlled by the authority for purposes, not inconsistent with its objects, as it considers proper;

(m) to use lands owned or controlled by the authority for park or other recreational purposes, and to erect, or permit to be erected, buildings, booths and facilities for such purposes and to make charges for admission thereto and the use thereof;

(m.1) to charge fees for services approved by the Minister;

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 21 (1) (m.1) of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 19 (3))

(n) to collaborate and enter into agreements with ministries and agencies of government, municipal councils and local boards and other organizations and individuals;

(o) to plant and produce trees on Crown lands with the consent of the Minister, and on other lands with the consent of the owner, for any purpose;

(p) to cause research to be done;

(q) generally to do all such acts as are necessary for the due carrying out of any project or as may be desirable to further the objects of the authority.

A. Definitions

“**Authority**” means the Upper Thames River Conservation Authority

“**Act**” means the *Conservation Authorities Act*, R.S.O. 1990, chapter C.27

“**Chair**” means the Chairperson as referenced in the Act as elected by the Members of the Authority.

“**Fiscal Year**” means the period from January 1 through December 31.

“**General Manager**” means the General Manager/Secretary-Treasurer as of the Authority, and which may, by resolution of the Authority, include the responsibilities of the Secretary-Treasurer if so designated by resolution of the Authority.

“**General Membership**” means all of the Members, collectively.

“**Levy**” means the amount of costs apportioned to participating municipalities in accordance with the Act and Regulations under the Act.

“**Majority**” means half of the votes plus one.

“**Members**” shall mean the members appointed to the Authority by the participating municipalities in the Authority’s area of jurisdiction.

“**Minister**” means the minister responsible for the administration of the Act.

“**Non-matching Levy**” means that portion of an Authority’s levy that meets the definition of non-matching levy as found in Ontario Regulation 139/96.

“**Officer**” means an officer of the Authority empowered to sign contracts, agreements and other documents on behalf of the Authority in accordance with section 19.1 of the Act, which shall include the Chair, Vice-Chair(s) the General Manager/Secretary-Treasurer.

“**Participating Municipality**” means a municipality that is designated by or under the Act as a participating municipality in a conservation authority.

“**Pecuniary Interest**” includes the financial or material interests of a Member and the financial or material interests of a member of the Member’s immediate family.

“**Secretary-Treasurer**” means General Manager/Secretary-Treasurer of the Authority with the roles specified in the Act.

“**Staff**” means employees of the Authority as provided for under Section 18(1) of the Act.

“**Vice-Chair**” means the Vice-Chairperson as elected by the Members of the Authority. If a first and second Vice-Chair are elected, they shall be called First Vice-Chair and Second Vice-Chair.

“**Weighted Majority**” means the votes of 51 per cent of those represented after the votes are weighted by the percentage that applies under Ontario Regulation 139/96 for Municipal Levies.

B. Governance

1. Members

a) *Appointments*

Participating Municipalities within the jurisdiction of the Upper Thames River Conservation Authority may appoint Members in accordance with Section 14 of the Act.

Appointed Members must reside in a Participating Municipality within the Authority's area of jurisdiction and may include citizens as well as elected members of municipal councils.

Collectively, the appointed Members comprise the Authority, and for the purposes of this by-law are also referred to as the General Membership.

b) *Term of Member Appointments*

In accordance with Section 14 of the Act, a Member shall be appointed for a term of up to four years at the discretion of the appointing municipal council; such term beginning at the first meeting of the Authority following his or her appointment and ending immediately before the first meeting of the Authority following the appointment of his or her replacement. The General Manager/Secretary-Treasurer shall notify the appropriate municipality in advance of the expiration date of any Member's term, unless notified by the municipality of the Member's reappointment or the appointment of his or her replacement. A Member is eligible for reappointment. A Member can be replaced by a Participating Municipality at the municipality's discretion prior to the end of their term.

c) *Powers of the General Membership*

Subject to the Act and other applicable legislation, the General Membership is empowered without restriction to exercise all of the powers prescribed to the Authority under the Act. In addition to the powers of an authority under s.21 of the Act for the purposes of accomplishing its objects, as referenced in the introduction of this By-law model, the powers of the General Membership include but are not limited to:

- i. Approving by resolution, the creation of Committees and/or Advisory Boards, the members thereof and the terms of reference for these Committees and/or Advisory Boards;
- ii. Appointing a General Manager and/or Secretary-Treasurer;
- iii. Terminating the services of the General Manager and/or Secretary-Treasurer.
- iv. Approving establishing and implementing regulations, policies and programs;
- v. Awarding contracts or agreements where the approval of the Authority is required under the Authority's purchasing policy.
- vi. Appointing an Executive Committee and delegate to the Committee any of its powers except:
 - i. The termination of the services of the General Manager and/or Secretary-Treasurer,
 - ii. The power to raise money, and
 - iii. The power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the Authority.
- vii. Approving by resolution, any new capital project of the Authority;
- viii. Approving by resolution, the method of financing any new capital projects;
- ix. Approving details on budget allocations on any new or existing capital projects;

- x. Approving of the total budget for the ensuing year, and approving the levies to be paid by the Participating Municipalities;
- xi. Receiving and approving the Financial Statements and Report of the Auditor for the preceding year;
- xii. Authorizing the borrowing of funds on the promissory note of the Authority in accordance with subsection 3(5) of the Act;
- xiii. Approving by resolution, any proposed expropriation of land or disposition of land, subject to the requirements under the Act;
- xiv. Approving permits or refusing permission as may be required under any regulations made under Section 28 of the Act;
- xv. Holding hearings required for the purpose of reviewing permit applications, and advising every applicant of their right to appeal the decision to the Ministry through the Mining and Lands Tribunal;

d) Member Accountability

Participating Municipalities appoint Members to the Authority as their representatives. Members have the responsibilities of Directors of the corporation that is the Authority. While the administration is responsible for the day-to-day operations, the General Membership is responsible for matters of governance, ensuring compliance with applicable legislation, and ensuring appropriate policies are in place and for financial soundness of the Authority.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix 1) and Conflict of Interest Policy (Appendix 2), as adopted by the Authority.

Members are responsible for:

- i. Attending all meetings of the Authority;
- ii. Understanding the purpose, function and responsibilities of the authority;
- iii. Being familiar with the Authority's statutory and other legal obligations;
- iv. With the administration, setting strategic direction for the Authority.

e) Applicable Legislation

In addition to the Act, the Members are subject to other legislation including, but not limited to:

- *Municipal Conflict of Interest Act*
- *Municipal Freedom of Information and Protection of Privacy Act*

If any part of the by-law conflicts with any provision of the Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those acts, the provision of that act or regulation prevails.

f) Relationship Between Members and Staff

The General Membership relies on the General Manager and/or Secretary-Treasurer to manage the operations of the organization, including all employees of the Authority. The General Manager and/or Secretary Treasurer is accountable to the Authority, working cooperatively to achieve the goals established by the Authority.

The General Membership will ensure that a process exists for regular performance evaluations of the General Manager and/or Secretary-Treasurer.

1. The Board delegates the complete operation of the Authority to the General Manager.
2. The General Manager is responsible for the operation of the Authority within the guidelines established by the Staff Limitations policies.

3. Decisions of the General Manager, which are consistent with any reasonable interpretation of Board policies related to Ends and Staff Limitations, are acceptable.
4. Only officially passed motions of the Board are binding on the General Manager. (Individual Directors' decisions or instructions are not binding on the General Manager.)
5. If Board Directors wish to make suggestions or requests to staff, they do so through the General Manager. The General Manager reserves the right to manage those requests at his/her discretion.
6. In the event of the resignation, termination, death, disability or otherwise unavailability of the General Manager to perform the responsibilities of the position, the Board appoints an Acting General Manager to assume the responsibilities within five (5) business days.
7. A positive indicator of General Manager success is the attainment of Board-stated Ends and Staff Limitations. The General Manager reports to the Board annually regarding compliance and accomplishments.

