

Board of Directors

Upper Thames River Conservation Authority



Earth Day event in Stratford

UPPER THAMES RIVER
CONSERVATION AUTHORITY

Upper Thames River Conservation Authority Board of Directors' Meeting Agenda – May 2025

Date: May 27, 2025

Time: 9:30am

Place: Watershed Conservation Centre Board Room, Fanshawe Conservation Area –
1424 Clarke Road, London, ON

1. Territorial Acknowledgement

2. Modifications to the Agenda

3. Declarations of Pecuniary Interest

4. Presentations/Delegations

5. Administrative Business

5.1. Approval of Minutes of Previous Meeting: April 22, 2025

5.2. Business Arising from Minutes

5.3. Correspondence

6. Reports – For Consideration

6.1. 2026 Budget Concepts and Communications Overview – BoD-05-25-36

6.2. Administrative By-Law Annual Review – BoD-05-25-37

6.3. Provincial Offences Act Officer Designation for Shane Butnari, Dustin Patrick and Carly Sing-Judge – BoD-05-25-38

6.4. Water and Erosion Control Infrastructure Report – BoD-05-25-39

6.5. Draft UTRCA Encampment Response Strategy – BoD-05-25-40

7. Reports – In Camera

8. Reports – For Information

- 8.1. Administration and Enforcement – Section 28 Status Report – BoD-05-25-41
- 8.2. Project Status Update – BoD-05-25-42
- 8.3. Asset Management Program Updates – BoD-05-25-43
- 8.4. Bill 5 and Bill 17 Environmental Registry Postings – BoD-05-25-44
- 8.5. Strategic Plan Update – BoD-05-25-45
- 8.6. [Thames River Current May Edition](#)

9. Reports – Committee Updates

- 9.1. Finance and Audit Committee – April 22nd Decisions – BoD-05-25-46
- 9.2. Hearing Committee

10. Notices of Motion

11. Chair’s Comments

12. Member’s Comments

13. General Manager’s Comments

14. Adjournment

Tracy Annett, General Manager

To: UTRCA Board of Directors
From: Tracy Annett, General Manager
Date: May 27, 2024
File Number: BoD-05-25-36
Agenda #: 6.1
Subject: 2026 Budget Concepts and Communications Overview

Recommendation

1. THAT the 2026 Budget Concepts report be received.
2. THAT the 2026 Draft Budget be developed in conformity to the Conservation Authorities Act (CAA) and Ontario Regulation 402/22: Budget and Apportionment.
3. THAT staff BE DIRECTED to include a provision for a wage grid increase of 3% and address inflationary pressures as expected.
4. That staff BE DIRECTED to prepare a budget communications overview to circulate to the Finance and Audit Committee for feedback before being finalized.

Purpose

The purpose of this report is to provide the Board of Directors an overview of the assumptions and the process that staff are using to build the 2026 budget.

Background

The board-approved budgetary policy provides guidance on the approach management uses to prepare budgets. Further, Ontario Regulation 402/22 outlines the budgetary process for Conservation Authorities to develop the budget. This concepts report provides information to the Board of Directors regarding some of the issues management see that will impact the details of the budgets currently being prepared. Revisions to the 2025 budget and preparation of a 2026 budget are now underway. The goal will be to present a revised 2025 forecast to the Board in August along with a preliminary draft budget for 2026.

UTRCA Annual Budget Timeline (items in bold identify reports to the board)

- March and April – Staff communicate capital project plans with municipal partners
- April - May – Staff develop preliminary Draft Budget
- **May – Budget concepts / assumptions to the Board**
- **August – Preliminary budget estimates to Board and municipal staff**
- September – Staff develop Draft Budget
- **October – Board reviews Draft Budget**

- November - Circulate Draft Budget Package to municipal partners
- November to January – Municipal Budget presentations
- **January – summary of municipal input provided to Board**
- **February – Board considers Final Budget**
- Communication of Final Budget to municipal partners

