

January 21, 2020

NOTICE OF
BOARD OF DIRECTORS' MEETING

DATE: TUESDAY, JANUARY 28, 2020

TIME: 9:30 A.M – 11:15 A.M

LOCATION: WATERSHED CONSERVATION CENTRE
BOARDROOM

GUESTS: Motherwell Heritage Group
Mayor Walter McKenzie – West Perth
Jeff Brick – CAO West Perth

AGENDA:		TIME
1.	Approval of Agenda	9:30am
2.	Declaration of Conflicts of Interest	
3.	Minutes of the Previous Meeting: Tuesday, November 26, 2019	
4.	Business Arising from the Minutes	
5.	Delegation Motherwell Heritage Group (20 minutes)	9:35am
6.	Business for Approval	
7.	Closed Session – In Camera	9:55am
	(a) Summary of Existing Statements of Claim (A.Shivas)(Doc: CA #6628) (Report attached)(5 minutes)	
	(b) Cyber Security Report (C.Tasker/C.Harrington)(Doc: IS #303) (Report attached)(5 minutes)	

8. Business for Information 10:05am
- (a) Ontario Flood Advisor Report Summary
(I.Wilcox/T.Annett)(Doc: Admin #3631)
(Report attached)(10 minutes)
 - (b) UTRCA Consultation with MECP Minister Jeff Yurek - Summary
(I.Wilcox)(Doc: #122617)
(Report attached)(5 minutes)
 - (c) 2020 Draft Budget: Municipal Input Summary
(I.Wilcox)(Doc: #122631)
(Report attached)(15 minutes)
 - (d) Administration and Enforcement - Section 28
(T. Annett) (Doc: ENVP #8537)
(Report attached)(5 minutes)
 - (e) BOD Correspondence – Summary of Municipal and
CA Policy & Practice
(I.Wilcox/M.Viglianti) (Doc: Admin #3634)
(Report attached)(5 minutes)
 - (f) Alternative Meeting Options
(I.Wilcox/M.Viglianti)(Doc: #122590)
(Report attached)(5 minutes)
 - (g) 2019 Sick Time Usage Summary
(I.Wilcox/S.Viglianti)(Doc: #122552)
(Report attached)(5 minutes)
9. January For Your Information 10:55am
10. 2020 Election 11:00am
(I.Wilcox)(Doc: Admin #3642)
(Report attached)(10 minutes)
- (a) Chair
 - (b) Vice-Chair
 - (c) Hearings Committee (3 positions)
 - (d) Finance & Audit Committee (2-4 positions)
 - (e) Source Protection Striking Committee/Committee
Liaison (1 position)

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|-----|---|---------|
| 11. | Other Business (Including Chair and General Manager's Comments) | 11:10am |
| 12. | Adjournment | 11:15am |

Ian Wilcox, General Manager

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

T.Annett	J.Howley	S.Musclow	A.Shivas	B.Verscheure
B.Glasman	G.Inglis	C.Ramsey	J.Skrypnyk	M.Viglianti
C.Harrington	D.Charles	C.Saracino	P.Switzer	I.Wilcox
T.Hollingsworth	B.Mackie	J.Schnaithmann	C.Tasker	K.Winfield

To: UTRCA Board of Directors
From: Tracy Annett
Date: January 20, 2020
Subject: Ontario Flood Advisors Report Summary

Agenda #: 8 (a)
Filename: C:\Users\annett\Documents\GroupWise\3631-1.doc

BACKGROUND

In July, 2019 the Minister of Natural Resources and Forestry appointed Mr. Doug McNeil as a Special Advisor on flooding. The role of the Special Advisor was to provide an independent review of flood management and 2019 flood events in the Province. Mr. McNeil stated that *“as Special Advisor on Flooding, I was appointed by the government to provide expert advice to the Minister, and to make Recommendations to the government on opportunities to improve the existing flood policy framework.”*

The full report can be found online at: https://www.ontario.ca/page/independent-review-2019-flood-events-ontario?_ga=2.197499887.1790234399.1578434635-1249861505.1503342800

SUMMARY

Mr. McNeil has over 36 years of experience in public services and played a key role in the 1997 “Flood of the Century” on the Red River. To gather knowledge about the area and issues he completed a nine day community tour including roundtable meetings with Conservation Authorities, and municipalities. His community tour included a stop at the UTRCA’s office on September 14, 2019.

The executive summary of the report states that:

“Ontario has a long history of taking actions to keep people and property safe from the impacts of flooding through land use planning policies and mitigative activities. The development of the modern floodplain policy in Ontario, the watershed approach, the conservation authority model, and the flood standards have been extremely effective at reducing flood risks, especially in new greenfield development areas.”

The summary of the sixty-six (66) recommendations are attached, many are specifically related to Conservation Authorities.

Two of the most notable recommendations include:

Recommendation #17: That the Province support municipalities and conservation authorities to ensure the conservation, restoration and creation of natural green infrastructure (i.e. wetlands, forest cover, pervious surfaces) during land use planning to reduce runoff and mitigate the impacts of flooding.

Recommendation #66: That the Province maintain, at a minimum, the current level of funding in departmental budgets and programs related to everything flood (i.e. existing approval processes and associated policies and technical requirements, floodplain mapping, maintenance of flood infrastructure, satellite imagery, etc.)

The report reinforces Ontario’s preventative approach to directing development away from floodplains and other natural hazards through policy and regulation. Notable excerpts include;

“Losses associated with flooding and other natural hazards continue to increase because of increasing property values and income levels, urbanization, ongoing loss of wetlands and other green infrastructure, and the increasing frequency and intensity of extreme rainfall events. As these losses rise, so does the value of Ontario’s floodplain and broader hazard management policies”.

“more focus on prevention is needed, and strengthening existing policies and standards by enshrining them in legislation (or by regulation) is required”.

DISCUSSION

The report recommendations support the collaborative approach of the watershed model, however maintaining and improving Ontario’s flood management programs requires resources that include program and policy support. The ability of all CA’s to address the recommendations made by the Flood Advisor has been impacted by the 50 percent reduction to provincial transfer payments for the natural hazards program.

In addition, the Media Release provided by Conservation Ontario (CO) on the Flood Advisor Report is attached. It was stressed that the watershed management activities be captured when developing the regulations made under the *Conservation Authorities Act*. In addition, CO has requested feedback regarding the recommendations from all Authorities in order to provide a formal response to the Province and to discuss opportunities with Minister Yakabuski.

PREPARED BY:
Tracy Annett, MCIP, RPP, Manager
Environmental Planning and Regulations

RECOMMENDED BY:
Ian Wilcox,
General Manager / Secretary Treasurer

Attachments:

Pages 5-15 *Ontario’s Special Advisor on Flooding Report to Government An Independent Review of the 2019 Flood Events in Ontario A Report to the Hon. John Yakabuski, Minister of Natural Resources and Forestry*, Douglas McNeil, P.Eng. October 31, 2019

Conservation Ontario Media Release, 2019 Flood Advisor Report

Recommendations

Author's note: Implementation of many of the recommendations in this report are focused on agencies outside the jurisdiction or control of the Ministry of Natural Resources and Forestry (MNRF). In those cases, I would expect that the MNRF can initiate discussions with the particular agency to try and seek agreement for implementation, in full or in part.

<p>Recommendation #1</p>	<p>That the MNRF proceed as expeditiously as possible to finalize its proposed regulation under the <i>Conservation Authorities Act</i> and submit it to Cabinet for approval.</p>
<p>Recommendation #2</p>	<p>That the MNRF consult with the conservation authorities on their application of the hazards-based approach and the risk-based approach to managing flooding.</p>
<p>Recommendation #3</p>	<p>That the following be incorporated into the Provincial Policy Statement:</p> <ul style="list-style-type: none"> • The reference to “impacts of a changing climate” throughout the Provincial Policy Statement helps to bring it to everyone’s attention and should be included in the Preamble as well. • Either in the body of the PPS or in the definitions section, reference should be made specifically to the requirement for conservation authorities to regulate development activities in hazardous lands as required in the <i>Conservation Authorities Act</i>. • That “d) Transportation and Infrastructure Corridors, Airports, Solid and Liquid Waste Management” be added to Section 3.1.5 of the Provincial Policy Statement.
<p>Recommendation #4</p>	<p>That the MNRF update floodplain mapping technical and implementation guidelines recognizing new technology and approaches for flood hazard and flood risk mapping, and that the MNRF collaborate with conservation authorities on this initiative.</p>

<p>Recommendation #5</p>	<p>That the Province update its technical guides pertaining to floods and natural hazards. This should include undertaking a review of the flood event standards (e.g. 1%, Timmins storm, Hurricane Hazel), with a view to providing for current science and climate change, such as a specified minimum freeboard. This should also include reviewing the floodplain areas (floodway, floodway fringe, shoreline setbacks) as well as reviewing and updating, where appropriate, Great Lakes flood level values and shoreline erosion hazard methodologies and allowances.</p>
<p>Recommendation #6</p>	<p>That the Province establish a working group with provincial departments, conservation authorities and municipalities to prepare a multi-year approach to floodplain mapping.</p>
<p>Recommendation #7</p>	<p>That the federal government be encouraged to extend the National Disaster Mitigation Program or develop a successor program, so that municipalities, conservation authorities, and Ontario and Quebec (in consideration of the Ottawa River) can undertake or update floodplain mapping in all critical areas.</p>
<p>Recommendation #8</p>	<p>That the Province consider the establishment of a provincial Elevation Mapping Program and commit to the annual funding requirements.</p>
<p>Recommendation #9</p>	<p>That the Province consider establishing a provincial custodian for floodplain mapping information and make the necessary updates to policies, regulations and legislation.</p>
<p>Recommendation #10</p>	<p>That the Ministry of the Solicitor General implement the Auditor General's recommendations regarding a governance framework for emergency management and updating continuity of operations programs as soon as possible.</p>
<p>Recommendation #11</p>	<p>That the Province consider whether the <i>Emergency Management and Civil Protection Act</i> needs to be amended with a view to clarifying roles and responsibilities of identifying hazardous areas.</p>

<p>Recommendation #12</p>	<p>That the MNRF consider working with Conservation Ontario and the Association of Municipalities of Ontario to determine how the experience and information developed by municipalities and conservation authorities of identifying hazardous areas can be transferred to municipalities without a conservation authority.</p>
<p>Recommendation #13</p>	<p>That the Province consider legislative amendments that clarify the permissions under the <i>Conservation Authority Act</i> and the land use approvals in accordance with the <i>Planning Act</i> as they relate to development in hazardous areas.</p>
<p>Recommendation #14</p>	<p>That the Province consider new legislation to improve the existing flood policy framework by having a lead minister responsible for all flood-related policy, standards, regulations and legislation.</p>
<p>Recommendation #15</p>	<p>That the Province consider adopting legislation that will require flood risk properties to be identified in some way that is publicly accessible, at the very least on the property title, to ensure that prospective buyers are aware.</p>
<p>Recommendation #16</p>	<p>That municipalities consider utilizing local improvement charges to help finance and install (or upgrade) shoreline protection works, and if necessary, that the Province provide municipalities with enhanced authority to do so.</p>
<p>Recommendation #17</p>	<p>That the Province support municipalities and conservation authorities to ensure the conservation, restoration and creation of natural green infrastructure (i.e. wetlands, forest cover, pervious surfaces) during land use planning to reduce runoff and mitigate the impacts of flooding.</p>
<p>Recommendation #18</p>	<p>That the MNRF North Bay District facilitate a meeting between the Sturgeon-Nipissing-French watershed group and the Upper Ottawa River Watershed group to help the latter group establish a collaborative arrangement for future flood events. It is important that all parties involved in the flood be present at the meeting.</p>