2. Officers

The Officers of the Authority, and their respective responsibilities, shall be:

Chair

- a) Is a Member of the Authority;
- b) Presides at all meetings of the General Membership (and Executive Committee if applicable);
- c) Calls special meetings if necessary;
- d) Acts as a public spokesperson on behalf of the General Membership;
- e) Serves as signing officer for the Authority;
- f) Ensures relevant information and policies are brought to the Authority's attention;
- g) Keeps the General Membership apprised of significant issues in a timely fashion;
- h) Performs other duties when directed to do so by resolution of the Authority.
- i) Chair Source Protection Authority meetings
- j) Serve as the Authority's voting representative on Conservation Ontario Council (CO), unless otherwise designated

Vice-Chair(s)

- a) Is/are a Member(s) of the Authority;
- b) Attends all meetings of the Authority (and Executive Committee if applicable);
- c) Carries out assignments as requested by the Chair;
- d) Understands the responsibilities of the Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of the Chair until such time as a new Chair is appointed or until the Chair resumes his/her duties;
- e) Serves as a signing officer for the Authority.
- f) Serves as the Board's representative on the Board of the London Middlesex Heritage Museum (Fanshawe Pioneer Village); and
- g) Serves as the Authority's alternate voting representative on Conservation Ontario Council (CO), in the event the Chair is not available to attend;

General Manager (GM)

Responsibilities of the CAO as assigned by the Authority include, but are not limited to the following:

- Is an employee of the Authority;
- Attends all meetings of the General Membership (and Executive Committee if applicable) or designates an acting CAO if not available;
- Works in close collaboration with the Chair and Vice-Chair(s) and keeps them apprised of relevant information and significant issues in a timely fashion;
- Develops a strategic plan for approval by the General Membership and Implements short and long-range goals and objectives;
- Is responsible for the management of the operations of the Authority, including all staff and programs of the Authority;
- Ensures resolutions of the Authority are implemented in a timely fashion;
- Develops and maintains effective relationships and ensures good communications with Participating Municipalities, federal and provincial government ministries/agencies, Indigenous communities, other conservation authorities, Conservation Ontario, stakeholders, community groups and associations;
- Serves as a signing officer for the Authority.
- Serve as the Authority's second alternate voting representative on Conservation Ontario Council (CO), in the event the Chair and Vice-Chair are not available to attend;

Secretary-Treasurer

- Is an employee of the Authority;
- Fulfills the requirements of the Secretary-Treasurer as defined in the Act;
- Attends all meetings of the General Membership (and Executive Committee, if applicable);
- Is the custodian of the Corporate Seal;
- Serves as a signing officer for the Authority.

General Manager/Secretary-Treasurer

The duties of the Chief Administrative Officer / General Manager and the Secretary-Treasurer have been combined and assigned to a single position, in which case the person is an Officer called the the General Manager/Secretary-Treasurer.

3. Absence of Chair and Vice-Chair(s)

In the event of the absence of the Chair and Vice-Chair(s) from any meeting, the members shall appoint an Acting Chair who, for the purposes of that meeting has all the powers and shall perform all the duties of the Chair.

4. Maximum Term for Chair and Vice-Chair(s)

There are no set maximum terms for the positions of Chair or Vice-Chair.

5. Representatives to Conservation Ontario Council

The Authority may appoint up to three Representatives to Conservation Ontario Council ("Council"), designated as Voting Delegate and Alternate(s). Council will consist of the Voting Delegates appointed by each Member Conservation Authority. The Voting Delegate and Alternates shall be registered with Conservation Ontario annually. UTRCA Chair will serve as the Voting Delegate, with the Vice-Chair and General Manager as first and second alternates respectively.

6. Election of Chair and Vice-Chairs

The election of the Chair and one or more Vice-Chairs shall be held at the first meeting held each year in accordance with the Authority's Procedures for Election of Officers (Appendix 3).

7. Appointment of Auditor

The General Membership shall appoint an auditor in accordance with Section 38 of the Act.

8. Appointment of Financial Institution

The General Membership shall appoint a financial institution to act as the Authority's banker by Resolution as required.

9. Appointment of Solicitor

The General Membership shall appoint a solicitor by Resolution to act as the Authority's legal council by Resolution as required.

10. Financial Statements and Report of the Auditor

The General Membership shall receive and approve the Audited Financial Statements and Report of the Auditor annually for the previous year at the May meeting.

The Authority shall forward copies of the Audited Financial Statements and Report of the Auditor to Participating Municipalities and the Minister in accordance with Section 38 of the Act and will make the Audited Financial Statements available to the public on the Authority's website, and at the Administrative Offices.

11. Borrowing Resolution

If required, the Authority shall establish a borrowing resolution by March 31 of each year and such resolution shall be in force until it is superseded by another borrowing resolution.

12. Levy Notice

The levy due to the Authority from participating municipalities shall be communicated to those municipalities in accordance with the Act and any applicable Regulations.

13. Signing Officers

All deeds, transfers, assignments, contracts, and obligations entered into by the Authority shall be signed by the signing officers of the Authority, as follows:

- a) The signing officers of the Authority, except as otherwise prescribed for financial transactions, shall be the Chair or Vice Chair, and the General Manager/Secretary-Treasurer.
- b) All deeds, transfers, assignments, contracts, and obligations entered into by the Authority must be signed by the Chair or the Vice Chair and the General Manager/Secretary-Treasurer. These officers are empowered to sign such documents as are necessary for works approved by the Authority and authorized by the Personnel & Finance/Executive Committee or the Board of Directors. All deeds, transfers, assignments, and obligations entered into by the Authority with a total value of less than or equal to \$50,000 must be signed by the General Manager / Secretary Treasurer.
- c) For the above purposes, the signing officers are empowered to arrange for the borrowing of the funds necessary for approved projects and programs of the Authority. Signing authority that was authorized by any previous Administration Regulation or By-law is superseded by this by-law.

14. Executive Committee

The Authority may appoint an executive committee at the first meeting of the General Membership each year in accordance with the Section 19 of the Act and Section 1(c)(vi) of this by-law.

15. Advisory Boards and Other Committees

In accordance with Section 18(2) of the Act, the Authority shall establish such advisory boards as required by regulation and may establish such other advisory boards or committees as it considers appropriate to study and report on specific matters.

The General Membership shall approve the terms of reference for all such advisory boards and committees, which shall include the role, the frequency of meetings and the number of members required.

Resolutions and policies governing the operation of the Authority shall be observed in all advisory board and committee meetings.

Each advisory board or committee shall report to the General Membership, presenting any recommendations made by the advisory board or committee.

The dates of all advisory board and committee meetings shall be made available to all Members of the Authority.

Advisory Boards of the Upper Thames River Conservation Authority are:

- The Finance & Audit Committee
- Hearings Committee (this fills the roll of the executive committee)

16. Remuneration of Members

The Authority shall establish a per-diem rate from time to time to be paid to Members for attendance at General Meetings and Advisory Board or Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the Secretary-Treasurer. In addition, an honorarium may be approved by the Authority for the Chair and Vice-chair(s) as compensation for their additional responsibilities. A single per-diem will be paid for attendance at more than one meeting if they occur consecutively on the same day. If no quorum is present, the per diem rate shall be paid to those in attendance.

The Authority shall reimburse Members' reasonable travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority. A per-kilometre rate to be paid for use of a personal vehicle shall be approved by Resolution of the General Membership from time-to-time. Requests for such reimbursements shall be submitted within a timely fashion and shall be consistent with Canada Revenue Agency guidelines.

17. Records Retention

The Authority shall keep full and accurate records including, but not limited to:

- i. Minutes of all meetings of the Authority, including registries of statements of interests in accordance with the *Municipal Conflict of Interest Act*;
- ii. Assets, liabilities, receipts and disbursements of the Authority and Financial Statements and Reports of the Auditors;
- iii. Human Resources Files for all employees and Members as applicable;
- iv. Workplace Health and Safety documents including workplace inspections, workplace accidents, investigations, etc.;

- v. Electronic Communications including emails
- vi. Contracts and Agreements entered into by the Authority;
- vii. Strategic Plans and other documents providing organizational direction
- viii. Projects of the Authority;
- ix. Technical Studies and data gathered in support of Programs of the Authority;
- x. Legal Proceedings involving the Authority;
- xi. Incidents of personal injury or property damage involving the Authority and members of the public.