Current Context

- If interest rates fall, UTRCA revenue from interest-bearing investments will fall as well. There is broad economic uncertainty at this time. All attempts are being made to minimize significant changes to budgets as a result.
- Inflation continues to exist so selling prices for goods and services must keep pace with increasing costs. These increased costs need to be reflected in pricing for all UTRCA programs and services, i.e. grant applications, contracts and fee schedules.
- The purchasing directive to buy local may be impacting costs in subtle ways, either up or down.
- Provincial regulatory change has been rampant in recent years, and announcements regarding CA Act review remain. The UTRCA Budgetary and Reserves Policies (October 2024) highlight the Authority's intent to fully fund Category 1 mandatory programs and services. Because the Authority is not reserve rich, the UTRCA must mitigate the effect of shocks to financial stability by protecting support for these mandatory programs and services. However, member municipalities are experiencing economic uncertainty as well so extraordinary increases to general levy should not be expected. This is the balance that will continue to be difficult to strike.
- General efforts for cost control are a normal part of operations, but results from specific actions as outlined in the April report to the board, are still unknown.

Budget Drivers

1. Staffing and Wages

Many newer staff are currently in step 1 or 2 of their wage bands, so annual merit increases are anticipated in addition to a cost-of-living increase in the grid. Staffing and wage expenditures are approximately 80% of the UTRCA's budget.

Wages can still be a barrier to hiring and retention at times.

The Authority is committed to a regular review of compensation rates to ensure that the UTRCA keeps pace with similar employers. This review is anticipated later in 2025 to be implemented in 2026.

Finally, Ontario minimum wage is set for an increase again in October 2025, and this may affect the grid's structure in some grade levels.

2025 and 2026 will continue to see additional retirements, though fewer than in recent years. Succession planning is therefore in mind and some staff positions will require a significant period of overlap of people for knowledge transfer, particularly in mandatory program areas. This will impact FTEs for variable periods during 2025 and 2026.

Year-over-year March CPI rests at 2.3% and April is 1.7%. Inflation will continue to be volatile. Staff wish to reserve the possibility to more firmly set the grid later in the year in consideration of the minimum wage change, a more current CPI measure, and continuing hiring results over 2025. For these reasons, for planning purposes, staff are

preparing the 2026 budget with an estimated grid increase of 3%. A 3% increase for 2027 has also been projected.

For reference, a tenth of a percent increase on the grid represents approximately \$15,600 cost to the organization.

2. Capital Project Costs

The UTRCA continues to experience hard-to-predict construction costs. Staff continue making cost estimates as accurate as possible and updating them as they become firmer when RFPs are issued and bids received. The Water and Erosion Control Infrastructure (WECI) program project list for the 2025-2026 term is more limited than it was in 2024-2025 and is focused on West London Dykes works. Choosing which projects to include for 2026 in our capital budget is at best a guess as the next call for WECI applications is not expected until spring of 2026. Staff in the Water and Information Unit are currently meeting with municipal staff to outline projects expected to be undertaken in the coming 3 to 5 years.

The Wildwood Dam (WWD) gates are unexpectedly not currently operating optimally. An RFP for a feasibility study is now underway to assess options for required repairs. Phase 2, the actual repair or remediation solution project, will be submitted in the next round for WECI funding in 2026 and cost estimates will be included in the 2026 budget when known.

3. Other Cost Increases

The inflation from the last few years is also making itself felt in municipal budgets and resulting in significant property tax increases. For 2025 we are seeing interim property tax changes across municipalities between 1% and 16% over 2024. Staff currently estimate an overall 5% increase in property taxes on UTRCA lands for 2026, without reference to individual municipalities at present.

While insurance premium increases are now softening, they may still trend higher than the rate of inflation due to exceptional claims from natural disasters and cybercrime. Staff will be including a 5% increase for insurance coverage for 2026 and will update that figure closer to the year end when UTRCA insurers typically provide information on trends in premiums and underwriting policies.

4. Clean Water Act

Staff are currently reviewing Q1 2025 results with respect to the UTRCA's Drinking Water Source Protection program considering overhead reductions being phased in over three years by MECP. Discussions continue with the MECP staff to clarify our process for overhead allocations. As a Category 1 program, unfunded costs will have to be covered through cost apportioning.