Recommendation #19	<p>That the City of North Bay in particular, and any other municipalities in a similar situation, install appropriate treatment plant bypass piping to improve resiliency of key infrastructure and limit the impacts of flooding on this infrastructure and associated impacts to public health and safety.</p>
Recommendation #20	<p>That the Province, the federal government (Public Service and Procurement Canada) and the North Bay-Mattawa Conservation Authority review the Lake Nipissing Operational Guidelines.</p>
Recommendation #21	<p>That the MNR establish a communication protocol to inform and involve key stakeholders (i.e. municipalities) on watershed conditions and operations throughout the fall and winter leading into and throughout the spring freshet, commencing in early 2020.</p>
Recommendation #22	<p>That the Ministry of Environment, Conservation and Parks (MECP) use the results of the Muskoka Watershed Conservation and Management Initiative to inform any potential future amendments to the Muskoka River Water Management Plan by working with the Ministry of Natural Resources and Forestry, and in the meantime, that the MECP consider whether to encourage the municipalities to establish a conservation authority or request the Ministry of Municipal Affairs and Housing to restrict development in the floodplains (e.g. Ministerial Order).</p>
Recommendation #23	<p>That Haliburton County document how their collaborative model worked for the 2019 flood and share this information with, and for the benefit of, other counties, municipalities and conservation authorities.</p>
Recommendation #24	<p>That provincial, federal and municipal governments work with the Essex Region Conservation Authority and the Lower Thames Valley Conservation Authority to undertake a coordinated short- and long-term strategy to address the existing and expected impacts to Chatham-Kent, Windsor-Essex and Pelee Island as a result of current and future water</p>

	levels, flood and erosion hazards, and climate change on Lake Erie, Lake St. Clair and the Detroit River.
Recommendation #25	That the MNRF review and update the appropriate technical guides, with consideration of a new category permitting development in hazardous lands along large inland lakes, rivers and streams, and along the Great Lakes/St. Lawrence River, utilizing flood protection land forms and/or other forms of flood protection and floodproofing methods with very strict requirements and conditions. Further, consideration should be given to enshrining this concept in legislation or in a regulation along with other structural methods that are now permitted in non-hazardous lands or Special Policy Areas.
Recommendation #26	That, due to the increased use of the regional flood control facilities, the MNRF review whether the Province should take steps to regulate the use of these structures or let municipalities decide their use.
Recommendation #27	That the Province create a working group of all pertinent ministries to define their respective roles as they pertain to pluvial flooding.
Recommendation #28	That the Province consider whether it should take steps to regulate drainage standards in urban areas, such as the requirement to restrict runoff flows to pre-development rates and flood protection measures for private property, and if so, what is the most appropriate legislation.
Recommendation #29	That the Ministry of Environment, Conservation and Parks reach out to the Intact Centre on Climate Adaptation, as part of their commitment to consult with the insurance and real estate industry under the 2018 Environment Plan, to work collaboratively to raise awareness among homeowners about the increasing risk of flooding and to disseminate the basement flooding protection information to homeowners.
Recommendation #30	That the Ministry of Infrastructure ensure that the Ontario Community Infrastructure Fund supports municipalities in enhancing and implementing asset management plans (which includes stormwater management and consideration of climate change adaptation and mitigation activities), which will

	help municipalities make the best possible investment decisions for their infrastructure assets.
Recommendation #31	That the Ministry of Infrastructure work specifically with the MNRF on the design of future intakes of the Green stream of the Investing in Canada Infrastructure Program to ensure flood-related projects are eligible.
Recommendation #32	That the Province continue to fund the Water Erosion Control Infrastructure program and consider adopting a multi-year budget.
Recommendation #33	That the Province continue to issue Green Bonds in 2020 and beyond to help finance extreme-weather resistant infrastructure.
Recommendation #34	That the Province continue its financial commitment and partnership arrangement with the federal government through the hydrometric network agreement.
Recommendation #35	That the Province continue to monitor the effectiveness and location of gauges to ensure that there is appropriate coverage and consider repositioning gauges if necessary.
Recommendation #36	That, where appropriate and where funding permits, the Province consider the installation of GOES telemetry at key locations where more frequent access to information is required (areas of higher risk/watersheds that react quickly to changes in precipitation or snowmelt) and where current landline telecommunication technology is less secure and not as reliable in transmitting information.
Recommendation #37	That, where appropriate and where funding permits, the Province consider the use of automated alarms at those stations in watersheds of higher risk/quick response to precipitation and snowmelt to alert when water levels have exceeded a threshold of concern.
Recommendation #38	That the Province explore whether there would be value toward additional manual snow course locations in those watersheds where snow cover and snow water content are

	factors in spring flooding, and seek to involve the citizens in the collection and reporting of that data.
Recommendation #39	That the Province explore the feasibility of remote sensing products to better estimate the spatial distribution of snow and snow patterns.
Recommendation #40	That the MNRF work with federal, provincial and local partners as well as industry toward an Open Data model where information is shared and consolidated into the existing Surface Water Monitoring Centre hydrometric monitoring database.
Recommendation #41	That the Province investigate the return on investment of utilizing the new satellite imagery and resourcing with the necessary staff additions to provide better flood forecasting and monitoring.
Recommendation #42	That the Province update the flood forecasting and warning guidelines, providing clarity on roles and responsibilities (conservation authorities, MNRF district offices, municipalities) and provide examples of the systems, from simple to complex, with recognition that each system should be designed to reflect the local watershed characteristics and resources.
Recommendation #43	That the Ministry of the Solicitor General implement emergency operations initiatives in response to the recommendations of the Auditor General as soon as possible.
Recommendation #44	That Emergency Management Ontario improve its processes for interacting with municipalities and clearly lay out the processes on their website.
Recommendation #45	That Emergency Management Ontario clearly lay out the process for municipalities to request assistance during emergencies and provide field support to help determine the assistance that is required.
Recommendation #46	That the Province have a central website for flooding issues that provides answers (for conservation authorities, municipalities and the public) to a myriad of typical and

	frequent questions, or at the very least, a link to the agency (provincial department, power company, etc.) that provides the answers to the questions.
Recommendation #47	That the Province review the funding formula for eligibility of municipalities under the Municipal Disaster Recovery Assistance program.
Recommendation #48	That the “build back better” pilot under the Municipal Disaster Recovery Assistance program move from a “pilot” to a full program. The Province should consider raising the 15% cap where it makes economic sense. The program should be tied to legislated flood protection levels and floodproofing criteria. For example, a bridge damaged by a flood can only be replaced if it is raised to the design flood.
Recommendation #49	That the Province consider including a “build back better” component under the Disaster Recovery Assistance for Ontarians program.
Recommendation #50	That the Province approach Indigenous Services Canada about expanding their disaster assistance program to include houses that are leased on First Nation reserve land by non-status individuals.
Recommendation #51	That the Disaster Recovery Assistance for Ontarians program be flexible enough to allow for removal of the structure from the floodplain (buyout) if it is the only technically and financially feasible option.
Recommendation #52	That the Province continue the dialogue with the Insurance Bureau of Canada and the federal government on the steps needed to make flood insurance more available to more Ontarians.
Recommendation #53	That the Province ensure that municipalities have all the information regarding eligible items under the Municipal Disaster Recovery Assistance program, including costs for disposal of waste materials from a flood.

Recommendation #54	That the Province consider special or expedited approvals for new or expanded landfills if significant capacity is used up from the disposal of flood-related waste materials.
Recommendation #55	That the International Joint Commission, the Ottawa River Regulation Planning Board, and Ontario Power Generation make their detailed information about their flood operations readily available on their respective websites.
Recommendation #56	That the International Joint Commission consider meeting with interested stakeholder groups and individuals to explain in considerable detail how their structures are operated.
Recommendation #57	That the International Joint Commission consider creating specific “2017 Flood” and “2019 Flood” buttons for their home webpage and populating those pages with detailed information on the floods and their operations, as well as providing direct links to related reports.
Recommendation #58	That the supporting agencies of the Ottawa River Regulation Planning Board (Canada, Ontario, Quebec and the dam operators) consider reviewing the original agreement, recommendations and guiding principles, and board policies given they are almost 40 years old.
Recommendation #59	That the supporting agencies of the Ottawa River Regulation Planning Board (Canada, Ontario, Quebec and the dam operators) consider removing “Regulation” from the title, as it implies that the Board can actually manage large floods when, in fact, they cannot because of the limited storage capacity of the generating station reservoirs, which were designed for electric power generation and not flood control.

<p>Recommendation #60</p>	<p>That a communications officer be assigned to the Ottawa River Regulation Planning Board to help with messaging during flood events or any public meetings and free up the staff engineers to concentrate on their duties. At least two communications officers should be assigned as needed and well trained in the technical operations. The officers should be from another government department as opposed to Ontario Power Generation or another non-government dam owner, since the public believes the dam owners only care about generating electricity.</p>
<p>Recommendation #61</p>	<p>That a communications person with marketing experience work with the Ottawa River Regulation Planning Board to prepare more easily understood materials for publication. The approach to managing the Ottawa River by the Board is not well understood by the public or government officials. Also, the materials should not be confusing. In one example I saw, a line graph showed a water level difference of 1.0 metres but the text below it stated "> 50 cm or 20 in."</p>
<p>Recommendation #62</p>	<p>That the Ottawa River Regulation Planning Board work with Ontario Power Generation and consider installing staff gauges at critical settled locations along the river, and engage residents to read and report on these gauges. These residents have a vested interest in getting accurate information and so their "buy-in" could be to volunteer their time to provide the data.</p>
<p>Recommendation #63</p>	<p>That two municipal officials, one from the Association of Municipalities of Ontario and one from the Quebec counterpart, sit on the Ottawa River Regulation Planning Board. The intent is to provide contact persons on the Board trusted by municipalities in both provinces, and for the municipal representatives on the Board to help disseminate correct and accurate information back to municipalities. Consideration could also be given to adding municipal representatives to the Ottawa River Regulating Committee, in addition to or instead of the Board. It is recognized that the three signatories to the Agreement (Canada, Ontario and</p>

	Quebec) would have to agree to amending the Agreement for this purpose.
Recommendation #64	That Ontario Power Generation create a dynamic illustration regarding the dry section at Deux-Rivieres that “walks” the observer through the changes in water levels during low to normal to high flows, with voice-over explanation of water level changes, and that this video be included on their website.
Recommendation #65	That Ontario Power Generation identify options to address their concern about refill dates and provide greater flexibility on how refill is determined, taking into consideration the range of potential impacts, to support potential amendment proposals to relevant Water Management Plans.
Recommendation #66	That the Province maintain, at a minimum, the current level of funding in departmental budgets and programs related to everything flood (i.e. existing approval processes and associated policies and technical requirements, floodplain mapping, maintenance of flood infrastructure, satellite imagery, etc.).

Media Release

FOR IMMEDIATE RELEASE

Conservation Authorities Pleased Their Role in Ontario's Flood Management is Recognized

2019 Flood Advisor Report

NEWMARKET (November 28, 2019) Conservation Ontario is pleased that the report released today by the Province's Special Advisor on Flooding recognizes the critical role that conservation authorities (CAs) play in Ontario's flood management.

Flood management in Ontario is a shared responsibility among municipalities, emergency management officials, the Province and conservation authorities. This report recognizes the value of the conservation authority model and recommends that the Province 'consult with the conservation authorities on their application of the natural hazards-based approach and risk-based approach to managing flooding'.

"A quick scan of the 66 recommendations shows us that Mr. McNeil appreciates the collaborative nature of flood management in Ontario," said Kim Gavine, General Manager of Conservation Ontario which represents the 36 conservation authorities. "We've worked well with the Province, to date, and we look forward to continuing to develop improvements.'

"We're very pleased to see that he appreciates the collaborative approach, however, maintaining and making improvements in Ontario's flood management programs requires resources that include appropriate policy and program support," Ms Gavine said. "For example, the 50 per cent reduction to conservation authorities' provincial transfer payments for the natural hazards program affected all CAs and erode our ability to effectively address issues raised by the Flood Advisor."

Following up from a difficult spring flood season that stretched into the summer months, the Province appointed Doug McNeil as Special Advisor on Flooding to conduct an independent review of flood management and the 2019 flood events in Ontario and provide advice to the Minister of Natural Resources and Forestry.

Mr. McNeil examined Ontario's current flood management framework, exploring the various roles of agencies, such as conservation authorities, who are involved in reducing flood risk, as well as reviewing the policies and technical guidance which makes up the policy framework for flood management in Ontario.

Conservation Authorities reduce flood risk by relying on a watershed management approach.

“The mandate of conservation authorities is the conservation, restoration, development and management of natural resources,” Ms. Gavine said. “Using a watershed-based approach has effectively protected Ontarians for years and helped to avoid many more millions of dollars in damages and business disruptions. It also helps to build resiliency in local watersheds helping our communities to adapt to the growing impacts of climate change more easily.”

In addition to operating \$3.8 billion worth of flood control infrastructure, CAs also bring added protection and benefits through various watershed management programs and activities such as:

- watershed scale monitoring, data collection/management and modelling,
- watershed scale studies, plans, assessments and/or strategies as well as
- watershed-wide actions including stewardship, communication, outreach and education activities.

Conservation authorities are recommending to the Province that these kinds of foundational watershed management activities be captured in the *Conservation Authorities Act* regulations which are currently being developed.

Conservation Ontario will be working with the conservation authorities to review the report in more detail and look forward to continue to collaborate with Province to reduce the risk of flooding in Ontario.

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For more information:

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conservationontario.ca

To: UTRCA Board of Directors
From: Ian Wilcox, General Manager
Date: January 17, 2020 **Agenda #:** 8 (b)
Subject: UTRCA Consultation with MECP Minister **Filename:** ::ODMA\GRPWISE\UT_MAIN.UT
Jeff Yurek- Summary RCA_PO.File_Centre_Library:122
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This report includes the modified text of an email sent to the UTRCA's Board of Directors on December 17, 2019. The email summarized the experience and outcomes of the UTRCA's consultation meeting with Minister Jeff Yurek and MECP staff which took place in Toronto December 16, 2019. It is provided here as a report to the Board of Directors to formalize and make available publicly the consultation meeting's agenda, meeting materials and outcomes. Meeting materials are also included as is a subsequent thank-you letter sent to Minister Yurek.