Such records shall be retained and protected in accordance with all applicable laws and the Records Retention Policy of the Authority as approved by the General Membership from time-to-time.

18. Records Available to Public

Records of the Authority shall be made available to the public, subject to requirements of the *Municipal Freedom of Information and Protection of Personal Privacy Act* (MFIPPA).

The Authority shall designate a Member or a committee of Members to act as head of the Authority for the purposes of MFIPPA.

19. By-law Review

In accordance with the Act, these by-laws shall be reviewed by the Authority to ensure the by-laws are in compliance with the Act and any other relevant law. The General Membership shall review the by-laws at a minimum of every four years to ensure best management practices in governance are being followed.

20. By-law Available to Public

In accordance with the Act, the Authority shall make its by-laws available to the public on the Authority's website. By-laws shall also be available for review by any member of the public at the Authority's administration centre or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

21. Enforcement of By-laws and Policies

The Members shall respect and adhere to all applicable by-laws and policies (for example, the Code of Conduct and Conflict of Interest). The Authority may take reasonable measures to enforce its by-laws and policies, including the enforcement mechanisms under the *Municipal Conflict of Interest Act*.

- an investigation will be conducted regarding the alleged breach;
- an opportunity will be provided to the affected member to respond to the allegation;
- the findings of the investigation and the affected member's response will be communicated to the General Membership in a closed meeting;
- the appointing municipality shall be notified of the outcome of the investigation.

22. Indemnification of Members, Officers and Employees

The Authority undertakes and agrees to indemnify and save harmless its Members, Officers and Employees and their heirs and legal representatives, respectively, from and against all costs, charges and expenses, including all amounts paid to settle an action or satisfy any judgement, reasonably incurred by any such Member, Officer or Employee in respect of any civil, criminal or administrative action or proceeding to which any such Member, Officer or Employee is made a party by reason of being a Member, Officer or

Employee of the Authority (except in respect of an action by or on behalf of the Authority to procure a judgment in its favour) if;

- such Member, Officer or Employee acted honestly, in good faith with a view to the best interests of the Authority and within the scope of such Member's, Officer's or Employee's duties and responsibilities, and,
- in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty that such Member, Officer or Employee had reasonable grounds for believing that the conduct was lawful.

C. Meeting Procedures

The Meeting Procedures below governing the procedure of the Authority shall be observed in Executive Committee and Advisory Board meetings, as far as they are applicable, and the words Executive Committee or Advisory Board may be substituted for the word Authority as applicable

1. Rules of Procedure

In all matters of procedure not specifically dealt with under the Act and this By-law, Parliamentary Procedure, as specified in Robert's Rules of Order, Bourinot's Rules of Order or other generally accepted rules of procedure, shall be binding.

The Authority may choose to conduct its business as a committee of the whole.

2. Notice of Meeting

The General Membership shall approve a schedule for regular meetings in advance. The Secretary-Treasurer shall send Notice of regular meetings to all Members at least seven calendar days in advance of a meeting. Notice of all regular or special meetings of the General Membership or its committees shall be made available to the public as soon as possible after its delivery to General Membership

Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.

All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the Secretary-Treasurer ten days in advance of the meeting where it is to be dealt with if it is to be included in the published agenda, or one to seven days if it is to be introduced at the meeting.

The chair may, at his/her pleasure, call a special meeting of the Authority as necessary on three calendar days notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Authority and the Chair will not refuse.

The Chair or the Secretary-Treasurer may, by notice in writing or email delivered to the members so as to be received by them at least 12 hours before the hour appointed for the meeting, postpone or cancel any meeting of an Advisory Board or other committee until the next scheduled date for the specific Advisory Board or committee affected.

The Chair or the Secretary-Treasurer may, if it appears that a storm or like occurrence will prevent the members from attending a meeting, postpone that meeting by advising as many members as can be reached. Postponement shall not be for any longer than the next regularly scheduled meeting date.

3. Meetings Open to Public

All meetings of the General Membership and Committees, if applicable, shall be open to the public.

A meeting or part of a meeting may be closed to the public if the subject matter being considered is identified in the closed meeting section of the Agenda and the subject matter meets the criteria for a closed meeting as defined in this by-law.

4. Agenda for Meetings

Authority staff, under the supervision of the Secretary-Treasurer, shall prepare an agenda for all regular meetings of the Authority.

The agenda for special meetings of the Authority shall be prepared as directed by the Chair.

Agendas for meetings shall be forwarded to all Members at least seven calendar days in advance of the meeting. Such agendas shall be made available to the public on the Authority's website at the same time, unless the meeting is closed to the public in accordance with this by-law. Such agendas shall also be available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

5. Quorum

At any meeting of the General Membership, a quorum consists of one-half of the Members appointed by the Participating Municipalities, except where there are fewer than six such Members, in which case three such Members constitute a quorum. At any Executive Committee (if applicable), advisory board or committee meeting, a quorum consists of one-half of the Members of the Executive Committee (if applicable), advisory board or committee.

If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum, or shall recess until quorum arrives, and the recording secretary shall record the names of the Members present and absent.

If during an Authority or Advisory Board or Committee meeting a quorum is lost, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law. Agenda items including delegations present may be covered and presented and issues discussed, but no formal decisions may be taken by the remaining Members which do not constitute a quorum.

Where the number of Members who are disabled from participating in a meeting due to the declaration of a conflict of interest is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two.

6. Order of Business

The business of the Authority shall be taken up in the order in which it stands on the agenda unless otherwise decided by a majority of those Members present.

No Member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the Members present.

7. Debate

The Authority shall observe the following procedures for discussion/debate on any matter coming before it:

- a) A Member shall be recognized by the Chair prior to speaking;

- b) Where two or more Members rise to speak, the Chair shall designate the Member who has the floor, who shall be the Member who in the opinion of the Chair was first recognized;
- c) All questions and points of discussion shall be directed through the Chair;
- d) Where a motion is presented, it shall be moved and seconded before debate;
- e) No Member shall speak more than once to the same question without leave from the Chair, except in explanation of a material part of the speech;
- f) No Member shall speak more than 10 minutes without leave of the Chair;
- g) Any Member may ask a question of the previous speaker through the Chair;
- h) The Member who has presented a motion, other than a motion to amend or dispose of a motion, may speak again to the motion immediately before the Chair puts the motion to a vote;
- i) When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer the question, to take a vote, to adjourn, or to extend the hour of closing the proceedings;
- j) When a motion is under consideration, only one amendment is permitted at a time.

8. Matters of Precedence

Matters of precedence over the usual order of business shall follow Parliamentary procedure.

9. Members' Attendance

The Authority shall provide a listing of Members' attendance as part of each meeting's published minutes.

Upon a Member's vacancy due to death, incapacity or resignation occurring in any office of the Authority, the Authority shall request the municipality that was represented by that Member appoint a Member replacement.

The Board Chair will notify the appointing municipality when a Board Director is absent from three (3) consecutive meetings or five (5) meetings in a year.

If a Member is unable to attend any meeting and wishes to bring any additional information or opinion pertaining to an agenda item to the General Membership, the Member shall address in writing or email to the Chair or Secretary-Treasurer such correspondence prior to the start of the meeting. The correspondence shall be read aloud by the Secretary-Treasurer without comment or explanations.

10. Electronic Participation

Members may participate in a meeting that is open to the public by telephonic or other electronic means that permits all participants to communicate adequately with each other during the meeting. A Member participating in a meeting electronically shall not be counted in determining quorum.

A Member shall not participate electronically in a meeting that is closed to the public.

11. Delegations

Any person or organization who wishes to address the Authority may make a request in writing or email to the Chair. The request should include a brief statement of the issue or

matter involved and indicate the name of the proposed speaker(s). If such request is received 10 days in advance of a scheduled meeting, the delegation shall be listed on the published agenda.

Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to one (1) speaker for not more than 10 minutes.