5. Cost Apportionment (Levy) Increase

The extent of the general distribution levy increase is directly influenced by costs in Category 1 and those costs are 80% weighted by wages. It is difficult to predict the year-end position in May, but minimizing levy increases will continue to be a priority, as it has in the past, until a rebuilding plan for reserves may dictate otherwise.

The extent of the special benefitting levy increase is driven by the projects and operations of each water and erosion control structure. Those operations and projects need to be managed with the staff resources we have and are more particularly dependent on the projects that the WECI program agrees to fund – see above. Costs for WWD gates are not yet known but they will be distributed among member municipalities on the special benefitting basis.

6. Modified Current Value Assessment (MCVA)

The assessment rates provided annually by the province dictate how much of the total general levy increase is apportioned to each member municipality, and to a much lesser extent, how the special benefitting levy is apportioned. Until those figures arrive, staff use the prior year MCVA to estimate the levy apportionment to each member. Changes to MCVA are beyond UTRCA's control. UTRCA controls only the total general levy, not its distribution to members.

Previous MCVA figures for the Clean Water Act will also be used to determine levy, if required, for the MECP funding cuts noted above until 2026 figures are forthcoming from the province.

7. Canada Water Agency Funding

The Canada Water Agency funding continues through 2026 at \$5M annually for the remaining three years. This single grant represented a 20% increase to our 2025 budget and beyond. This program and associated funding significantly subsidizes the overall costs of overhead for the Authority.

Budget Communications

Prior to preparation of the draft budget, Finance and Audit Committee members will be provided budget communication materials for preliminary feedback. Once finalized by staff, communications materials will be shared along with the draft budget.

Summary

The budget process directed by provincial regulation requires the UTRCA to identify and quantify costs, then apply expected revenue amounts from grants and self-generated sources. The Authority then determines the levy required to maintain programs and distributes the levy using a general or special-benefitting model. It is clear therefore that estimates at each step impact later ones. This approach, looking first at costs, is one which is comparatively new in the Authority – the UTRCA is only starting its third budget year under this approach. Previously, budgets were viewed in reverse with the board providing guidance on a levy increase first and working backwards to cost estimates which may or may not have been adequately funded. Each approach has its merits.

The City of London included a 6.9% increase in their approved budget for the Authority levy for 2026. That figure represents a blend of both levy apportionment methods. However, they've also indicated a reduction in the levy is desired – as it would be for all municipalities.

At this time, we believe the general levy increase will not exceed 6.9% but the special-benefitting increase for capital projects and dam operations may exceed that, and it will be variable by municipality. We are expecting to see higher increases in capital spending in the coming years and are attempting to moderate general levy increases as much as possible.

Recommended by:

Tracy Annett, General Manager, Secretary-Treasurer

Christine Saracino, Supervisor of Finance

To: UTRCA Board of Directors
From: Tracy Annett, General Manager
Date: 27, 2025
File Number: BoD – 05-25-37
Agenda #: 6.2
Subject: Administrative By-Law Annual Review

Recommendation

That the Board approves the amended Administrative By-Laws updated May 27, 2025, effective June 1, 2025 for the Upper Thames River Conservation Authority.

Background

The recommended edits to the UTRCA's Administrative By-Law are attached showing track changes. Primarily, revisions and additions include:

- Updates to reflect changes to Ontario Regulation 402/22,
- Amendment to comply with Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) re: MFIPPA Head,
- Edits to the closed session section to reference the section for members attending online during closed session, and language around going into closed session to discuss Freedom of Information requests,
- Update to Board of Directors Remuneration as per Board resolution passed January 28, 2025
- Updated Vision, Mission and Values

Staff reviewed section C.4.2, the order of the agenda, to consider moving Reports – In Camera later in the agenda, to follow Reports – Information. Staff are not recommending this change, at this time. Current Municipal Council schedules cause members to leave meetings early. It is the concern of staff that, should Closed Session be moved closer to the end of the meeting, those members will miss out on important information and discussions, and the possibility of losing of quorum for the meeting before those items can be addressed increases.