Edited copy of email and attachments sent to the UTRCA Board of Directors by Ian Wilcox, General Manager, December 17, 2019.

UTRCA Board of Directors,

FYI

Chris Harrington, Tracy Annett and I met with Minister Yurek and his staff Monday as part of the province's consultation efforts regarding changes to the Conservation Authorities Act. Approximately nine provincial staff accompanied the Minister including policy advisors, note takers, and representatives of local MPPs including Ernie Hardeman (Oxford), Randy Pettapiece (Perth-Wellington) and Lisa Thompson (Huron-Bruce). As context, we were the second-last CA to be interviewed and the Minister has only participated in a few sessions, typically not for the whole meeting. He stayed for the duration of our session.

By way of introduction, I was clear we were going to be blunt regarding our concerns with Bill 108 but that we were certainly willing to work with the province to improve watershed management in Ontario. I did most of the talking by reviewing our fact sheet (see attached) plus raising our on-going issues with the St. Marys Golf and Country Club, and budget concerns from Perth South and St. Marys. These last two points needed to be mentioned as the Minister has been asked by those two municipalities to intervene directly. We also provided a written summary of answers to set questions we knew were being asked. That is attached for your information as well.

Questions/ comments from the Minister and staff included:

- Minister asked what the breakdown of Board of Directors is with regards to councilors vs citizen reps. Explained our Board's composition.
- Minister asked "each municipality does not have a BOD representative?" Informed him of shared representation e.g., St. Marys, Perth South and South Huron

- Minister asked "no option for a municipality to reject the budget increase?" Explained budget process and Board vote as prescribed in provincial regulations.
- Minister asked "do you work with municipality after the budget has been passed?" Responded "No, we work with them before the budget is passed."
- Minister asked "have you looked for efficiencies and savings given the province and municipalities are out of money?" Answered yes. Also noted our response to funding uncertainty is to pursue other forms of revenue, rather than retracting programs and services.
- Minister commented that the UTRCA is the only CA where municipalities have expressed a concern about budget. He was referencing St. Marys percent increase specifically. Responded with the dollar amount being \$5,000. That seemed to surprise him.
- Staff asked "how old is your floodplain mapping?" Replied "late 1980s"
- Staff asked "do you target your tree planting to shoreline areas?" Replied- no shoreline but we do target planting for maximum benefit.
- Staff asked "do you have success with tree planting program in targeted areas?" Replied yes but that overall natural cover is declining.
- Staff asked what percentage is agriculture? 80%
- Staff asked "do you do pre-consultation?" Responded yes.
- Staff asked "what would the percentage of successful permit application be per year?" Of 265 applications, five required hearings.
- Staff asked "what is the average turn around time for permit applications?" Replied that it's quicker than provincial standards set through CALC.
- Staff asked "do the majority of proponents seek out pre-consultation?" We encourage all applicants to participate in pre-consultation.
- Staff asked how often/when has the BOD composition been reviewed? We referred them to our recent Board report documenting past membership reductions.
- Minister asked is the Upper Thames one watershed? We discussed amalgamation and noted local municipal opposition. The Minister confirmed that no CA would be forced to amalgamate.
- Minister commented that he has five CAs in his riding. He asked us to be open minded, and noted the province is not here to ruin CAs. He encouraged working together
- Minister indicated has had no contact or involvement with UTRCA. (We have presented to him in the past...)

In the end the Minister made clear he didn't appreciate UTRCA criticism through the media this past summer but that he hoped we would continue to talk directly as we work through implementation of Bill 108. I agreed further discussions were essential. There will be a second round of consultation in the new year that includes municipalities, landowner groups, Ducks Unlimited and, I assume, the full spectrum of CA stakeholders. We will be invited to participate again as well.

Overall it was a cautious meeting with little in the way of response from provincial representatives. In their defense, it's been a long consultation process and I suspect they've already heard many of the issues we raised. However, I felt our points were heard and understood, and that our relationship with the Minister is slightly better than it was.

Our focus from here is to ensure our member municipalities value our services. We'll continue to promote our on-the-ground efforts and make sure these are communicated broadly.

Any questions, let me know.

Ian Wilcox
General Manager

UPPER THAMES RIVER

CONSERVATION AUTHORITY



Photo Credit: London Free Press

December 16, 2019

CONSULTATION MEETING

Upper Thames River Conservation Authority &
Ministry of the Environment, Conservation & Parks

UTRCA Comments

Tracy Annett, Manager, Environmental Planning and Regulations

Chris Harrington, Manager, Watershed Planning, Research and Monitoring

Ian Wilcox, General Manager

CORE BUSINESS

1. UTRCA's Core Business
The suggestion that Conservation Authorities “**return** to their flood control core mandate” is misleading. The UTRCA was created in 1947 to address four core responsibilities, one of which is flood control, and has delivered a range of programs toward those ends for 72 years:

1. **Protect life and property from flooding and erosion**
2. **Protect and improve water quality**
3. **Manage and expand natural areas**
4. **Provide outdoor recreation and education opportunities**

(References: *The Thames Valley Report*, 1946; *Upper Thames Valley Conservation Report*, 1952)

2. The UTRCA's programs and services support provincial legislation, provincial policy, municipal official plans, and municipal strategic plans. Many of these efforts now appear optional.
3. UTRCA's programs and services address local watershed priorities, are based on public demand, and are reviewed and approved by our 17 member municipalities through their representation on the Board of Directors.

The suggestion that the UTRCA's programs and services have “strayed” beyond this core mandate is misleading and inaccurate. As for “zip lines, maple syrup and weddings,” the UTRCA does not operate any zip lines; weddings are hosted in Conservation Areas in response to public demand with revenue supporting land management costs; and land is leased to our local Kinsmen Service Club to operate a sugar bush with revenue going directly back into the local community.



GOVERNANCE

4. The suggestion that municipalities believe the UTRCA lacks transparency and is beyond municipal control is an uninformed minority opinion contradicted by existing policies and practices (e.g., Board governance, open public meetings, budget workshops, Board meeting audio recordings posted on-line, minutes and agendas publicly available and specifically circulated to municipalities, delegations, Board representation, Board Administrative By-laws-attached).
5. The UTRCA's Board of Directors **is its 17 member municipalities**. There are nine municipal politicians and six citizen representatives on the Board, all appointed by their respective municipal councils. Board membership has been modified over time to improve representation and is fully explained in the attached Board Member Representation Report dated April 15, 2019.
6. The UTRCA Board of Directors (i.e., watershed municipalities) control all program development and budgets with an objective of addressing local environmental priorities.

POLICY OBJECTIVES/ SCIENCE

7. Policy and legislative changes are welcome if they are based on watershed objectives and science, as well as administrative and financial efficiency.
8. The UTRCA works with the province to understand watershed health through science so that appropriate policies and programs can be implemented (e.g., PWQMN, PGMN, SWOOP, Watershed Report Cards - see attached).
9. Science: Currently in the UTRCA watershed, water quality improvement has been static for 30+ years, forest cover is declining despite significant effort (49 ha net loss per year on average), public demand for outdoor experiences is increasing, and hazard risk mapping needs to be updated with current science to better protect residents and adapt to climate change.
10. The UTRCA's program objectives and measures of performance and success are environmentally based. The UTRCA has developed an *Environmental Targets Strategic Plan* with science based watershed goals and a work plan for the next 20 years. The majority of UTRCA watershed municipalities support efforts to grow environmental programs and have funded that work. (See attached *Environmental Targets Strategic Plan 2016*.)
11. Science is clear that more effort is needed. The public is demanding more effort. The private sector is willing to contribute financially. However, changes proposed through Bill 108 and recent funding cuts are barriers and will result in greater public safety risks due to flooding, declining water quality, accelerated forest cover loss, and fewer public opportunities for outdoor recreation.



BUDGETS/ FUNDING

12. Budgets and financial performance are a means to ends, not an end themselves. The UTRCA will always be judged by its program's impacts on watershed health and public safety related to flooding, not by how much money it doesn't spend.
13. Budgets must always be judged by their affordability and their impact on achievement of watershed goals.
14. Many significant municipal budget increases are the result of the provincial levy allocation formula and changes in CVA, not the UTRCA's actual approved budget increase. (e.g., UTRCA 2020 Draft Levies: Approved increase at 6.2%. After CVA induced adjustments: West Perth at 12.1%, Perth South at 10.4%, Stratford at 0.5%).
15. Despite UTRCA's year over year levy percentage increases, actual impacts on municipal tax rates are typically <0.1%. Additionally, the UTRCA is also a rate payer in many municipalities, e.g., Perth South: 2019 Levy \$54K, municipal tax bill \$37K.
16. The UTRCA prides itself on efficient financial management. In 2019, only 34% of budget revenue is funded by municipalities. Following recent cuts, only 4% of the UTRCA's budget is supported through provincial transfer payments with only one quarter of that amount directed at flood control. Remaining funding is leveraged to ensure programs are more efficient and effective than would be the case relying solely on government funding (see attached levy summary chart).

FUTURE

17. The 1946 Conservation Authorities Act included a founding principle of equal cost sharing by all watershed municipalities. This was both fair and effective and has been for 70+ years. The changes in Bill 108 circumvent this concept, as well as the concept of watershed management, create inconsistent implementation, and will greatly reduce the likelihood of achieving watershed objectives.
18. Municipalities have already expressed funding and equity concerns with Bill 108's changes. Specifically, the ability for a municipality to "opt out" of programming creates inequities, reduces program effectiveness, and adds administrative complexity (red tape). Environmental benefits from the UTRCA's programs don't stay within a municipality; benefits accrue broadly across the watershed (e.g., water quality, flood risk, forest cover, etc.). Municipalities that "opt out" will still receive benefits from those who "stay in," without paying. Conversely, municipalities who "opt in" will have to invest additionally to compensate for those municipalities who "opt out." This observation has already been described as unfair and "a problem" by the Mayor of a large urban municipality.
19. The effort to focus specifically on "flood management" is an attempt to compartmentalize one element of watershed management from a range of integrated and complementary programs. The end result can only be reduced effectiveness and greater flood risk for the residents of the UTRCA watershed, declining water quality, accelerated forest cover loss, and fewer opportunities for the public to enjoy the outdoors.
20. Bill 108's requirement to negotiate individual agreements for watershed wide programs with each of the UTRCA's 17 member municipalities adds a significant administrative burden and cost to the UTRCA's operations, taking away from staff capacity and program delivery. This requirement contradicts the Province's stated objective of reducing red tape.

HOT BUTTON TOPICS

21. St. Marys Golf & Country Club/Wildwood Dam Operations Update - See attached Board report dated October 11, 2019.
22. Two UTRCA municipalities have recently expressed concern regarding budget control (St. Marys and Perth South): In fact they have had direct input and their opinions are fully expressed and heard. Their frustration is their views are not shared broadly by other municipal representatives and recently they have found themselves on the losing side of the democratic process.



SUMMARY

Recent legislative changes enacted through Bill 108, and funding reductions, contradict local public demand, private sector investment in programs and services, the strategic priorities of our Board of Directors, and objective watershed science. Program implementation will now be more administratively complicated, inconsistent, inequitable, and will result in a loss of forest cover, declining water quality, increased flood risks, and fewer public opportunities to enjoy the outdoors in the UTRCA's watershed. In addition, these changes will negatively impact both provincial and municipal priorities as expressed through legislation and policy. While all Conservation Authorities understand the need for fiscal responsibility, it is believed that recent changes will ultimately result in decreased watershed health with a net increase in long term costs.



December 18, 2019

Minister Jeff Yurek
Ministry of the Environment, Conservation & Parks
777 Bay St.
Toronto, ON M7A 2J3

Dear Minister Yurek,

On behalf of the Board of Directors of the Upper Thames River Conservation Authority (UTRCA) I want to thank you for your time and frank comments provided as part of our December 16th consultation meeting. I understand you have not been able to attend all of the Conservation Authority meetings so your participation in our meeting is appreciated. We felt we were given ample time and opportunity to share our views and your questions were insightful and appropriate.