Delegates will be requested not to repeat what has been said by previous speakers at the meeting. A returning delegation will only be allowed to speak again if new, relevant information has become available since their previous presentation. The Chair may choose to end a returning delegation's presentation if, in the opinion of the Chair, the new information being presented is not relevant to a decision facing the General Membership.

12. Annual Meeting

The Authority shall designate one meeting of the General Membership each year as the annual meeting before March 1st and shall include the following items on the agenda, in addition to the normal course of business:

- i. Approve of the Budgets and Levies
- ii. Yearly Health and Safety Summary
- iii. Service Awards

13. Meetings with Closed “In Camera” Sessions

Every meeting of the General Membership, Executive Committee and Advisory Boards, if applicable, shall be open to the public as per Section 15(3) of the Act, subject to the exceptions set out below.

Meetings may be closed to the public if the subject matter being considered relates to:

- a) The security of the property of the Authority;
- b) Personal matters about an identifiable individual, including employees of the Authority;
- c) A proposed or pending acquisition or disposition of land by the Authority;
- d) Labour relations or employee negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority;
- f) Advice that is subject to solicitor-client privilege;
- g) A matter in respect of which the General Membership, Executive Committee, Advisory Board or committee or other body may hold a closed meeting under another act;
- h) information explicitly supplied in confidence to the Authority by Canada, a province or territory or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Authority, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Authority.

The Authority shall close a meeting if the subject matter relates to the consideration of a request under MFIPPA, and the Authority is the head of an institution for the purposes of MFIPPA.

Before holding a meeting or part of a meeting that is to be closed to the public, the Members shall state by resolution during the open session of the meeting that there will be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting. Once matters have been dealt with in a closed meeting, the General Membership shall reconvene in an open session.

The General Membership shall not vote during a meeting that is closed to the public, unless:

- a) the meeting meets the criteria outlined in this by-law to be closed to the public; and
- b) the vote is for a procedural matter or for giving directions or instructions to Officers, employees or agents of Authority.

Any materials presented to the General Membership during a closed meeting shall be returned to the Secretary-Treasurer prior to departing from the meeting and shall be treated in accordance with the Authority's procedures for handling confidential material.

A meeting of the Authority, executive committee, advisory board or other committee may also be closed to the public if:

- a) the meeting is held for the purpose of educating or training the Members, and
- b) at the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the authority, the executive committee, advisory board or other committee.

14. Voting

In accordance with Section 16 of the Act:

- a) each Member is entitled to one vote, including the Chair, and
- b) a majority vote of the Members present at any meeting is required upon all matters coming before the meeting.

If any Member who is qualified to vote abstains from voting, they shall be deemed to have voted neither in favour nor opposed to the question, which will not alter the number of votes required for a majority.

On a tie vote, the motion is lost.

Interrelated motions shall be voted on in the order specified by Parliamentary Procedure as outlined in Robert's Rules of Order, Bourinot's Rules of Order or other generally accepted rules of procedure.

Unless a Member requests a recorded vote, a vote shall be by a show of hands or such other means as the Chair may call. No question shall be voted upon more than once at any meeting, unless a recorded vote is requested.

If a member present at a meeting at the time of the vote requests immediately before or after the taking of the vote that the vote be recorded, each member present taken except a member who is disqualified from voting by any Act, shall announce his or her vote openly answering "yes" or "no" to the question, and the Secretary-Treasurer shall record each vote.

At the meeting of the Authority at which the Non-Matching Levy is to be approved, the Secretary-Treasurer shall conduct the vote to approve of Non-Matching Levy by a Weighted Majority of the Members present and eligible to vote, in accordance with Ontario Regulation 139/96.

Where a question under consideration contains more than one item, upon the request of any Member, a vote upon each item shall be taken separately.

Except as provided in Section B, Paragraph 6 of this By-law (Election of Chair and Vice-Chair), no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

15. Notice of Motion

Written notice of motion to be made at an Authority, executive committee, advisory board or committee meeting may be given to the Secretary-Treasurer by any Member of the Authority not less than seven business days prior to the date and time of the meeting and shall be forthwith placed on the agenda of the next meeting. The Secretary-Treasurer shall include such notice of motion in full in the agenda for the meeting concerned.

Recommendations included in reports of advisory boards or committees that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Recommendations included in staff reports that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate advisory board or committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of a majority of the members of the Authority present.

16. Motion to Reconsider

If a motion is made to reconsider a previous motion, a two-thirds majority vote shall be required in order for reconsideration to take place. If a motion to reconsider is passed, the original motion shall then be placed on the agenda at a future meeting to be debated and voted upon, and the result of that vote, based on a simple majority, shall supersede.

17. Duties of the Meeting Chair

It shall be the duty of the Chair, with respect to any meetings over which he/she presides, to:

- a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
- b) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Members;
- c) Receive and submit to a vote all motions presented by the Members, which do not contravene the rules of order or regulations of the Authority;
- d) Announce the results of the vote on any motions so presented;
- e) Adjourn the meeting when business is concluded.

18. Conduct of Members

Members shall maintain a high standard for conduct and at all times comply with applicable laws and the Authority's Code of Conduct (Appendix 1).

No Member at any meeting of the Authority shall:

- a) Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- b) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared;
- c) Interrupt a Member while speaking, except to raise a point of order or a question of privilege;
- d) Speak disrespectfully or use offensive words against the Authority, the Members, staff, or any member of the public;
- e) Speak beyond the question(s) under debate;
- f) Resist the rules of order or disobey the decision of the Chair on the questions or order or practices or upon the interpretation of the By-laws.

19. Minutes of Meetings

The Secretary-Treasurer shall undertake to have a recording secretary in attendance at meetings of the Authority, the Executive Committee and each advisory board or committee. The recording secretary shall make a record in the form of minutes of the meeting proceedings and in particular shall record all motions considered at the meeting.

If a recording secretary is not present in a closed session, the Secretary-Treasurer shall take notes of any direction provided, for endorsement by the Chair and Vice-Chair.

Minutes of all meetings shall include the time and place of the meeting and a list of those present and shall state all motions presented together with the mover and seconder and voting results.

The Secretary-Treasurer or designate shall include draft minutes of the previous meeting available to each member of the Authority at the same time as agendas for the next meeting are distributed.

After the minutes have been approved by resolution, original copies shall be signed by the Secretary-Treasurer and copies of all non-confidential minutes shall be posted on the Authority's website. Such minutes shall also be available for review by any member of the public at the Authority's administration centre or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

Approval of By-law and Revocation of Previous By-law(s)

The Board of Directors' Policy Handbook revised February 22, 2018 is hereby repealed;

The Administrative By-Law for the Upper Thames River Conservation Authority (UTRCA) shall come into force on December 31, 2018

PASSED BY RESOLUTION

Date

Signed:

Chair

General Manager/Secretary-Treasurer

D. Appendices to the Administrative By-law

Appendix 1 - Code of Conduct

1. Background

The Upper Thames River Conservation Authority demands a high level of integrity and ethical conduct from its General Membership. The Authority's reputation has relied upon the good judgement of individual Members. A written Code of Conduct helps to ensure that all Members share a common basis for acceptable conduct. Formalized standards help to provide a reference guide and a supplement to legislative parameters within which Members must operate. Further, they enhance public confidence that Members operate from a base of integrity, justice and courtesy.

The Code of Conduct is a general standard. It augments the laws which govern the behaviour of Members, and it is not intended to replace personal ethics.

This Code of Conduct will also assist Members in dealing with confronting situations not adequately addressed or that may be ambiguous in Authority resolutions, regulations, or policies and procedures.

2. General

All Members, whether municipal councillors or appointed representatives of a municipality, are expected to conduct themselves in a manner that reflects positively on the Authority.

All Members shall serve in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than for the exercise of his/her official duties.