Prepared and Recommended by:

Michelle Viglianti, Administrative Assistant (Management)
Tracy Annett, General Manager / Secretary-Treasurer

Attachment: UTRCA Administrative By-Law with proposed changes

Administrative By-Law

For the Upper Thames River Conservation Authority



Photo: Tom Arban Photography Inc.



Revision Date	Details
March 2022	Comprehensive Review of Administrative By-Law, amendments based on input provided by N. Bellchamber
June 2023	Additions: <ul style="list-style-type: none"> - Ontario Not-For-Profit Corporations Act - Legislative updates to the Conservation Authorities Act, effective January 1, 2023 and July 1, 2023 - Meeting Procedures for electronic meetings / hybrid
August 2024	Amended to reflect Ontario Regulations 402/22 Amended to reflect Ontario Regulations 41/24 Additions: <ul style="list-style-type: none"> - Additional role of Vice Chair on the Finance and Audit Committee - Combining roles of General Manager and Secretary Treasurer for conciseness - Clarity for notice of motion process - Updated delegation process
<u>2025</u>	<u>Amended to reflect Ontario Regulation 402/22</u> <u>Amended to comply with Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) re: MFIPPA Head</u> <u>Additions:</u> <ul style="list-style-type: none"> - <u>Update to Board of Directors Remuneration as per Board resolution</u> - <u>Reference added for members attending online during closed session</u> - <u>Updated Vision, Mission and Values</u>

UPPER THAMES RIVER CONSERVATION AUTHORITY

Administrative By-Law

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I. Administrative By-Law

Introduction

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

Under the Act, municipalities within a common watershed are enabled to petition the province to establish a conservation authority. Members of the Authority are appointed as representatives by the Participating Municipalities and are effectively directors also of the Authority. Members of the UTRCA as established by the [1993 Order In Council](#) and is as follows:

Participating Municipality and designated groups for the purpose of appointing members	Appointed Representatives
City of London	Four members
Municipality of Middlesex Centre	One member
Municipality of Thames Centre and Township of Lucan-Biddulph	One member
Township of Blandford-Blenheim and Township of East-Zorra Tavistock	One member
Town of Ingersoll	One member
Municipality of Norwich & Township of South-West Oxford	One member
City of Woodstock	One member
Township of Zorra	One member
Municipality of West Perth	One member
Township of Perth East	One member
Township of Perth South, Town of St. Marys and Municipality of South Huron	One member
City of Stratford	One member

An additional member may be appointed to the authority by the Minister as a representative of the agricultural sector.

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

Vision of the UTRCA

~~Inspiring a healthy environment.~~ Communities engaged in a healthy, resilient environment.

Mission of the UTRCA

~~The UTRCA is dedicated to achieving a healthy environment on behalf of the watershed municipalities through leadership, expertise, education, and community collaboration. To conserve and protect the watershed through science, education, policy, action and experiences in nature.~~

~~Ends Values~~

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

Leadership

- We model and encourage sustainable, innovative stewardship of the watershed

Collaboration

- We partner to protect and promote a healthy environment and resilient communities

Integrity

- We act with transparency and accountability and root our work in science

Short term Goals

The short term goals are presented in the [current strategic plan](#).

Powers of authorities

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

(a) to research, study and investigate the watershed and to support the development and implementation of programs and services intended to further the purposes of this Act;

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

(c) to acquire by purchase, lease or otherwise any land that it may require, and, subject to subsections (2) and (4), to sell, lease or otherwise dispose of land so acquired;