I would like to address three comments from our meeting:

1. I want to reinforce that the Board and staff of the UTRCA are supportive of efforts to improve watershed management. We look forward to discussions with your staff regarding how to best implement changes stipulated through Bill 108.
2. I support your request that future discussions between your office and the UTRCA are face-to-face as opposed to an exchange of opinions through the media. To that end, I would like to offer a standing invitation to visit the UTRCA's Watershed Conservation Centre and tour Fanshawe Dam at your convenience. In addition I would like to extend a formal invitation from our Board Chair for you to attend and provide greetings at the UTRCA's Annual General Meeting scheduled for Thursday, February 20, 2020 at 10:00 am. This would be an opportunity for you to see a Conservation Authority Board in action and to get a sense of our local community connections.
3. And finally, regarding concerns expressed to your office by the Town of St. Marys, Municipality of Perth South and the St. Marys Golf and Country Club, I would ask that you and Ministry staff engage the UTRCA in advance of any action. In most cases these issues have been publicly described as relatively simplistic and one sided. The issues themselves are more complicated than presented and include years of engagement by the UTRCA, actions we have taken in support of these communities, and strong consideration by our Board of Directors. We believe this context is essential before any opinion is formed or action recommended.

Thank you again for your time and we look forward to working with you and your staff toward improved environmental health in the Upper Thames River Watershed.

Sincerely

A handwritten signature in black ink, appearing to read "Ian Wilcox". The signature is fluid and cursive, with the first letter "I" being particularly large and stylized.

Ian Wilcox
General Manager
Upper Thames River Conservation Authority

MECP Questions / UTRCA Responses

December 16, 2019

1. All CAs seem to be different what makes yours unique?

- CAs are intentionally unique, as was envisioned in the 1946 Conservation Authorities Act. Local governance develops local programs to address local watershed priorities.
- UTRCA Characterization- see Watershed Report Card Report
 - Converting science to information for decision makers- UTRCA led, provincial support
 - Canadian Heritage River
 - 316 Dams and barriers
 - 4,400 km of water courses: 64% channelized or buried, 36% natural
 - 80% agriculture
 - Thames River identified Ontario's largest contributor of phosphorus to Lake Erie
 - One of most biologically diverse rivers in Canada e.g., 90 species of fish
- Environmental Targets Strategic Plan- Converting science to action to achieve measurable environmental improvement.
- Flooding:
 - Well over \$100 million in flood control infrastructure
 - Before 1946: 27 deaths reported due to flooding, 1,100+ buildings destroyed, dozens of bridges and roads damaged, almost annually.
 - Since 1946: No deaths, minimal damage to building or infrastructure
 - Use 1937 Flood Event as Regulatory Standard, not Hurricane Hazel
- Two Conservation Authorities, one river.

2. Do you have many people attend your board meetings?

- Yes, when issue based (Cottages, Burgess Park, Motherwell, Dingman Ck.)
- Meetings are publicized and open, minutes available on web site, audio recordings on web site (i.e., don't need to attend in person)

3. Could you describe any partnerships that you currently have? Do you have any taskforces or committees of the board that you regularly work with?

Rather than committees of our Board, we work to support municipal and community committees and groups to encourage and enable action.

The UTRCA Community Partnerships Unit's purpose is to motivate watershed residents to adopt stewardship (behaviours that protect and restore the environment) by facilitating access to environmental and conservation information, and involvement in stewardship activities.

The UTRCA Partners:

With **Community Committees of volunteers** to provide advice, expertise, field assistance and to facilitate stewardship and funding support for their projects:

- Stratford Civic Beautification and Environmental Awareness Committee
- Avon Trail Association

- Avon Conservation Club
- Stratford Field Naturalists
- Stewardship Oxford
- Oxford County Trails Committee
- London Environmental Network
- Harrington and Area Community Association
- Embro Pond Association
- Avon Rover Environmental Association
- Hickson Trail Association
- Nature London
- Trees for Woodfield
- Girl Guides and Scouts Canada
- Thames River Anglers Association
- County Soil and Crop Improvement Associations
- Ontario Soil and Crop Improvement Association
- Middlesex-Elgin Woodlot Owners Association

With **Subwatershed / Community Committees** Facilitated by the Authority to facilitate and coordinate community involvement in local environmental stewardship projects and create awareness and understanding of the positive impact of actions on the health of local watersheds

- Dorchester Mill Pond Committee
- Friends of Stoney Creek
- Friends of Medway Creek
- Water Festival Committees - London-Middlesex, Oxford County and Perth County
- Glen Cairn Community Partners

With **Businesses and Corporations** to support their desire to fund environmental projects and/ or provide volunteer opportunities for their employees.

- Toyota
- General Motors Canada
- McLean Taylor Construction
- Oxford Community Energy Co-operative
- Start.ca
- Toronto Dominion Bank
- DANCOR
- Logan and Evans Funeral Homes
- Andrew Hodges Funeral Home
- Brock and Visser Funeral Home
- Green Hair Spa
- Home Hardware
- Columbia Sportswear
- 3M
- OPG
- Cargill Meats

- Cooper Standard

With **Municipalities on Committees of Council** to provide expertise and field assistance

- Stratford Energy and Environment Committee
- Woodstock Environmental Advisory Committee
- City of London Environmental and Ecological Planning Advisory Committee
- Future Oxford
- West Perth Forestry Committee
- West Perth Wetlands Committee
- Tourism London
- Tourism Oxford
- Stratford Perth Museum
- London Agriculture Advisory Committee
- Reforest Oxford

With **watershed Boards of Education**, providing expertise, place-based, authentic and curriculum-linked environmental education opportunities

- Avon Maitland District School Board
- Huron Perth Catholic District School Board
- Thames Valley District School Board
- London District Catholic School Board

With **First Nations** to facilitate information sharing and the incorporation of indigenous knowledge into watershed management planning

- Chippewa of the Thames First Nation
- Oneida Nation of the Thames
- Muncee-Delaware Nation
- N'Amerind Friendship Centre

With **Provincial Conservation Organizations** to implement environmental restoration and enhancement projects within the watershed

- Ducks Unlimited
- Forests Ontario
- Forest Gene Conservation Association
- Ontario Soil and Crop Improvement Association

With **Provincial Ministries** to deliver provincial environmental restoration and enhancement programs locally and to undertake field level research projects

- Ontario Ministry of Agriculture, Food and Rural Affairs
- Ontario Ministry of Environment, Conservation and Parks
- Ontario Ministry of Natural Resources and Forestry

With **Federal Departments** to deliver federal environmental enhancement and protection programs locally and to undertake field level research projects

- Environment and Climate Change Canada
- Department of Fisheries and Oceans
- Agriculture and Agri-Food Canada
- Canadian Forestry Service

With **Service Clubs** to support their desire to fund and be involved with the implementation of local environmental projects and education programs

- Optimist Clubs
- Rotary Clubs
- Lions Clubs
- Kinsmen Clubs
- Kiwanis Clubs

With **Foundations** to provide expertise and to support their desire to fund and be involved with the implementation of local environmental projects and education programs

- London Community Foundation
- Ingersoll Community Foundation
- Stratford Perth Community Foundation
- Oxford Community Foundation
- TD Friends of the Environment Foundation

Academia

- Western University
- University of Guelph
- University of Waterloo
- University of Windsor
- Sir Sandford Fleming College

With **Municipalities** to operate and maintain property and infrastructure including Environmentally Sensitive Areas, green infrastructure, Water and Erosion Control Structures

- City of London
- City of Stratford
- Municipality of West Perth
- Municipality of Thames Centre

4. How many flood warnings have you issued this year?

- 2019 Bulletins - 17 (bulletins include all warnings, watches, flood safety, watershed conditions and special purpose)
- 2019 Warnings/Watches - 0
- 2018 Bulletins - 24 (bulletins include all warnings, watches, flood safety, watershed conditions and special purpose)
- 2018 Warning/Watches - 3/4

5. What does your environmental monitoring program entail?

Critical Monitoring Programs:

- PWQMN
- Supplemental water quality monitoring- self funded
- PGMN
- Benthic Invertebrate Sampling
- Hydrometric Network
- Fisheries Monitoring
- Agricultural subwatershed monitoring with ECCC

Analysis and public reporting is through Watershed Report Cards published every five years

6. Do you have any educational programming?

- The UTRCA educational programming is designed to support the UTRCA's Strategic Plan: protect life and property from flood and erosion; protect and improve water quality; preserve and manage natural areas, and instill conservation values through recreation opportunities and hands-on environmental experiences.
- The UTRCA delivers programs to over **25,000 students per year**. Programs link the UTRCA's ends with the Ontario Curriculum, are developed in conjunction with local School Board learning coordinators, and provide the place-based, authentic learning experiences that the Boards prioritize. The UTRCA enjoys a very close and productive working relationship with the watershed Boards of Education. Programs are delivered within the community, within schools and school yards and within UTRCA Conservation Areas and properties. The UTRCA involves students in stewardship activities within their own community.
- The UTRCA charges fees for educational programming on a per student per program basis. The Authority also receives funding from corporations, businesses and service clubs that support and value the education programs. Most recently Toyota Manufacturing Canada donated \$60,000 for education and restoration programs, and Start.ca has pledged \$25,000/ year for 5 years to support the GREEN education program. The UTRCA's educators enjoy an excellent reputation and worked with the Ontario Ministries of Education and Environment and Climate Change to develop the ICE (Innovation, Creativity and Entrepreneurship) opportunities for the Specialist High Skills Major curriculum.

7. How many Conservation Areas do you manage?

- **UTRCA Owned and Managed:** 13 including three regional facilities (Wildwood, Fanshawe and Pittock).
- **UTRCA Owned but Managed under Agreement with Municipalities and Community Groups:** 23
- **Not UTRCA Owned but UTRCA Managed Under Agreement:** 13
- **Total: 49**
- The UTRCA has a significant partnership with the City of London to manage their 11 Environmentally Sensitive Areas (1,855 acres). The program is administered via agreement and has successfully protected local features, expanded public access, and provided learning opportunities to encourage public stewardship of the natural environment.

8. How many permits do you issue? How many charges have you laid? Do you follow the CALC recommended timelines for processing section 28 applications?

- Approximately 260 permits and another 240 clearance letters are processed annually.
- Charges laid: five over the past ten years. The costs to prosecute are extremely high. Cost for legal representation, expert witnesses and staff time can be very challenging for many CA's. Any fines are directed by to the Province. This leads to inconsistent enforcement across the province.
- CALC timelines are adhered to with the commitment to improve on those standards as part of Conservation Ontario's Streamlining process.

9. What is your Conservation Ontario levy?

- \$58,000 annually.
- Note Conservation Ontario is the collective voice of the province's 36 CAs and its function is to enable far more efficient and effective coordination of programs, services and communications between senior government and individual Conservation Authorities.

10. Do any of your municipalities set levy targets? If a specific municipality couldn't pay your proposed increase what would you do? Make them pay? Reevaluate?

- Some municipalities occasionally provide budget guidance e.g., London set a 1.5% target for all boards and commissions for 2020 with the opportunity to present a business case for requests beyond that amount.
- No experience with a municipality refusing payment: There is always full consultation in advance of budget approvals.
- CA levies are typically a small percentage of municipal budgets and tax levies; "couldn't" is an unrealistic scenario.
- Note that the most dramatic levy increases in 2020 are the result of the Province's CVA based allocation formula, not the CA's cost increases.
- Note UTRCA municipal property taxes total \$310,000 (6% of operating levy)

11. Do you think that it is fair that one municipality has a greater say than another municipality around the board table? Do you think it should be a balanced voting?

- Biased question
- Weighted vote is for budget only.
- Provincially legislated requirement vis regulation. Pay for say.
- Weighting is proportionally equal. It is "balanced" with regard to ability to pay (CVA).
- Small municipalities typically benefit in terms of program capacity vs cost.
- "Weighting" is also through population which determines the number of Board representatives e.g., London has four members based on proportional representation of constituents.
- All UTRCA budgets have passed with greater than 90% weighted support every year for past 15 years. Even unweighted, all budgets would have passed.

- Voting is balanced.

12. How do you feel about amalgamation or restructuring of boundaries? Would you entertain this idea?

- What problem are you trying to solve?
- Thames is unique as the only watershed in Ontario with two CAs. There is a case for amalgamation and it has been attempted in the past.
- Municipalities oppose it (i.e., as recently as three years ago).
- Not sure watershed or rate payers would benefit in any way. Programs are already coordinated (flood forecasting, WISKI, Water Management Plan, Species at Risk, Source Protection, etc.). LTVCA levy would have to increase significantly, or UTRCA municipalities would have to subsidize to ensure consistent delivery of services.
- Very distinct characteristics between Upper and Lower.
- Services and municipal relationships become more distant and less personal or “local.”
- Influence of any individual municipality is reduced.
- Don’t believe there’s any benefit toward achieving watershed objectives.
- Don’t believe there would be any cost savings. Overall capacity is still needed, multiple office sites still needed with local management given huge length of watershed.
- Currently both CAs are of similar size and capacity within the CA network.

13. Minister indicated that he had heard from other CAs that they would like assistance with regulations and additional guidance from the ministry. Did we think that was a good idea? Would we benefit from increased involvement from the Ministry at the local level?

When speaking about Natural Hazards - CA's are the Ministry at the local level. i.e., delegated responsibility for the PPS, Section 28 Regulations.