It is expected that Members adhere to a code of conduct that:

- i. upholds the mandate, vision and mission of the Authority;
- ii. considers the Authority's jurisdiction in its entirety, including their appointing municipality;
- iii. respects confidentiality;
- iv. approaches all Authority issues with an open mind, with consideration for the organization as a whole;
- v. exercises the powers of a Member when acting in a meeting of the Authority;
- vi. respects the democratic process and respects decisions of the General Membership, Executive Committee, Advisory Boards and other committees;
- vii. declares any direct or indirect pecuniary interest or conflict of interest when one exists or may exist; and
- viii. conducts oneself in a manner which reflects respect and professional courtesy and does not use offensive language in or against the Authority or against any Member or any Authority staff.
- ix. Review all related meeting information prepared in advance, attending and fully participate in discussions of the Board, and at all times keeping in mind the best interests of the organization as a whole.

3. Gifts and Benefits

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties, except compensation authorized by law.

4. Confidentiality

The members shall be governed at all times by the provisions of the *Municipal Freedom and Information and Protection of Privacy Act*.

All information, documentation or deliberations received, reviewed, or taken in a closed meeting are confidential.

Members shall not disclose or release by any means to any member of the public, either in verbal or written form, any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons, other than those who are entitled thereto, to have access to information which is confidential.

In the instance where a member vacates their position on the General Membership they will continue to be bound by MFIPPA requirements.

Particular care should be exercised in protecting information such as the following:

- i. Human Resources matters;
- ii. Information about suppliers provided for evaluation that might be useful to other suppliers;
- iii. Matters relating to the legal affairs of the Authority;
- iv. Information provided in confidence from an Aboriginal community, or a record that if released could reasonably be expected to prejudice the conduct of relations between an Aboriginal community and the Authority;
- v. Sources of complaints where the identity of the complainant is given in confidence;
- vi. Items under negotiation;
- vii. Schedules of prices in tenders or requests for proposals;
- viii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions;
- ix. Information deemed to be "personal information" under MFIPPA.

The list above is provided for example and is not exhaustive.

5. Use of Authority Property

No Member shall use for personal purposes any Authority property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of Authority duties or associated community activities of which the Authority has been advised.

6. Work of a Political Nature

No Member shall use Authority facilities, services or property for his/her election or re-election campaign to any position or office within the Authority or otherwise.

7. Conduct at Authority Meetings

During meetings of the Authority, Members shall conduct themselves with decorum. Respect for delegations and for fellow Members requires that all Members show courtesy and not distract from the business of the Authority during presentations and when others have the floor.

8. Influence on Staff

Members shall be respectful of the fact that staff work for the Authority as a whole and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence.

9. Business Relations

No Member shall borrow money from any person who regularly does business with the Authority unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No Member shall act as a paid agent before the Authority, the Executive Committee or an advisory board or committee of the Authority, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

10. Encouragement of Respect for the Authority and its Regulations

Members shall represent the Authority in a respectful way and encourage public respect for the Authority and its Regulations.

11. Harassment

It is the policy of the Authority that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. Harassment of another Member, staff or any member of the public is misconduct. Members shall follow the Authority's Harassment Policy as approved from time-to-time.

Examples of harassment that will not be tolerated include: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to an individual's race, religious beliefs, colour, gender, physical or mental disabilities, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. The Authority will also not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit and any other prohibited grounds under the provisions of the *Ontario Human Rights Code*.

12. Breach of Code of Conduct

Should a Member breach the Code of Conduct, they shall advise the Chair and Vice-Chair, with a copy to the Secretary Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Code of Conduct, the said breach shall be communicated to the Chair, with a copy to the Secretary-Treasurer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Code of Conduct, the said breach shall be communicated the Vice-Chair, with a copy to the Secretary-Treasurer, in writing.

Should a member of the public or a municipality allege that a Member has breached the Code of Conduct, the party making the allegation will be directed to follow the notification procedure outlined above.

Any breach, or alleged breach, of the Code of Conduct shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

Appendix 2 - Conflict of Interest

1. *Municipal Conflict of Interest Act*

The Authority Members commit themselves and the Authority to ethical, businesslike, and lawful conduct when acting as the General Membership. The Authority is bound by the *Municipal Conflict of Interest Act*. This appendix to the by-law is intended to assist Members in understanding their obligations. Members are required to review the *Municipal Conflict of Interest Act* on a regular basis.

2. *Disclosure of Pecuniary Interest*

Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Authority, Executive Committee, Advisory Board or committee at which the matter is the subject of consideration, the Member:

- a) shall, prior to any consideration of the matter at the meeting, disclose the pecuniary interest and the general nature thereof;
- b) shall not take part in the discussion of, or vote on any question in respect of the matter; and,
- c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

3. *Chair's Conflict of Interest or Pecuniary Interest*

Where the Chair of a meeting discloses a conflict of interest with respect to a matter under consideration at a meeting, another Member shall be appointed to chair that portion of the meeting by Resolution.

4. *Closed Meetings*

Where a meeting is not open to the public, a Member who has declared a conflict of interest shall leave the meeting for the part of the meeting during which the matter is under consideration.

5. *Member Absent*

Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Authority, Executive Committee, Advisory Board or Committee, as the case may be, attended by them after the particular meeting.

6. *Disclosure Recorded in Minutes*

The recording secretary shall record in reasonable detail the particulars of any disclosure of conflict of interest or pecuniary interest made by Members and whether the Member withdrew from the discussion of the matter. Such record shall appear in the minutes/notes of that particular meeting of the General Membership, Executive Committee, advisory board or committee, as the case may be.

7. *Breach of Conflict of Interest Policy*

Should a Member breach the Conflict of Interest Policy, they shall advise the Chair and Vice-Chair, with a copy to the Secretary Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Conflict of Interest Policy, the said breach shall be communicated to the Chair, with a copy to the Secretary

Treasurer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Conflict of Interest Policy, the said breach shall be communicated the Vice-Chair, with a copy to the General Manager, in writing.

Should a member of the public or a municipality allege that a Member has breached the Conflict of Interest Policy, the party making the allegation will be directed to follow the notification procedure outlined above.

Any breach, or alleged breach, of the Conflict of Interest Policy shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

Appendix 3 - Procedure for Election of Officers

1. *Voting*

Voting shall be by secret ballot and no Members may vote by proxy.

2. *Acting Chair*

The General Membership shall appoint a person, who is not a voting Member, as Acting Chair or Returning Officer, for the purpose of Election of Officers.

3. *Scrutineer(s)*

The appointment of one or more scrutineers is required for the purpose of counting ballots, should an election be required. All ballots shall be destroyed by the scrutineers afterwards. The Acting Chair shall call a motion for the appointment of one or more persons, who are not Members or Managers of the Authority, to act as scrutineers. A Member, who will not stand for election, may be appointed as an additional scrutineer if requested.

4. *Election Procedures*

The Acting Chair shall advise the Members that the election will be conducted in accordance with the Act as follows:

- a) The elections shall be conducted in the following order:
 - i. Election of the Chair, who shall be a Member of the Authority
 - ii. Election of one or more Vice-chairs, who shall be Members of the Authority.
- b) The Acting Chair shall ask for nominations to each position;
- c) Only current Members of the Authority who are present may vote;
- d) Nominations shall be called three (3) times and will only require a mover;
- e) The closing of nominations shall require both a mover and a seconder;
- f) Each Member nominated shall be asked to accept the nomination. The Member must be present to accept the nomination unless the Member has advised the Secretary-Treasurer in writing or by email in advance of the election of their willingness to accept the nomination.

If one Nominee:

- g) If only one nominee the individual shall be declared into the position by acclamation.

If More than One Nominee:

- h) In the event of an election, each nominee shall be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing by surnames.
- i) Upon the acceptance by nominees to stand for election to the position of office, ballots shall be distributed to the Members by the scrutineers for the purpose of election and the Acting Chair shall ask the Members to write the name of one individual only on the ballot.
- j) The scrutineers shall collect the ballots, leave the meeting to count the ballots, return and advise the Acting Chair who was elected with more than 50% of the vote.

A majority vote shall be required for election. If there are more than two nominees, and upon the first vote no nominee receives the majority required for election, the name of the person with the least number of votes shall be removed from further consideration for the office and new ballots shall be distributed. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots shall be distributed and a second vote held. Should there still be a tie after the second ballot a third vote shall be held. Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the Acting Chair or designate.