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

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

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

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

- (h) to determine the proportion of the total benefit afforded to all the participating municipalities that is afforded to each of them;
- (i) to erect works and structures and create reservoirs by the construction of dams or otherwise;
- (j) to control the flow of surface waters in order to prevent floods or pollution or to reduce the adverse effects thereof;
- (k) to alter the course of any river, canal, brook, stream or watercourse, and divert or alter, as well temporarily as permanently, the course of any river, stream, road, street or way, or raise or sink its level in order to carry it over or under, on the level of or by the side of any work built or to be built by the authority, and to divert or alter the position of any water-pipe, gas-pipe, sewer, drain or any telegraph, telephone or electric wire or pole;
- (l) to use lands that are owned or controlled by the authority for purposes, not inconsistent with its objects, as it considers proper;
- (m) to use lands owned or controlled by the authority for park or other recreational purposes, and to erect, or permit to be erected, buildings, booths and facilities for such purposes and to make charges for admission thereto and the use thereof;
- (n) to collaborate and enter into agreements with ministries and agencies of government, municipal councils and local boards and other organizations and individuals;
- (o) to plant and produce trees on Crown lands with the consent of the Minister, and on other lands with the consent of the owner, for any purpose;
- (p) REPEALED;
- (q) generally to do all such acts as are necessary for the due carrying out of any project or as may be desirable to further the objects of the authority.

A. Definitions

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

“Authority” means the Upper Thames River Conservation Authority

“Act” means the [Conservation Authorities Act, R.S.O. 1990, chapter C.27](#), as amended from time to time.

“Agricultural Representative” means the member appointed by the Minister to the Authority at the discretion of the Minister. The agricultural representative shall not vote on resolutions related to budgetary matters and enlargements, amalgamations and dissolution of the authority as prescribed in section 14 (4.0.1) of the Act.

“Benefit-based apportionment method” means that portion of an Authority’s levy that meets the definition of benefit-based apportionment method as found in Ontario Regulation 402/22.

“Board or Board of Directors” means the members of the Authority acting in a duly constituted meeting.

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

“Electronic Meeting” means a meeting called and held in full or in part via electronic means (including, but not limited to, video conference, audio conference, teleconference or other appropriate electronic means), and with or without in-person attendance.

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

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

“General Membership” means all of the Members, collectively and effectively acting as directors as specified in the *Ontario Not-For-Profit Corporations Act (ONCA)*.

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

“Modified Current Value Assessment (MVCA) Apportionment method” means a method of apportioning an authority’s operating expenses and capital costs that is based on the modified current value assessment of the properties within the authorities’ area of jurisdiction.

“Majority” means a whole number equaling more than half of a total.

“Members” shall mean the members appointed to the Authority according to section 14 of the Act who have the authority to act on behalf of the corporation and a member appointed

to the Authority by the Minister as a representative of the agricultural sector (as applicable) and effectively act as directors as specified in the **Ontario Not-For-Profit Corporations Act (ONCA.)**.

“Minister” means the minister as defined in the Conservation Authorities Act.

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

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

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

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

“Vice-Chair” means the Vice-Chairperson as elected by the Members of the Authority.

“Weighted Majority Vote” means the votes of 51 per cent of those represent~~ative in~~
~~ed attendance~~ after the votes are weighted by the percentage in accordance with Section
19 of O.Reg 402/22.

B. Governance

1. Members

1.1 Appointments

Participating Municipalities within the jurisdiction of the Upper Thames River Conservation Authority shall appoint Members in accordance with Section 14 of the Act. Participating municipalities and designated groups of municipalities for the purposes of appointing members are provided in the UTRCA's [1993 Order In Council](#) . For detailed current explanation, refer to the [governance section of the Authority's website](#).

Members must reside in a Participating Municipality within the Authority's area of jurisdiction. Participating municipalities must ensure that at least 70 percent of its appointees are selected from among the members of the municipal council or apply to the Minister for permission to appoint less than this percent. Additional appointees may include citizens as well as an additional member who may be appointed by the Minister as a representative of the agricultural sector.

The minister may appoint a representative from the agricultural sector for a term up to four years. An extension may be granted at the discretion of the minister. Section 14 of the Act specifies that the member of the authority appointed by the minister shall not vote on resolutions related to any budgetary matter. In addition, the appointed member may not vote on resolutions: to enlarge an authority's area of jurisdiction, to amalgamate an authority with another, or to dissolve an authority.