- Updates to the Technical Guidance documents are needed. Riverine Erosion Hazards and Riverine Flooding Hazards (other CA's would need Shoreline Hazards as well).
- Need to recognize new modelling techniques (2D modelling)
- Need a clear position on new Special Policy Areas.
- Need direction on how climate change should be considered in flood models.
- Need greater consistency and clarity for differing flood event standards (we have approval from MNRF to apply 1937 Flood as our Regulatory Standard most southwest CA's apply Hurricane Hazel).
- Need involvement from the Province in OMB/LPAT appeals, and appeals to the Mining and Lands Tribunal as well as access to technical experts and legal representation. Currently CA's incur all expenses for appeals and court proceedings.

14. Is there anything else that you would like to add? Anything that we should know about?

Comments:

- Municipal “opt out” will end the watershed management model.

- Municipal “opt out” removes decision making authority from the Board and politicizes the delivery of public services.
- Will there be a Consultation Summary Report?
- Timing?
- Will there be an evaluation of Bill 108 impacts in terms of environmental impacts?

To: UTRCA Board of Directors
From: Ian Wilcox, General Manager

Date: January 19, 2020

Agenda #: 8 (c)

Subject: 2020 Draft Budget: Municipal Input Summary

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Introduction:

The UTRCA’s 2020 Draft Budget was sent to member municipalities for review December 4, 2019. An invitation was included with the circulation offering for staff and Board representatives to attend individual council meetings with a presentation and/or to answer budget questions. This report provides a summary of municipal input received to date. The Board is asked to review these comments in detail as preparation for final budget approval at February’s Annual General Meeting (AGM). Additional comments are expected between now and February’s AGM. They will be shared as part of the February Board agenda.

Municipal interest has been primarily restricted to the levy with very little attention to overall budget. This is not unusual. There has been general support for the draft budget (levy), but opposition from Perth South and St. Marys. The table below summarizes the UTRCA’s draft operating levy in a simplified structure, similar to what was presented to municipalities, and highlights the two areas of the levy that have generated the most interest (unshaded rows).

2020 Draft Operating Levy

Municipal Levy	2019	Draft 2020	Increase	Notes
General Levy	\$3,858,386	\$3,931,699	\$73,313	1.9% inflationary increase.
Operating Reserve	\$33,050	\$33,678	\$628	1.9% inflationary increase.
Flood Control Levy	\$1,286,279	\$1,291,872	\$5,593	0.4% increase.
Provincial Download			\$169,803	50% in-year cut absorbed in 2019. Downloaded in 2020 in recognition of Bill 108 provincial classification as “core” business.
Environmental Targets Strategic Plan			\$76,636	75% reduction from planned levy.
Total	\$5,282,715	\$5,608,688	\$325,973	6.2% increase: (Download responsible for 3.2%) (Targets responsible for 1.5%)

Notes:

1. The unshaded area bordered in red has been the primary interest of municipalities to date and should be the Board’s focus for any further decisions regarding the 2020 draft municipal levy.

2. *The provincial funding formula that apportions levy to municipalities (based on Current Values Assessment or CVA) has a significant impact on individual levy increases (high of 12.1% for West Perth, low of 0.5% for Stratford) but is not reflected in this table and is beyond the ability of the Board to control or alter.*

Given that municipal input to date has focused on the Environmental Targets Strategic Plan and the provincial downloading, a brief review of the rationale for their inclusion in levy is appropriate and provided here:

1) Environmental Targets Strategic Plan (excerpts from October’s Staff Report)

You will recall the Board made a decision to reduce the 2020 Environmental Targets Strategic Plan implementation funding by 75% resulting in new investment of \$76,636 rather than the \$306,544 originally planned. 2020 was to be the final year of new levy investment, building on funding approved in 2017-2019. Funding was originally to be directed to the Targets as described in the table below, but with the reduction, it would be directed primarily to natural cover:

Original 2020 Targets Levy Investment Plan

Environmental Target	Funding Amount	% of Funding Request
1. Natural Cover: Tree planting, forest loss prevention, management	\$195,891	64%
2. Recreation/ Education	\$63,762	21%
3. Water Quality	\$46,891	15%
Total	\$306,544	100%

Note: The hazard management Target (flood modelling) already received it’s full funding during the first two years of investment; no further funding for that Target is required in 2020.

Of note, the Natural Cover Target was to receive the bulk of its levy funding in this final year of the phase-in. Recent forest loss data has confirmed that immediate effort toward this Target is needed. Despite on-going tree planting and naturalization efforts by the UTRCA, community groups, individual landowners, private businesses and municipalities, the watershed experienced an average net loss of 47 hectares per year (116 acres) based on staff interpretation of orthoimagery. Deferral of new actions will result in continued losses jeopardizing watershed health and our ability to meet our Target of 1,000ha of net gain in natural cover in the watershed. Both the recreation and water quality targets have received new funding in previous years and implementation has started.

Previous budget discussions highlighted two points of view regarding levy: 1) Municipal financial/ political criteria which supports a funding deferral and, 2) environmental criteria including our Strategic Plan’s objectives, and concern that a deferral may cause us to not only lose momentum but to negatively impact watershed health in the interim. This perspective supports new funding at some level. Both points of view are valid although competing, and the Board’s challenge is to find balance among environmental priorities and funding.

There may be additional concern that Bill 108 creates uncertainty as to what our future “core business” will be and a position that new funding should wait until the province provides details. However, rather than speculate regarding the province’s intentions, and recognizing consultation is on-going and that implementation of provincial regulations and new funding models are unlikely before 2021 at the earliest, the staff recommendation is “business as usual” including implementation of our Strategic Plan until regulations are approved. The goals of the Environmental Targets Strategic Plan remain valid and, if

anything, the need for implementation has grown. Funding decisions may affect the pace of implementation but not the overall intent.

2) Provincial Download of Section 39 Hazard Management Transfer Payment (Flood Control)

Conservation Authorities received notice in April 2019 of an immediate in-year 50% reduction of their provincial hazard management transfer payment. This amounted to a permanent ~\$170,000 funding reduction for the UTRCA. A decision was made to absorb this expense for 2019 through reserves. In June of 2019 the province passed Bill 108 which made clear that Hazard Management (flood control) was to remain a core business of Conservation Authorities and that work should continue, including the ability of CAs to levy municipalities for related expenses. And finally, in November 2019 the Provincial Flood Advisor's Report was released with recommendations (yet to be implemented) to the Province regarding flood management in Ontario. (A separate staff report will be included in the Board's January agenda discussing the Flood Advisor's recommendations). In summary, the report recognized the significant role Conservation Authorities play in protecting life and property, that the system works and should continue, and that a number of enhancements should be considered.

These three messages, while conflicting, suggest that our flood control capacity needs to be maintained. The \$170,000 funding reduction cannot be absorbed by the UTRCA without impacting service levels leaving the decision to download costs to member municipalities as the most viable, and presumably intentional outcome of the Province's decision.

Municipal Input as of January 20, 2020:

Oxford County (October 9, 2019)

In Attendance: Ian Wilcox

Oxford County requested a budget presentation (October 9, 2019) prior to the Board's approval of the 2020 Draft Budget. The only significant budget change following that presentation was the 75% reduction in the Environmental Targets portion of the levy.

1. Note that Oxford County as well as Zorra Township, Ingersoll, Southwest Oxford and Woodstock passed separate council resolutions supporting the continuation of Conservation Authority programs and services in response to Bill 108 and provincial direction to "wind down" programs.
2. Comment was made that the County supported the previous three years of Environmental Targets investment and that the work is valued.
3. A comment was made that the public supports work through user fees, and the private sector supports the work with funding (e.g., Toyota's \$60K investment for education and tree planting). Work on Targets should continue.
4. Specific questions were asked regarding where trees would be planted and joint planning with other Conservation Authorities within Oxford.

Overall County Council was supportive of the budget and continuation of the Environmental Targets investment.

West Perth (January 6, 2020)

In Attendance: Annamarie Murray, Ian Wilcox

1. A request was made regarding a summary of UTRCA reserves and a copy of the UTRCA Reserves Policy. While not mentioned specifically, it is assumed there is interest in exploring if reserves can be used to offset levy.
2. The UTRCA's financial investment strategy was challenged with specific reference to the investment's net loss during 2018. The General Manager defended the investment strategy as prudent financial management that could off-set municipal funding and noted 2019's excellent returns that have more than made up for initial losses. A copy of the UTRCA's investment policy is to be shared with Council.
3. A councilor asked for clarification regarding their ability to influence our budget, noting his understanding was the budget was simply dictated by the Board. I explained our efforts to consult with municipalities, that the Board took feedback seriously and that there was every opportunity for the Board to adjust the draft budget based on that input. I did confirm that once the Board approves the levy it is a debt owing but that our intent was to ensure consultation was complete before final approval as considered.
4. A comment was made that the UTRCA is still pursuing a budget increase during a period of constraint. Ratepayers object to this approach as it is inconsistent with the approach of municipalities and other agencies.
5. A question was raised as to whether or not having Mitchell Dam inoperable during 2019 affected downstream conditions. I replied there would be only local impacts.

St. Marys (January 7, 2020)

In Attendance: Sandy Levin, Tony Jackson, Ian Wilcox

Note: Mayor Al Strathdee and Deputy Mayor Marg Luna were absent from this meeting. No media were in attendance.

1. There was some confusion on the part of Council regarding Minister Yurek's August 23rd email and the direction it provides. The municipal CAO provided comment as well with the main issue

seeming to be that the August 16th letter was distributed to all municipalities (“wind down programs, no budget increases”) whereas the August 23rd email was not (“budget increases are acceptable with municipal approval”).

2. A comment from municipal staff suggested there was a lack of information generally and requested that the UTRCA keep the Town better informed. I noted the issue is actually a lack of information and clarity from the province and that what information there is has been shared. Chair Levin also reinforced that the province has provided no details, that actions based on assumptions come with a significant cost (e.g., staff terminations and severance), and that AMO has requested CA and budget changes be deferred until 2021.
3. There was a request for the UTRCA to demonstrate where it had made program cuts in anticipation of further financial constraints. I referred to a presentation slide that had provided those examples, and reiterated the UTRCA’s philosophy that during times of fiscal constraints our priority was to try and ensure programs and services could continue by identifying new/alternate sources of revenue (typically contracts). If unsuccessful, expenditures would be reduced.
4. Reference was made to the Minister’s remark that CAs have strayed into “zip lines, weddings and maple syrup.” The councillor was empathetic toward CAs and noted that his understanding was that recreation programs were self-sustaining, supplemented lost revenue, and were greatly appreciated by the public. I confirmed his views were accurate, and provided some background regarding the evolution of our conservation areas and recreation programs.
5. A suggestion was made that there be no further investment in the Environmental Targets Strategic Plan, recognizing significant investment had been made already and that work could continue but that further new investment was not affordable at this time.
6. A comment was made recognizing that the UTRCA has implemented staffing reductions and staff sharing programs between its Conservation Areas in an effort to deal with past funding reductions and that he was supportive of the efforts we have previously made.
7. A councillor commented that this is not a status quo budget.
8. The CAO presented a perspective that municipalities and agencies could either 1) wait for clarity from the province and continue with service levels as status quo, or 2) be proactive like St. Marys and begin finding efficiencies and implementing service level reductions now in anticipation of further cuts. I repeated that our approach was to look for new revenue opportunities first in an effort to continue delivery of programs and services, and that reductions would be considered if unsuccessful.

Perth South (January 7, 2020)

In Attendance: Sandy Levin, Tony Jackson, Ian Wilcox

1. A councillor suggested our Targets were misdirected and that urban sewage by-passes were the main driving force affecting water quality. That should be the UTRCA’s focus. I replied that sewage treatment operations were beyond the scope of our programs or regulatory approval, their impacts are noted but not the main drivers of water quality impairment, and that while we could expand our efforts into that area, it would come with additional costs.
2. A councillor offered their opinion that municipal drain enclosures (burying watercourses) are the most effective way to protect water quality by preventing run-off from entering the water course and that the UTRCA’s concerns and objections to enclosures were misdirected.
3. A councillor commented that when given the opportunity, Perth South will be opting out of Conservation Authority programs.
4. A councillor commented that the UTRCA should be itemizing costs now between core and non-mandatory programs. The Chair noted that we should receive clarity from the province during 2020 and that this analysis will inform the 2021 budget. A summary of estimated costs has since been developed specific to Perth South, and forwarded to them.