III. Checklist for compliance with Section 19.1

Proposed Conservation Authorities Act Section 19.1(1) An authority may make by-laws:	UTRCA ADMINISTRATIVE BY-LAW Template By-law
(a) respecting the meetings to be held by the authority, including providing for the calling of the meetings and the procedures to be followed at meetings, specifying which meetings, if any, may be closed to the public;	<u>Part II Administrative By-law, Section C – Meeting Procedures</u> 1. Rules of Procedure 2. Notice of Meeting 13. Meetings with Closed “In Camera” Sessions
(b) prescribing the powers and duties of the secretary-treasurer;	<u>Part II Administrative By-law, Section B – Governance</u> 2. Officers
(c) designating and empowering officers to sign contracts, agreements and other documents on behalf of the authority;	<u>Part II Administrative By-law, Section B – Governance</u> 1(c) Powers of the General Membership 2. Officers 13. Signing Officers
(d) delegating all or any of its powers to the executive committee except, <ul style="list-style-type: none"> i. the termination of the services of the secretary-treasurer, ii. the power to raise money, and iii. the power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the authority; 	<u>Part II Administrative By-law, Section B – Governance</u> 1(c) Powers of the General Membership 2. Officers
(e) providing for the composition of its executive committee and for the establishment of other committees that it considers advisable and respecting any other matters relating to its governance;	<u>Part II Administrative By-law, Section B – Governance</u> 1(c) Powers of the General Membership 14. Executive Committee 15. Advisory Boards and Other Committees
(f) respecting the roles and responsibilities of the members of the authority and of its officers and senior staff;	<u>Part II Administrative By-law, Section B – Governance</u> 1. Members 2. Officers
(g) requiring accountability and transparency in the administration of the authority including, <ul style="list-style-type: none"> (i) providing for the retention of records specified in the by-laws and for making the records available to the public, 	<u>Part II Administrative By-law, Section C – Meeting Procedures</u> 3. Meetings Open to Public <u>Part II Administrative By-law, Section B – Governance</u> 17. Records Retention 18. Records Available to Public

Proposed Conservation Authorities Act Section 19.1(1) An authority may make by-laws:	UTRCA ADMINISTRATIVE BY-LAW Template By-law
(ii) establishing a code of conduct for the members of the authority, and	<u>Appendix 1 – Code of Conduct</u>
(iii) adopting conflict of interest guidelines for the members of the authority;	<u>Appendix 2 - Conflict of Interest</u>
(h) respecting the management of the authority’s financial affairs, including auditing and reporting on the authority’s finances;	<u>Part II Administrative By-law, Section B – Governance</u> 10. Financial Statements and Report of the Auditor
(i) respecting the by-law review required under subsection (3) and providing for the frequency of the reviews; and	<u>Part II Administrative By-law, Section B – Governance</u> 19. By-law Review
(j) respecting such other matters as may be prescribed by regulation.	To be developed as required

Proposed Conservation Authorities Act Sections 19.1 (2), (3) and (4)	Template By-law
<u>Conflict with other laws</u> (2) If a by-law made by an authority conflicts with any provision of the Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those Acts, the provision of the Act or regulation prevails.	<u>Part II Administrative By-law, Section B – Governance</u> 1(e) Applicable Legislation
<u>Periodic review of by-laws</u> (3) At such regular intervals as may be determined by by-law, an authority shall undertake a review of all of its by-laws to ensure, amongst other things, that the by-laws are in compliance with any Act referred to in subsection (2) or any other relevant law.	<u>Part II Administrative By-law, Section B – Governance</u> 19. By-law Review
<u>By-laws available to public</u> (4) An authority shall make its by-laws available to the public in the manner it considers appropriate.	<u>Part II Administrative By-law, Section B – Governance</u> 20. By-law Available to Public

To: UTRCA Board of Directors
From: Ian Wilcox, Christine Saracino
Date: July 5, 2018
Subject: Finance Modernization Plan: Update

Agenda #: 7c)
Filename: ::ODMA\GRPWISE\UT_MAIN.UT
RCA_PO.Finances:737.1

For Information:

Effective financial control assures that an organization can complete programs efficiently and avoid wasting valuable resources; it helps move an organization towards its goals at the lowest possible cost. The finance unit is therefore a fundamental tool of management control and a key instrument in safeguarding the organization's resources.

A plan for modernizing financial functions was prepared in 2017. The management team has thoroughly reviewed this plan. It describes the need for improved financial control processes, reduction of inefficiencies and potential errors, and improved information sharing. The plan sets a priority to address those needs over an estimated 5 year time-line. In each case of changing process, we have identified that these changes in controls will require systems and tools, a consideration of capacity/people and documentation of how and why we are undertaking the change.

This summary will inform the board regarding steps already taken and the plan's focus in coming years.

2017 was a busy year for change in the finance unit.

- We implemented a new account coding system which will serve us for many years into the future. The structure was designed to allow for more varied and comprehensive reporting, to enable managers to more easily prepare their periodic funder reports and allow for an 'activity-based' view of the operations of the organization. It also provides detail on types of expenditures which was not readily apparent before.
- We upgraded our main accounting software (Sage) and the Human Resources Management System so that it continues to be supported by the developer.
- We implemented electronic payments for accounts payable to reduce cheque processing and mailing costs. Our suppliers have fully embraced it. It is also a time saver.
- We began to fully implement USD transaction processing for both customer and vendor transactions. This supports savings on currency exchange fees.
- We revised our bank reconciliation practices to save many days of effort which reduces a bottleneck in getting monthly reports to managers.
- We added an email solution to deliver T4s to employees rather than by paper.
- We revised our depreciation schedules to make the recording of this \$900K annual expense more accurate.
- We began keeping cash flow data in order to make better cash-handling/treasury decisions. This helped with the implementation of an investment policy to enhance returns over a longer term.
- Use of standardized forms was encouraged.

2018 will focus on two key processes

Procurement - Revising procurement procedures includes a review of authorization limits, tendering processes and will likely entail the addition of an electronic requisitioning system. Existing purchasing practices do not offer us the ability to know the extent of our commitments nor provide pre-approvals before purchasing takes place in some instances. They are not well understood by many staff and we periodically confront situations such as double payments to suppliers, two purchase orders for the same item, and many purchases made which do not have purchase orders associated with them.

Procurement is a critical component of potential costs savings in an organization and without a well-functioning system the transparency needs of the organization are at risk.

Implementing these controls will be a significant organizational change and will require staff training. In addition, we will be enlisting the help of our vast array of vendors to ensure compliance with any new purchasing practices.

It is expected that a Board policy will be available in the fall 2018 for approval once the procedures have been very thoroughly reviewed and the tools for a more comprehensive procurement system determined.

Reserves – The Board has requested a report on reserves and this high-level financial review is underway. It is demanding much historical investigation to adequately but concisely document so that any proposed revision to reserve status will serve the organization in decades to come.

Effort in disassociating reserves from investments is an important component in understanding how reserves were created, which reserves must be funded (supported with real money) and which reserves may be amalgamated.

Again, a Board policy may be expected in the fall.

2019 is planned to be a year during which we integrate billing systems across the organization and simplify receipting of payments. These systems are currently not consistently practiced. Attention to customer needs including credit and payment systems will be key.

2020 will require deeper work on asset management and the automation of the time-sheet system

2021 will focus on budgeting processes

2022 is planned to be a period when further business intelligence and other measures of performance may be explored.

Prepared by:

Ian Wilcox,
General Manager

Christine Saracino,
Supervisor, Finance & Accounting

To: UTRCA Board of Directors

From: Ian Wilcox, General Manager
Chris Harrington, Manager
Watershed Planning, Research and Monitoring

Date: July 20, 2018 **Agenda #:** 7(d)

Subject: Board Meeting Transparency – Audio **Filename:** WP #1407
Recording of Board Meetings- For Information

Background:

Four recommendations were presented at the June Board of Directors Meeting to make Board meetings more publicly accessible and transparent. Including a recommendation that staff pursue options to equip the UTRCA Boardroom with digital audio recording technology and that these recordings be publicly available on the UTRCA web site.