5. A councillor commented that the UTRCA's levy has increased more than 50% in the past several years. Other CAs (ABCA, LTVCA) do not have the same increases. Why? I responded that our Authority has significant capital expenses that others don't have, the CVA's impact, and that the UTRCA was taking initiative through its Environmental Targets to move beyond the status quo in terms of environmental health.
6. A councillor commented that they philosophically couldn't support a budget increase. Perth South has had to make cuts. They can't accept that the UTRCA wants an increase. They were clear they support the UTRCA's work, they just can't support increases during these economic times.
7. A councillor challenged us: "What authority does the UTRCA have to disobey a Minister's order" (presumably referring to the Minister's August 16th letter). I referred to the Minister's August 23rd email that allows budget increases.
8. A councillor expressed concern that permit fee increases are excessive (50%+) and isn't affordable by the farming community, and that the costs aren't justified by the work the CA actually does.
9. A councillor noted camping fee increases are far less than permit fee increases. I replied that all fees are based on cost recovery, market comparisons, staff effort and benefits received by the individual.
10. There was criticism of the Stream of Dreams program. "Fish on a fence."
11. A councillor commented that the UTRCA should not be involved in education programming. Taxpayers already pay provincial education tax; having Conservation Authorities levy for education is double dipping.
12. A councillor commented that the UTRCA's total levy increase is \$1.37 million. "How can that be? What will you spend that on?" Their implication was that amount was excessive. I noted that \$1.12 million of that increase (82% of the increase) is capital for the West London Dyke, paid 100% by London.
13. There was a question/ suggestion regarding contracting out Conservation Areas to the private sector. I pointed out that some services are or have been (grass cutting, marina operation, camp store, lifeguard and pool maintenance, etc.) and that this is an annual consideration with decisions made based on financial benefit. I noted that contracting out the entire park operation is not feasible. Recreation lands are there for flood control purposes first. Lake use can be closed, sections of campgrounds closed and operations suspended during flood operations. Contractors are wary of this as a business risk and the UTRCA is wary of losing direct control over flood operations.

South Huron

A letter dated January 7, 2020 was received from the Clerk of the Municipality of South Huron. In summary:

"South Huron received and discussed the draft budget at the December 16, 2019 regular meeting. On behalf of Council I wish to advise that no issues were noted and no comments were directed to be forwarded with respect to the Draft 2020 Budget after their review."

Thames Centre January 13, 2020

In Attendance: Ian Wilcox

Note that Thames Centre passed a Council resolution December 16, 2019 supporting the continuation of Conservation Authority programs and services in their municipality.

1. A comment from the Deputy Mayor noted that CAs already are efficient investments. Their cost sharing model allows municipalities access to expertise and resources they could not afford on their own. Services are needed and publicly supported.

2. The Mayor made mention of the Minister's August 16th letter as premature and poorly conceived and that the value of CAs was not fully recognized by the province. The municipality will participate in upcoming consultation sessions.
3. A councillor requested further clarification regarding the goals of the Environmental Targets Strategic Plan.
4. A councillor asked for an explanation of the provincial download.
5. A councillor commented that in actual dollar terms the UTRCA request was not unreasonable. They also noted that if the download was removed, the request is relatively small.
6. Overall strong support for continuation of CA programs and services.

Prepared by:
Ian Wilcox

To: Chair and Members of the UTRCA Board of Directors
From: Tracy Annett, Manager – Environmental Planning and Regulations
Date: January 20, 2020 **Agenda #:** 8 (d)
Subject: Administration and Enforcement – Sect. 28 Status Report – **Filename:** Document
Development, Interference of Wetlands and Alteration to **ENVP 8537**
Shorelines and Watercourses Regulation

As part of the commitment to improve client service and accountability and increase speed of approvals Conservation Ontario has created the *Client Service Standards for Conservation Authority Plan and Permit Review guideline* (endorsed by Conservation Ontario Council in June, 2019 and amended December, 2019). To be consistent with best practices for service delivery, the table has been amended from previous reports to allow for annual performance evaluations, and associated reporting while providing data to analyze trends and workloads.

The attached table 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 November 16, 2019 to January 17, 2020.

Reviewed by:

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

Prepared by:

Cari Ramsey
Environmental Regulations Technician

Jessica Schnaithmann
Land Use Regulations Officer

Brent Verscheure
Land Use Regulations Officer

Karen Winfield
Land Use Regulations Officer

SECTION 28 STATUS REPORT SUMMARY OF APPLICATIONS



DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINE AND WATERCOURSES REGULATION ONTARIO REGULATION 157/09

Period of Report: Nov 16/19 - Jan 17/20

SECTION 28 PERMITS

Permit #	Municipality	Location/Address	Category	Application Type	Project Description	Application Received	Application Complete	Permit Issued	Comply with Standards	Staff	Variation	
184-17	Zorra	Part Lot 14, Concession 8	Major	Extension	Proposed Construction of New Single Storey Shop, Concrete Pad and Associated Driveway Adjacent Feeder Creek and Mud Creek.	26-Nov-19	REQUIRED	17-Dec-19	24-Dec-19	YES	Winfield	
							ACTUAL	26-Nov-19	23-Dec-19			
7-19	Middlesex Centre	Martin Road	Minor	Municipal Drain Review	Two concrete storm maintenance holes and one concrete headwall	12-Dec-19	REQUIRED	26-Dec-19	2-Jan-20	YES	Ramsey	
							ACTUAL	12-Dec-19	24-Dec-19			
142-19	London	2898 Woodhull Road	Minor	Development	Construct single detached dwelling	21-Oct-19	REQUIRED	4-Nov-19	17-Dec-19	YES	Verscheure	
							ACTUAL	26-Nov-19	10-Dec-19			
148-19	Blanford-Blenheim	West End of Township Road 5 at the River	Major	Utility Corridor	Proposed Sun Canadian Pipeline (Shallow Cover) Remediation and Erosion Protection Project at three locations crossing the South Thames River and the George Kennedy Municipal Drain. UTRCA Lands staff provided construction access agreement as some of the work will be on UTRCA owned land.	07-Jan-20	REQUIRED	28-Jan-20	4-Feb-20	YES	Winfield	***pre-construction meeting held January 7, 2020.
	EZ Tavistock						ACTUAL	7-Jan-20	17-Jan-20			
188-19	London	Richardson Subdivision Phase 2	Minor	Development	Overall servicing, grading and stormwater management	17-Sep-19	REQUIRED	1-Oct-19	10-Jan-20	YES	Verscheure	
							ACTUAL	20-Dec-19	23-Dec-19			
189-19	Perth S	2312 Perth Road 163	Minor	Development	Proposed Replacement Foundation and Addition to the Existing Single Family Dwelling	19-Sep-19	REQUIRED	3-Oct-19	24-Jan-20	YES	Schnaithmann	
							ACTUAL	3-Jan-20	13-Jan-20			
211-19	London	1738 Hamilton Road	Minor	Violation	Old Victoria East Subdivision, remediation and restoration works	21-Oct-19	REQUIRED	4-Nov-19	12-Nov-19	YES	Verscheure	
							ACTUAL	22-Oct-19	29-Oct-19			
219-19	Perth E	Lot 16, Concession 7	Minor	Municipal Drain Review	Proposed spot clean out of 1374 m of Class F Drain (7th Concession Drain)	04-Nov-19	REQUIRED	18-Nov-19	25-Nov-19	NO	Ramsey	
							ACTUAL	4-Nov-19	27-Nov-19			

SECTION 28 PERMITS

Permit #	Municipality	Location/Address	Category	Application Type	Project Description	Application Received	Application Complete	Permit Issued	Comply with Standards	Staff	Variation
222-19	London	4516 Avenue Road	Minor	Development	Construct accessory structure	06-Jan-19	REQUIRED	20-Jan-19	27-Jan-19	YES	Verscheure
							ACTUAL	6-Jan-19	09-Jan-19		
224-19	London	White Rock Village	Minor	Development	Overall site grading for subdivision	05-Nov-19	REQUIRED	19-Nov-19	28-Nov-19	YES	Verscheure
							ACTUAL	7-Nov-19	20-Nov-19		
225-19	London	1148 St. Anthony Road	Minor	Development	Proposed Second Floor Addition, Covered Porches on Front and Rear of House	19-Nov-19	REQUIRED	3-Dec-19	17-Dec-19	YES	Schnaithmann
							ACTUAL	26-Nov-19	28-Nov-19		
228-19	Zorra	Lot 31, Concession 10	Major	Development	Proposed Replacement of Existing Single Family Residence & Septic System adjacent Cole Creek.	26-Nov-19	REQUIRED	17-Dec-19	25-Dec-19	YES	Winfield
							ACTUAL	27-Nov-19	29-Nov-19		
229-19	EZ Tavistock	Highway #59 at Oxford Road 34	Minor	Municipal Project	Proposed Rehabilitation of Oxford County Bridge No. 587068 spanning the South Thames River.	05-Dec-19	REQUIRED	19-Dec-19	26-Dec-19	NO	Winfield
							ACTUAL	5-Dec-19	13-Jan-20		
230-19	Perth E	Lot 21, Concession1	Minor	Municipal Drain Review	Proposed spot clean out of 474 m of Class A Drain (Shakespeare Drain)	26-Nov-19	REQUIRED	10-Dec-19	17-Dec-19	NO	Ramsey
							ACTUAL	26-Nov-19	20-Dec-19		
231-19	Perth E	Lot 22, Concession 1	Minor	Municipal Drain Review	Proposed spot clean out of 837 m of Class A Drain (Cossey Drain)	26-Nov-19	REQUIRED	10-Dec-19	17-Dec-19	NO	Ramsey
							ACTUAL	26-Nov-19	20-Dec-19		
232-19	S Huron	Lot 26, Concession South Side Thames Road	Minor	Municipal Drain Review	Proposed spot clean out of 2465 m of Class C Drain (Scott Drain)	26-Nov-19	REQUIRED	10-Dec-19	17-Dec-19	NO	Ramsey
							ACTUAL	26-Nov-19	20-Dec-19		
233-19	London	1738 Hamilton Road	Minor	Violation	Old Victoria East subdivision, overall site erosion plan	16-Dec-19	REQUIRED	30-Dec-19	6-Jan-20	YES	Verscheure
							ACTUAL	16-Dec-19	16-Dec-19		
234-19	Stratford	Lakdeside Drive between Waterloo Street North and Morenz Drive	Minor	Restoration/Creation	Proposed Shoreline Restoration Project - Installation of Crib Bank Treatments and Installation of Proposed Fish Habitat 'Shoals' assoaicted with the South Shore of Lake Victoria (the Avon River)	29-Nov-19	REQUIRED	13-Dec-19	20-Dec-19	YES	Winfield
							ACTUAL	29-Nov-19	11-Dec-19		
235-19	London	119 Exeter Road	Minor	Development	Proposed 60 metre self-support tower	27-Nov-19	REQUIRED	11-Dec-19	7-Jan-20	YES	Schnaithmann
							ACTUAL	17-Dec-19	19-Dec-19		
236-19	London	38 Blackfriars Street	Minor	Development	Proposed Single Storey Addition to Rear of Existing Residence on Piers	12-Dec-19	REQUIRED	26-Dec-19	8-Jan-20	YES	Schnaithmann
							ACTUAL	18-Dec-19	19-Dec-19		
2-20	London	27 Kensington Avenue	Minor	Development	Proposed Single Storey Addition to Rear of Existing Residence on Piers	02-Jan-20	REQUIRED	16-Jan-20	4-Feb-20	YES	Schnaithmann
							ACTUAL	14-Jan-20	16-Jan-20		
3-20	Norwich	Lot 20, Concession 4 East	Minor	Restoration/Creation	Proposed Habitat Creation Project (Phase II - 2020) in the Historical Hodge's Pond Reservoir	07-Jan-20	REQUIRED	21-Jan-20	30-Jan-20	YES	Winfield
							ACTUAL	9-Jan-20	09-Jan-20		
4-20	London	82 Empress Avenue	Minor	Development	Proposed Single Storey Addition to Rear of Existing Residence on Piers	13-Jan-20	REQUIRED	27-Jan-20	4-Feb-20	YES	Schnaithmann
							ACTUAL	14-Jan-20	16-Jan-20		

To: UTRCA Board of Directors
From: Ian Wilcox
Date: January 10, 2020
Subject: BOD Correspondence - Summary of Municipal and CA Communications Policy & Practices

Agenda #: 8 (e)
Filename: Admin #3634

Background

In September 2019 the Board discussed Communications Policies to guide and direct the Chair and General Manager when talking to the media. This discussion was prompted by UTRCA remarks to the media in response to an August 16, 2019 letter from the Minister of the Environment, Conservation and Parks requesting Conservation Authorities to hold budgets and begin to “wind down” non-mandatory programs. The Board of Directors made a motion directing staff to research and present examples of correspondence policies from other Municipalities and Conservation Authorities. Below is a summary of the findings of the search and a summary of current UTRCA policies and practices.

Municipalities

One consistent policy was found within the codes of conduct of every Municipality included in the search. Variations of the following excerpt, taken from the Town of Ingersoll’s Code of Conduct, were found in every Municipal Code of Conduct included in the search:

Information concerning adopting policies, procedures and decisions of the Council shall be conveyed openly and accurately even if members disagree with the decision of Council. Members shall accurately communicate the decisions of Council even if they disagree with the decision of Council” (Town of Ingersoll Code of Conduct, Corporation of the Town of Ingersoll By-Law No. 11-4646).

One notable finding was from the Town of Bancroft. The following is an excerpt from the Council and Staff Communication Policy for the Town of Bancroft Council and Staff:

Public Input:

Council will periodically use formal and informal opportunities to seek public input as a component of the decision making process which have broad impacts on the community. The purpose of the exercise will be to provide stakeholders with a mechanism to provide opinions and advice so that the widest range of views and information is available before final decisions are made.

Media Relations

Media releases will be sent to members of Council immediately in advance of their public release.

Members of Council will accurately and adequately communicate the attitudes and decisions of Bancroft Council, even if they disagree with a majority decision of Council so that;

- There is respect for the decision making processes of Council;
- Official information related to decisions and resolutions made by Council will normally be communicated in the first instance to the community and the media in an official capacity by the Mayor or designate;
- Information concerning adopted policies, procedures and decisions of the Council is conveyed openly and accurately; and
- Confidential information will be communicated only when and after determined by Council.

(Schedule "A" to By-Law No. 60-2015, Council and Staff Communication Policy, Town of Bancroft)

Conservation Authorities

In the Administrative By-Law template produced by Conservation Ontario and adopted by the majority of Conservation Authorities in 2018, including the UTRCA, the sole mention of communications with the public can be found in the responsibilities of the Chair. It states that "the Chair shall act as a public spokesperson on behalf of the General Membership" (Pg. 14). The only departure from this policy found was the Toronto Region Conservation Authority, which has a section addressing media inquiries. The section is as follows:

Media Inquiries: The Chair and the Chief Executive Officer shall represent TRCA in media appearances and releases. Should a Board Member be approached by the media to provide comments, the Board Member shall direct the media to the Chief Executive Officer or their delegate. (Board of Directors Administrative By-Law, Toronto Region Conservation Authority, October 25, 2019)

UTRCA Past Policy

The UTRCA's previous governance document, the Board of Director's Policy Handbook, had the following policy in the Code of Conduct:

"Directors support approved decisions of the Board on any matter, irrespective of the Directors' personal positions on the issue. All Directors support all Board decisions when outside of the Boardroom. The Board speaks with one voice. Board Directors report only results of Board decisions to the media. Breaches of this policy will be addressed with appropriate sanctions, including potential dismissal from the Board."

Discussion

Beyond the examples provided above there are few instances of specific board or council media communications policies. This is not surprising as issues and context can be highly variable with it unlikely one policy could anticipate all instances. The examples provided above seem reasonable in practice: all board members may speak publicly in support of Board approved decisions. While the UTRCA has no specific policy in place, past practice has always been for the Board Chair and General Manager to serve as primary media contacts. If and when appropriate, this role is delegated to staff and/or specific board members if they are more appropriate in terms of experience, involvement or expertise.

Sources

Town of Ingersoll Code of Conduct

<https://www.ingersoll.ca/download/code-of-conduct-for-members-of-council-local-boards-and-advisory-committees-11-4646/?wpdmdl=2725>

Council and Staff Communication Policy for the Town of Bancroft Council and Staff

<https://bancroft.civicweb.net/document/22860>

Toronto Region Conservation Authority

https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2019/11/11165859/TRCA_Board_of_Directors_Administrative_By-law_v2_2019-10-25.pdf

Prepared by:

Michelle Viglianti,
Administrative Assistant

Ian Wilcox,
General Manager

To: UTRCA Board of Directors
From: Ian Wilcox, General Manager
Date: January 14, 2020
Subject: UTRCA Board Meeting Alternatives

Agenda #: 8 (f)
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A request was made during the November Board of Directors meeting for staff to investigate meeting options that would help mitigate climate change impacts associated with travel to meetings, and minimize travel expenses for the UTRCA. Two specific options were mentioned: 1) reducing the number of meetings annually and extending the length of scheduled meetings to compensate, and/or 2) the use of technology (video conference, conference call-in), to reduce travel. Staff committed to providing a report back at the January 2020 meeting. The following explores these options at a high level and includes a third option, car-pooling, which was suggested following the Board meeting.

Context

The UTRCA Board of Directors (15 members) currently meet ten times per year for roughly 2.5 hrs/ meeting. Meeting costs include per diems (\$59.50 per member, per meeting) plus member's travel expenses (\$0.50/km). Combined this equates to a per meeting cost of \$1,332.50. Annual meeting costs are therefore \$13,326.

Options and Analysis

1) Reduced Number of Meetings (Assume 10/year)

- Two fewer meetings per year would save \$2,665 in meeting expenses. However, this saving would be offset by the need to provide lunch during the remaining eight meetings due to their longer length, and potentially mean committee meetings (Hearings, and Finance and Audit) would have to be scheduled on separate days incurring additional per diem and travel expenses albeit for a smaller group of members.
- There is concern that eight meetings/ year would result in four occasions with a two month gap between meetings. This could compromise Board function and effectiveness, delay decisions and, in all likelihood, require supplemental meetings to address critical and/or time sensitive decisions. While email voting can be used for simple, straight forward decisions, it is not conducive to decisions requiring discussion.

2) Remote Attendance (conference call-in or video conference):

- Technology options to support remote meetings are available and typically are subscription based for a number of users. Preliminary research into these options identify that there are solutions readily available and reasonably priced that may work for hosting remote meetings with functionality for video, audio and screen sharing.

- These tools seem well suited to meetings/conferences where one party is responsible for presenting and all other users are individually connected to observe and provide some limited level of response.
- Some challenges associated with these technologies arise when you consider a hybrid type of meeting where there is a main meeting room, such as the UTRCA boardroom, with a number of meeting participants or public audience coupled with remote participants connecting from outside. The limitation here is related to adequate audio and video equipment in the main meeting room to ensure all participants can hear or be heard and see or be seen. This may require investment in costly audio and video equipment for the boardroom to ensure effective meetings. This is considered necessary for UTRCA Board meetings to be publically accessible.
- Staff experience with video conferencing has not been overly positive. While the technology is rapidly improving, video and audio problems are common, discussion and debate is much more difficult, technology requires maintenance and updating and it is not uncommon to require technical support at each meeting.
- Per diem costs are fixed and would be paid regardless of whether the member was physically in attendance at the meeting or had called or video-conferenced in to the meeting. That cost is \$892.50/ meeting and would not be affected by this meeting format change.
- Current travel expenses (dependent on where members live) equals \$440/ meeting with individual costs highly variable based on the member's distance travelled.
- For the purpose of discussion, a saving of \$220 per meeting would be considered the maximum likely reduction in travel costs as a result of some members attending remotely.
- Board members choosing to join meetings remotely would benefit in reduced time commitment to attend a meeting given reduced travel.
- This option can be further explored if the Board feels the effort is warranted.
- Our current by-laws include the following provision. Should this meeting option be preferred an amendment to the by-law may be appropriate:
 - “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.”

3) Alternative: Car Pooling

A third option of members car-pooling was proposed by staff following the November Board meeting. Given that stated objectives are to reduce travel expenses and mitigate climate change impacts due to travel, car-pooling by members was suggested as a no-cost alternative for achieving the same ends with no impact on Board function or meeting effectiveness. Identifying parking/ pick up locations in London, Perth and Oxford would allow interested members to minimize their travel (climate change benefit) and reduce administrative costs to the UTRCA. This effort could be coordinated by staff or members themselves.

These options are presented for your information. Staff are prepared to further investigate or support any further direction from the Board.

Prepared by:

Ian Wilcox, General Manager

Chris Harrington, Manager, Watershed Planning, Research & Monitoring

Michelle Viglianti, Administrative Assistant

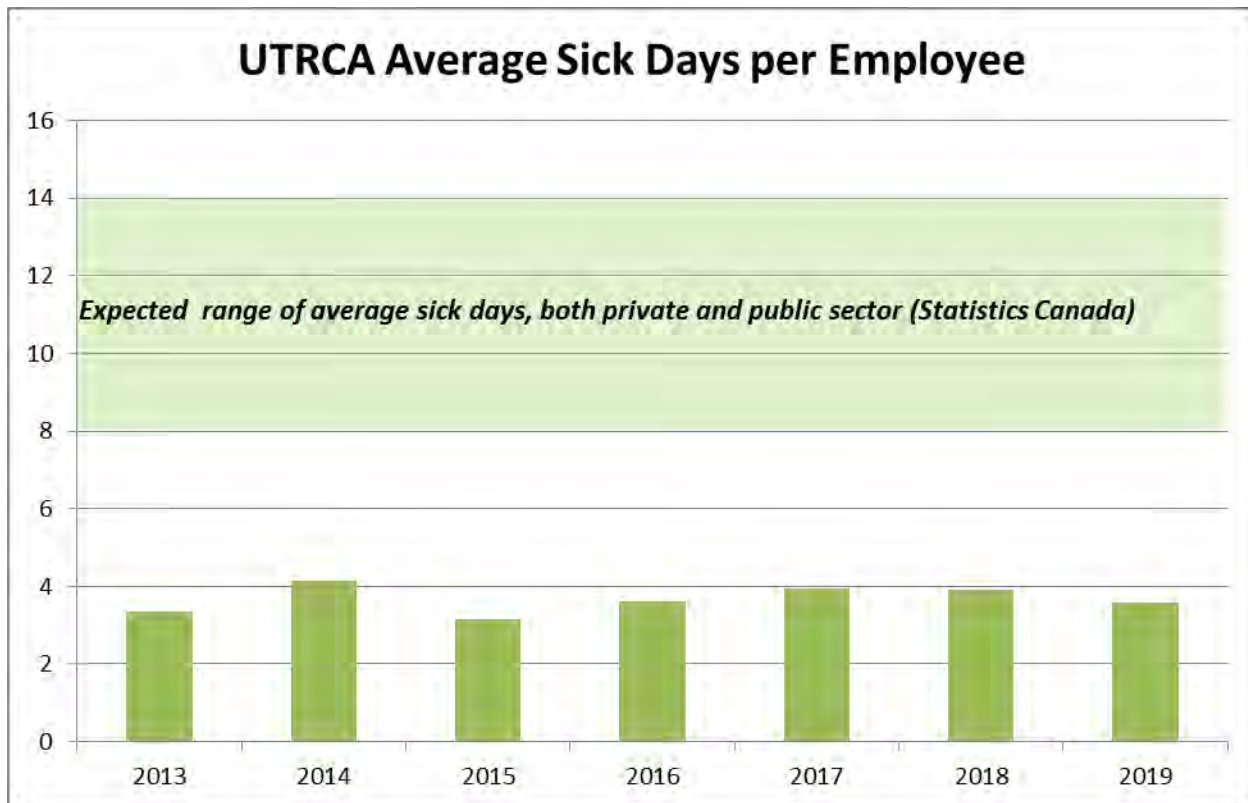
To: UTRCA Board of Directors
From: Ian Wilcox, General Manager
Date: January 10, 2020
Subject: 2019 Sick Time Usage Summary

Agenda #: 8 (g)
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Introduction

In 1989 the UTRCA moved to a self-insured plan for short term disability and subsequently adopted a staff sick-time policy with unlimited paid days off. This was a departure from industry standards at the time that typically assigned a limited number of days per year (e.g., 1.25 days per month for an allotment of 15 paid sick days per year). The rationale for the change was a belief that a defined number of paid sick-days created a sense of entitlement and that by not using those paid days, some employees felt a personal benefit would be lost. As a result there was a concern employees would attempt to maximize this “benefit” by taking all available sick days each year. Moving to unlimited sick days was seen as a way of eliminating this sense of entitlement. Human Resources staff monitors sick time usage annually as a way of evaluating the policy’s effectiveness.

Results



The above statistics include family sick days, that being days taken to look after close family members who are ill. The average number of sick days taken per employee during the past seven years ranges from a high of 4.1 days/ year to a low of 3.1/days per year but is remarkably consistent and well below the expected work place average range of 8-14 days/ year. Note that this data is presented as averages however there is still the possibility of abuse of the policy by individuals that average values don't reveal. It is not appropriate for this report to provide staff level data but that analysis is conducted annually and Managers and HR staff are comfortable that no abuse is or has taken place.

Discussion

It can be argued that sick day use can also be interpreted as a surrogate measure of staff culture. Employees who enjoy the workplace, the company of their co-workers, believe in the goals of the organization, and feel they are contributing to those goals, all while balancing work-life commitments, tend to be healthier, more motivated and resilient. This can be reflected in fewer sick days taken per employee. We believe all of these qualities exist at the UTRCA.