Recording of Board Meetings:

Working with an Audio Visual contractor, some technology solutions for capturing Board meeting audio were explored. This equipment options range from portable microphone recorders to integrated microphone systems permanently installed in the Boardroom, with costs ranging from approximately \$300 to \$8,000 respectively. Based on assessment of the boardroom space and table configuration the contractor suggested a multi microphone portable recorder may be suitable and economical at approximately \$300. The equipment has been ordered and is planned to be used for the first time at the September Board meeting. This meeting will serve as a test for this technology and give board members and staff an opportunity to review the audio recording produced to ensure it is of suitable quality before fully implementing the distribution of audio files on the UTRCA website. If audio recordings are acceptable quality posting of audio files will begin for the October meeting.

Recording and Posting Procedure:

The intention of the audio recording is to provide greater access to content and discussion of UTRCA Board of directors meetings that are considered “open to the public”. The recording will capture the public open session of UTRCA Board of Directors meetings. The recording will begin with the calling to order of the meeting and end with the adjournment of the meeting. Recording will also be stopped during closed “In Camera” portion of any meeting and during any breaks in the meeting. The recording’s content will not be edited.

It is important to note that the sensitivity of modern microphones and recording technology has the potential to record any side discussion by staff, board member or public present in the room during

the meeting. At the start of each Board meeting, the Chair will advise those in attendance that the meeting will be recorded and posted to the UTRCA's web site.

Prepared by:

Ian Wilcox,
General Manager

Chris Harrington,
Manager, Watershed Planning, Research and Monitoring

MEMO

To: UTRCA Board of Directors
From: Jennifer Howley, Manager, Conservation Areas
Date: August 8, 2018 **Agenda #:** 7 (e)
Subject: Conservation Areas - Fixed Opening Date **Filename:** ::ODMA\GRPWISE\UT_MAIN.UT
RCA_PO.CAs:4718.1

Background

In 2000, the Board of Directors approved a recommendation from staff to extend the operating season at Fanshawe, Pittock and Wildwood Conservation Areas from 24 to 26 weeks by opening one week earlier in the spring and closing one week later in the fall. Since then, the closing day for the campgrounds and day use areas has been the Sunday after Thanksgiving, with the opening day falling on the Friday 26 weeks before (see table below).

The change was recommended in response to requests for a 26 week season to accommodate seasonal campers that used the Conservation Areas as their summer residence and then headed south for the winter. These “snowbirds” would then meet the number of weeks they were required to be in Canada. Staff viewed this as an opportunity to increase revenue in the parks with hopes of attracting more nightly campers during the extended 14 day window.

Moving to a Fixed Opening Date – May 1st

Each fall, the Conservation Areas Unit meets to discuss fees and policies for the following operating season, including the campground operating dates. Since 2010, staff have been discussing moving to a fixed opening date of May 1st. After several years of evaluating the options and impacts, in 2019 staff will implement a May 1 opening date for the parks.

Years	Opening Day	Closing Day
Prior to 2000	Friday 24 weeks before closing day	Thanksgiving Sunday at 2 pm
2000 - 2018	Friday 26 weeks before closing day (earliest possible opening date April 19 th)	Sunday following Thanksgiving at 2 pm (latest possible date October 20 th)
2019	May 1	Sunday following Thanksgiving at 2 pm

Competitors

Our competition has been moving to a May 1st opening date over the past seven years. The Grand River CA, Long Point Region CA, and Kettle Creek CA parks all open on May 1st, as do private campgrounds in the vicinity. The operating season for provincial and national parks ranges from year round camping to opening on the Victoria Day holiday in May, depending on the park.

As a group, staff discussed if the 26 week season gave the conservation areas an advantage. Based on attendance during the early season, it appears not to make a difference.

Seasonal Staff Recruitment and Training

Probably the biggest driving force in this change is the problem with recruiting seasonal staff to begin work in early April, when most university and college programs run until the end of the month. A team of people is needed to ensure services and facilities are operational for opening day, and they need to be trained before beginning the process of opening the parks. Easter can make it even more challenging to provide adequate training and ensure staff availability, depending on when the holiday falls.

Both customers and staff have noted that our level of service during the opening day period is lacking, as we do not always have sufficient staff to work the different shifts for each position.

Weather and Operational Considerations

In the outdoor recreation business, weather is a consideration when making decisions pertaining to operations and infrastructure. Long winters and late springs, such as we have seen over the past few years, have definitely created challenges when it comes to opening the parks. These challenges include:

- Our drinking water system infrastructure requires lead time to bring the systems on line as well as complete preliminary testing in order to receive distribution approval from the health units. Over the years, we have experienced opening weekends where the water lines are frozen and we are not able to provide drinking water.
- Our roads become even more damaged when the frost is coming out of the ground and vehicular, equipment and trailer traffic is moving about on them.
- Campsites can be quite wet with ground conditions that are unsuitable for backing a trailer in without causing deep ruts or even getting stuck part way in.
- Depending on spring flooding, campsites located within the reservoir floodplain typically cannot host a trailer until after May 1st when water levels have receded and the sites have dried up.
- Ensuring risk management inspections of lands and facilities are completed prior to opening can be challenging, depending on winter weather and spring storms.
- Our customers become understandably frustrated when all of the services and amenities they are paying for are not available.

Although the weather can change rapidly and be very unpredictable in October, the process of shutting down the campground is much simpler and our customers expect colder weather as the season winds down. Therefore, the closing day will continue to be the Sunday following Thanksgiving.

Occupancy

Staff have monitored occupancy in the campground from opening day in April until May 1st for a number of years, commencing in 2011. During this period, less than 15% of the registered seasonal campers stayed on site during the week. On average, three sites were occupied each night on the transient (overnight) sites. There was an increase in occupancy on the late April weekend, but the increase was not large and was influenced by weather.

When looking at the actual cost to staff the parks from April 1-30 in order to open for the 26 week season, we spend on average \$38,000 for seasonal staff alone. Revenue from April overnight camping, day use and day use boating averaged \$8,000. Seasonal camping revenues are paid in full on opening weekend and, therefore, were not considered.

Our Customers

As noted above, our customers have noticed that we cannot provide the level of service which they have come to expect. They blame the conservation area for not being able to put their unit on their site and use the facilities when weather conditions prohibit them from doing so. Although there are no guarantees that the weather will not interfere come May 1st, it does give us a larger window of opportunity to prepare the facilities and services and have staff to manage them.

Staff anticipate that some of our seasonal camping customers will have negative feedback about the change but staff are prepared to justify it. Our plan is to notify seasonal campers of the change this fall prior to the season ending. With the minimal overnight and day use activity before May 1st, it is not anticipated that transient visitors will have concerns.

The decision to move to a 26 week season to accommodate a small percentage of snowbirds may have been reasonable 18 years ago, but the demographics of our campgrounds have changed. As the UTRCA's Strategic Targets state, the future of our Conservation Areas is in offering outdoor recreational opportunities, not providing permanent residency for half the year.

Prepared by:

Jennifer Howley,
Manager, Conservation Areas

To: UTRCA Board of Directors
From: Ian Wilcox, General Manager
Date: August 13, 2018
Subject: Board Evaluation

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The UTRCA’s Board of Directors’ Policy Handbook calls for the periodic evaluation of the Board’s performance. This evaluation is typically in two parts. First is an on-line survey of the Board’s collective performance that is completed by each Director with results tabulated and a summary report prepared by staff. Second is a confidential self-assessment (not shared, strictly for the use of each individual Director).

As the Board’s current term moves into its last quarter, it is an appropriate time to review performance and consider any opportunities for improvements to be implemented in time for the beginning of the new Board’s term in February, 2019.

Part 1: On-Line Survey of the Overall Board’s Performance:

Directors will be circulated a short on-line survey (Survey Monkey) within the week following the August Board meeting. **Please have this survey completed by Sept. 7th.** Staff will prepare a summary and present it at the September Board meeting.

Part 2: Confidential Self- Assessment

Directors are asked to complete the survey below. Results from this section do not need to be submitted or shared; they are for your personal information and use only.