While it is our interpretation that these results validate our existing unlimited sick day policy, there are likely other factors and policies that contribute to this result. These include:

1. Individuals attracted to environmental careers tend to be active in the out of doors and generally mindful of healthy life choices.
2. The UTRCA's flex time policy is often cited by staff as critical to balancing work and home demands.
3. The UTRCA's flex place policy provides options for staff to work in settings that promote productivity, creativity and employee satisfaction.
4. There is a vibrant wellness culture at the UTRCA evident through exercise groups, use of the Wellness Room, noon hour trail running and walking groups, and formal wellness events.
5. There is a higher than average number of paramedical benefit claims through the UTRCA's insurance plan, and very low uptake of prescription drug use that further explains this wellness culture.
6. There is an open awareness of mental health challenges and a culture of support including 16 employees who voluntarily became certified in mental health first aid.

Wellness and a positive, supportive workplace culture are part of the reason the UTRCA continues to be successful. Our low frequency of sick days suggests that existing policies are effective, that inefficiencies through absenteeism and lost productivity are kept to a minimum, and that employees are effective in their roles.

Prepared by:

Ian Wilcox, General Manager
Sharon Viglianti, Human Resources/ Payroll Administrator

fyi

January 2020



Photo: Red-breasted Nuthatch, B. Gallagher

www.thamesriver.on.ca

Twitter [@UTRCMarketing](https://twitter.com/UTRCMarketing)

Facebook [@UpperThamesRiverConservationAuthority](https://www.facebook.com/UpperThamesRiverConservationAuthority)

New Funding announced for Medway Creek Project

In December 2019, the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) announced new funding for the Medway Creek subwatershed project. The new On-Farm Applied Research and Monitoring (ONFARM) project will continue work that began in 2015 in the Upper Medway Creek subwatershed through the Great Lakes Agricultural Stewardship Initiative. The ONFARM project is being administered by the Ontario Soil and Crop Improvement Association.

The new funding will continue monitoring of the watercourse until spring of 2023 and will add a data collection component for land management practices, to better understand how farm management impacts water quality. Farmers in this area are currently working to improve water quality by planting a high percentage of the farmland to cover crops, which protect the soil

from erosion and nutrient loss over the non-growing season. The new funding will help strengthen the water quality dataset collected.

ONFARM partners will also work with participating farmers to undertake soil sampling to benchmark and track changes in soil health over the years to come.

[See the news release from OMAFRA.](#)

Contact: [Michael Funk](#), Agricultural Soil & Water Quality Technician

UTRCA Hosts CISEC Training

The UTRCA's Watershed Conservation Centre hosted the Canadian Certified Inspector of Sediment and Erosion Control (CAN-CISEC) training course from November 13-14, 2019. CISEC is the leading certification program for erosion and sediment control inspectors in Canada and the US. In Ontario, the CAN-CISEC program is currently run through a partnership between the Toronto and Region Conservation Authority and CISEC, Inc., which is based in Parker, Colorado.

Construction sites are a potential source of sediment and other substances that can get into waterways and have a significant impact on water quality. Due to the economic and environmental impacts associated with sediment spills from large infrastructure and development projects, more and more construction sites in the GTA and beyond are requiring site supervisors and inspectors to have CISEC certification.

A wide range of industry professionals attended the course including conservation authority regulations staff and municipal partner staff working in development review, public works, and water/wastewater and



Planning is underway for new edge-of-field monitoring components under the new ONFARM project.

stormwater management. Municipal staff in attendance included representatives from the City of London, County of Oxford, Municipality of Thames Centre, Municipality of Middlesex Centre, Town of Ingersoll, and the Town of St. Marys. For those applicants who met strict qualification and experience requirements, the course was followed by optional exams including the four hour (Level III) Full Certification exam.

partner staff) in the areas of sediment and erosion control best management practices was part of UTRCA's commitment and work plan to meet our Water Quality Target. We are pleased to announce that all UTRCA Regulations staff passed the exam with flying colours and Cari Ramsey, Jessica Schnaithmann, Brent Verscheure, and Karen Winfield are all now fully certified as CAN-CISEC inspectors.

Contact: [Vanni Azzano](#), Community Education Supervisor, or [Karen Winfield](#), Land Use Regulations Officer



This stormdrain inlet has been overwhelmed with sediment from a construction site.



UTRCA Community Education and Partnerships staff received the Innovation Award for developing the Focus on Flooding Escape Room.



Proper sediment and erosion control measures are in place for this municipal bridge project.

Rekindle the Spark Conference – Presentations & Innovation Award

UTRCA Community Education staff recently attended the Rekindle the Spark Education Conference in Orangeville. Environmental educators from across Ontario attended, including staff from 18 conservation authorities and two school boards. UTRCA staff gave two presentations at the conference; Maranda MacKean and Erin Dolmage highlighted Wildwood's Outdoor School program and Karlee Flear presented on the UTRCA's Focus on Flooding education programs.

Our Education and Partnerships staff were also honoured to receive this year's Conservation Ontario "Innovation Award" at the conference. The award is given to a Conservation Authority that demonstrates leadership in innovation within a conservation education framework. Submissions for the award are made prior to the conference and voted on by conference attendees. The UTRCA received the award for the **Focus on Flooding Escape Room**. Funding to develop the Escape Room was provided by the National Disaster Mitigation Program.

Contact: [Karlee Flear](#), Community Education Supervisor

Participants successfully completing the certification program and exams have demonstrated comprehensive knowledge of the principles and best management practices of controlling sediment, erosion, and other stormwater pollutants from leaving active construction sites and entering protected watercourses and wetlands. The opportunity for education and professional development (for our staff as well as our municipal

Slag Filter Phosphorus Reduction Project

The UTRCA, in collaboration with Bluewater Pipe Inc. and McCutcheon Farm Drainage, is testing the feasibility and practicality of using slag, which is leftover material from metal refining, to filter water from agricultural field tiles. The project goal is to reduce phosphorus loadings into local streams and rivers. The design being tested was manufactured locally at a cost that is reasonable for farmers to consider installing.

The slag filter is being tested on a 25 acre field, which is cropped with a rotation of corn, soybeans and alfalfa. The field has been systematically tiled, with perforated horizontal pipes installed underground throughout the field to collect excess water and move it to a nearby stream. The farmer follows a nutrient management plan when spreading manure and commercial fertilizer on the land. However, heavy rain and melting snow can carry these nutrients into the underground drainage tile and then into the watercourse.



A control box (in the centre) diverts water from the underground field tile into two filter units of different sizes, to test their ability to remove phosphorus. The water is sampled before and after the filter units.

The project is testing two sizes of filter units. Each unit is comprised of a large diameter vertical plastic pipe with a removable slag cartridge. Water from the field tile enters from the bottom, seeps up through the slag cartridge, and then returns to the tile line. The cartridge contains clean pea gravel and slag, which has been approved by government as a low-risk substance.

The project is funded by the Thames River Phosphorus Reduction Collaborative.

Contact: [Craig Merkley](#), Conservation Services Specialist

Stream of Dreams

Community Education and Partnerships staff had an exciting and busy fall, providing the Stream of Dreams programs to all the students at Byron Somerset, Emily Carr, Little Falls, Holy Name, Shakespeare, Sir Arthur Currie, and W Sherwood Fox elementary schools. We reached more than 3,000 students with environmental messaging around watersheds, stormwater and how we can all have a more positive impact on our water.



The Stream Talk focuses on watersheds, stream health, and stormwater impacts specific to the school community.

This spring, we will be visiting many more students at AJ Baker, Caradoc, Laurie Hawkins, Northridge, South Perth, and Trafalgar schools. Each class will participate in a Stream Talk and a Fish Painting Workshop, customized to their grade and tied to the curriculum.

Contact: [Linda Smith](#), Community Partnerships Specialist, or [Vanni Azzano](#), Community Education Supervisor



In the Fish Painting Workshop, each student paints a recycled plastic fish to create a Dreamfish.



The Dreamfish are installed on a fence at the school to create a Stream of Dreams mural representing the school's vision for its watershed, and reminding the local community that all we need to take care of our water and ecosystem.



The UTRCA's River Safety education program received a donation from Enbridge, which supports safety, community, and the environment through their community investment program.

New River Safety Program Sponsors

We would like to say a BIG thank you to two new River Safety program sponsors – **Enbridge** and Forest City Fire Protection & Security. River Safety is an educational program delivered to Grade 2 students in our watershed. The program uses fun, hand-on activities to teach students how to stay safe near rivers and streams.

Optimist Clubs across the watershed have supported this program for the past 20 years. We are very grateful for their continued support and excited to have Enbridge and Forest City Fire Protection & Security join us in helping to deliver this important message.
Contact: [Karlee Flear](#), Community Education Supervisor

UTRCA Board of Directors Field Tour

As part of the November 26th Board of Directors meeting, the UTRCA's Conservation Services unit (with help from Aquatic Biologist Michelle Fletcher) showcased our water quality, soil conservation, and forestry in-field activities. The tour kicked off with a visit to view past tree planting projects, specifically a 12-year-old sugar maple plantation and a 26-year-old conifer windbreak and stream buffer, and discuss site preparation for a spring 2020 mixed species tree planting.

The second stop looked at a stream restoration project that demonstrated the improvements that can take place when livestock stop going into a creek and floodplain. Planting trees and shrubs and enhancing the creek with stone riffles and point bars has improved water quality and aquatic habitat, resulting in an increase in fish species and total numbers.

The third stop was the base station for the Upper Medway Creek Subwatershed Project. Staff discussed local projects, including controlled drainage, a slag filter to remove phosphorus, and creek and edge-of-field water quality sampling methods, among others.

The final stop was to a mixed tree species buffer planted along a stream. On the return trip to the WCC, the group visited a stormwater management pond in Thorndale to see aquatic and upland plantings facilitated by the UTRCA's Communities for Nature program.

[A tour booklet details the projects highlighted at the various stops, as well as other nearby projects.](#)
Contact: [Brad Glasman](#), Manager, Conservation Services



Board of Directors - On the Agenda

The next UTRCA Board of Directors meeting will be on January 28, 2020, at the Watershed Conservation Centre, located in Fanshawe Conservation Area. Draft agendas, approved minutes, and audio recordings are posted at www.thamesriver.on.ca, on the "Board Agendas & Minutes" page.

- Delegation: Motherwell Heritage Group
- Ontario Flood Advisor Report Summary
- Summary of Consultation Meeting with Minister Yurek
- 2020 Draft Budget: Summary of Municipal Input to Date
- Administration and Enforcement - Section 28
- Board of Directors Correspondence: Summary of Municipal and Conservation Authority Policy and Practice
- Alternative Meeting Options
- 2019 Sick Time Usage Summary
- 2020 Board of Directors Elections

Contact: [Michelle Viglianti](#), Administrative Assistant



www.thamesriver.on.ca
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 Facebook @UpperThamesRiverConservationAuthority
 519-451-2800

To: UTRCA Board of Directors
From: Ian Wilcox, General Manager
Date: November 1, 2019
January 17, 2020 – REVISED
Agenda #: 10
Subject: UTRCA Elections Preparation
Filename: C:\Users\viglantim\Documents\GroupWise\3642-1.doc

January 17, 2020 REVISION: The following report was included as part of the November 2019 Board Agenda. It is again being included in this month’s package as a reminder of the elected positions available and the process to follow, if interested. Elections will be held as part of the January 2th, 2020 meeting. Please note there was an omission in the November report; the position of Source Protection Striking Committee Member/ Committee Liaison should have been included in the list of available positions.

As required by the *Conservation Authorities Act*, the Upper Thames River Conservation Authority Board of Directors conducts elections each year. Nominations for the following positions will be accepted verbally during the January 28, 2020 meeting:

- Board Chair (to be nominated and elected)
- Board Vice-Chair (to be nominated and elected)
- Five (5) positions on the Hearings Committee:
 - Past Chair (appointed, if applicable. If there is no Past Chair, a 3rd “at large” member is to be nominated and elected)
 - Current Chair (appointed)
 - Current Vice- Chair (appointed)
 - Two (2) members elected at large (to be nominated and elected)
- Three (3) to five (5) positions on the Finance and Audit Committee:
 - Current Chair (appointed)
 - Two (2) to four (4) additional members elected at large (to be nominated and elected).
- One Source Protection Striking Committee Member/ Committee Liaison

All Board members are eligible for any of the available positions. All appointments are for a one year term. Election procedures and position descriptions are outlined in the Administrative By-Laws, Appendix 3 and Section II.B.2 respectively.

Members interested in any of these available positions are encouraged to communicate with their fellow board members to secure a nomination and support prior to the January meeting. Past practice has included calls and/or emails to fellow directors in an effort to secure support. In the event of more than one candidate seeking an individual position, elections will be held according to Robert’s Rules of Order (scrutineers appointed, secret ballots, simple majority required). Those interested in positions should be prepared to speak to their nomination and qualifications during the January meeting.

To ensure staff are properly prepared for the elections could you please advise either Michelle Viglianti at ext. 222 or Ian Wilcox at ext. 259 if you are planning to put your name forward for any of the above listed positions.

Prepared by:

Michelle Viglianti, Administrative Assistant
Ian Wilcox, General Manager