	Needs Improvement	Good	Excels
Attends Meetings			
Prepares for Meetings			
Contributes to Meetings			
Shares Forward Vision			
Raises Points of Views/ Issues to Consider			
Listens and Considers Other’s Points of View			
Maintains Confidentiality			
Presents a Unified External Position			
Works as a Team Player			
Communicates Policy			
Volunteers for Activities/ Tasks			

Prepared by Ian Wilcox



UTRCA & ECCC Partner to Monitor 6 Subwatersheds

Conservation Services staff have partnered with researchers from Environment & Climate Change Canada (ECCC) in Burlington to monitor six local subwatersheds. This partnership will ensure that data collection continues at the Upper Medway station, which was set up in 2016, and will add three new stations to the network. The stations collect water quantity and quality data, which will be coupled with surveys of local farming practices.

Have our small agricultural subwatersheds changed over the years? Two of the new sites are on the headwaters of Kintore Creek, which was monitored back in the 80s and 90s by UTRCA staff. The resurrection of these monitoring stations means that the data can be compared to see what changes have occurred over the last 34 years.

Contact: Michael Funk, Agricultural Soil & Water Quality Technician



UTRCA staff began monitoring creek flow and chemistry in Kintore Creek in 1984.



Installing a shed to house monitoring equipment next to Kintore Creek.



A Splashing Good Time!

In May, over 3,400 students from Oxford, Elgin, and Middlesex Counties participated in this year's Children's Water Festival, including 800 French speaking students. This four day educational and interactive event was held at Pittock Conservation Area in Woodstock. The water festival brings awareness of water conservation, protection, technology, science to students in grades 2 through 5.

For the first time, the festival committee hosted a Thursday evening "Public Night." More than 600 people attended this free event! Many community organizations joined in, including the Oxford Canoe & Kayak Club, Woodstock Dragon Boat Club, Woodstock Public Library, and Trash Theatre.



We send a sincere thank you to all of our sponsors who made this year's festival a great success, including our "Great Lakes Sponsors" - Oxford County, Southwestern Public Health, Thames Valley District School Board, and the UTRCA.

Fanshawe Conservation Area will host the 2019 festival.
Contact: Linda Smith, Water Festival Coordinator



Local students receive instructions before planting and mulching the rain gardens in Komoka.

Parkview LID Project

This past spring, UTRCA staff facilitated the final phase of the newly constructed backyard rain gardens in Komoka's Parkview development by engaging students from Parkview Public School to help plant the flowers and grasses into the rain gardens. The students first got an in-depth lesson from UTRCA community education staff on what stormwater is and why it's important that we all play a role in protecting our waterways.

These rain gardens were constructed by Sco-Terra Consulting Group Ltd. as part of an innovative approach to deal with backyard stormwater.

Contact: Julie Welker, Community Partnership Specialist



The pond exploration program is always popular with children.

Summer Parks Programs

This summer, Community Education staff have been offering experiential educational programs at Fanshawe, Pittcock and Wildwood Conservation Areas. The programs are free, family-friendly and open to the public. Offering these summer programs at the parks is a new initiative and part of the UTRCA's goal to reach 1 million people each year with conservation messaging. There has been great interest and participation in the programs, drawing overnight and seasonal campers as well as local patrons.

The UTRCA has also partnered with the World Wildlife Fund to investigate and test ways to get patrons to participate in other conservation activities around the watershed. During the summer education programs, UTRCA staff are gathering information about the types of conservation activities people are interested in and encouraging everyone to come to our public conservation events this fall. A full list of summer programs can be found on the UTRCA's and parks' websites.

Contact: Karlee Flear, Community Education Supervisor

Pond Dock

A new accessible dock was installed at Fanshawe Pond this summer, with funding from TD Friends of the Environment Foundation and UTRCA environmental targets funding. The dock will support ongoing education programs and provide accessible recreational opportunities at Fanshawe Conservation Area.

The newly installed pond dock allows the Fanshawe Outdoor Education Centre to offer a more inclusive outdoor education experience to students and the community in the London area. The dock is one piece of a Pond Restoration Project which aims to increase the pond's accessibility, reduce negative human impacts and restore the wetland to a more natural state.



Assembling the dock and enjoying the completed project.



The project has truly been a team effort with the Conservation Areas Unit, Lands and Facilities Unit, Community and Corporate Services Division, and Environmental Planning and Regulations Unit all pitching in to help. Thank you to everyone who has committed time and energy towards this project! With further funding, next steps include installing an accessible trail, continuing invasive species removal, and completing a community planting with native species.

Contact: Karlee Flear, Community Education Supervisor

Schoolyard LIDs

There are new Low Impact Development (LID) features at two London schools. In June, a rain garden and a bioswale were installed at Jeanne Sauve French Immersion Public School and Northbrae Public School, respectively. These LID features will help deal with drainage issues on the school grounds, and will be demonstration sites.

The LID installation is part of a larger project funded by the Great Lakes Commission's Great Lakes Emerging Champions Mini-Grant program. The UTRCA partnered



A rain garden was installed at Jeanne-Sauve French Immersion Public School.



A bioswale was installed next to the parking lot between Louise Arbour French Immersion Public School and Northbrae Public School.



with the Thames Valley District School Board to provide the Stream of Dreams stormwater education program to students at each school and construct the LIDs. Students learned about the function and importance of the LIDs during the education program and then helped finish each project by planting wildflowers and adding mulch.

Contact: Teresa Hollingsworth, Manager of Community & Corporate Services, Brad Glasman, Manager of Conservation Services, or Karlee Flear, Community Education Supervisor



Species of the Month

Wild Bergamot, a must-have for the Pollinator Garden

Wild Bergamot (*Monarda fistulosa*) is a native plant found throughout much of North America. This tallgrass prairie species has lovely lavender to purple flowers that bloom in late July and early August. There are many subspecies or varieties, and gardeners are likely familiar with the red-flowered Bee Balm (*Monarda didyma*), which is more commonly sold in garden centres.

Wild Bergamot flowers grow in dense clusters of 20-50 flowers at the end of branches. The individual flowers are shaped like a jester's hat, and the stamens protrude beyond the flower lip. The scientific species name, *fistulosa*, means tubular. The flowers attract butterflies, hummingbirds, beneficial beetles, and bees, especially our native bumblebees.

Wild Bergamot grows just under 1 m in height in large clumps, often spreading by creeping rhizomes. The leaves are greyish, triangular or lance-shaped and grow in pairs along the stem. The characteristic square stem indicates that Wild Bergamot is in the mint family. The leaves emit a fragrant Earl Grey tea smell when crushed, but the real tea flavouring comes from a bitter, inedible citrus fruit called Bergamot or Bergamot Orange, not our native *Monarda* plants.

Wild Bergamot is considered a medicinal plant by many Indigenous peoples. It is commonly used to treat colds or made into a tea. Bee Balm is the natural source of the antiseptic thymol, the primary active ingredient in modern commercial mouthwash formulas.

Monarda fistulosa grows in the wild in rich soils in dry fields, thickets, and clearings. This perennial plant is easy to grow and maintain in the garden as well. Native plant author, Lorraine Johnson, says it can be grown in most soil types and the only common problem is powdery mildew on the leaves. Pruning mouldy foliage, deadheading flowers to prolong the blooming period, and keeping good air circulation around the plant are all that is needed. Then, sit back and enjoy watching the pollinators that will certainly come for the nectar in your Wild Bergamot plants!

Contact: Cathy Quinlan, Terrestrial Biologist

Board of Directors – On the Agenda

The next Board of Directors meeting will be August 28, 2018, at the Watershed Conservation Centre. Agendas and approved minutes are posted on our "Publications" page at www.thamesriver.on.ca.

- Mid Year Financial Update & Revised Budget
- West London Dyke/Blackfriar's Bridge Project
- NDMP Intake Five Funding Proposals
- Regulations Mapping Updates
- Administration and Enforcement – Section 28
- Admin By-Law Best Management Practice
- Financial Modernization Plan
- Board Meeting Transparency – Audio Recording of Board Meetings
- Conservation Areas – May 1st Opening
- Board of Directors Self Evaluation

Contact: Michelle Viglianti, Administrative Assistant