1.2 Term of Member Appointments

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

1.3 Powers of the Authority

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

- i. Approving by resolution, the creation of Committees and/or Advisory Boards, the members thereof and the terms of reference for these Committees and/or Advisory Boards;
- ii. Appointing a General Manager / Secretary-Treasurer;
- iii. Terminating the services of the General Manager / Secretary-Treasurer.
- iv. Approving establishing and implementing regulations, policies and programs;
- v. Awarding contracts or agreements where the approval of the Authority is required under the Authority's purchasing policy.
- vi. Appointing an Executive Committee and delegate to the Committee any of its powers except:
 - i. The termination of the services of the General Manager / Secretary-Treasurer,
 - ii. The power to raise money, and
 - iii. The power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the Authority.
- vii. Approving by resolution, any new capital project of the Authority;
- viii. Approving by resolution, the method of financing any new capital projects;
- ix. Approving details on budget allocations on any new or existing capital projects;
- x. Approving ~~of~~ the total budget for the ensuing year, and approving the apportionment levies to be paid by the Participating Municipalities;
- xi. Receiving and approving the Financial Statements and Report of the Auditor for the preceding year;
- xii. Authorizing the borrowing of funds on the promissory note of the Authority in accordance with subsection 3(5) of the Act;
- xiii. Approving by resolution, any proposed acquisition of land or disposition of land, subject to the requirements under the Act;
- xiv. Approving permits or refusing permission as may be required under any regulations made under Section 28 of the Act;
- xv. Holding hearings required for the purpose of reviewing permit applications or as may be required under the Act or Regulation 41/24, and advising every applicant of their right to appeal the decision directly to the Minister or through the Ontario Lands Tribunal;

If a Member has been appointed representing the agricultural sector, they do not have a vote on items ix, x, and xi as per s.14 of the Act and s.2 of Ontario Regulation 402/22 Budget and Apportionment.

1.4 Member Accountability

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

Every member and officer in exercising their powers and discharging their duties to the Authority shall act honestly and in good faith with a view to the best interests of the Authority and exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix 1) and the Municipal Conflict of Interest Act (Schedule A), as adopted by the Authority. Additionally, the agricultural representative appointed by the Minister will be required to follow the provincial ethical framework set out for government public appointees in the Management Board of Cabinet's Agencies and Appointments Directive.

Members are responsible for:

1. Attending all meetings of the Authority;
2. Understanding the purpose, function and responsibilities of the Authority;
3. Being familiar with the Authority's statutory and other legal obligations;
4. With the advice from the administration, setting strategic direction for the Authority.

1.5 Applicable Legislation

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

- *Municipal Conflict of Interest Act*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Occupational Health and Safety Act, and*
- *Not-for-Profit Corporations Act, 2010*

If any part of this by-law conflicts with any provision of the Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those acts, the provision of that act or regulation prevails. The same applies to conflicts between these by-laws and the *Not-for-Profit Corporations Act* except when dictated by the Conservation Authorities Act in which case the Act prevails.

1.6 Relationship Between Members and Staff

The General Manager / Secretary-Treasurer shall manage the operations of the organization, including all employees of the Authority. The General Manager / Secretary-Treasurer is accountable to the Authority, working cooperatively to achieve the goals established by the Members.

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

- a) The Board delegates the day to day operation of the Authority to the General Manager.
- b) The authority of the General Manager / Secretary-Treasurer is contained within Policies and By-laws. Individual Directors' do not have the authority to issue directions to the General Manager / Secretary-Treasurer or the Authority staff.
- c) If Board Directors wish to make suggestions or requests to staff, they do so through the General Manager / Secretary-Treasurer. The General Manager / Secretary-Treasurer reserves the right to manage those requests at their discretion.

- d) In the event of the resignation, termination, death, disability or otherwise unavailability of the General Manager / Secretary-Treasurer to perform the responsibilities of the position, the Board shall appoint an Acting General Manager / Secretary-Treasurer to assume the responsibilities within five (5) business days.
- e) The General Manager / Secretary-Treasurer reports to the Board annually regarding compliance and accomplishments.

2. Officers

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

Chair

- a) Is a Member of the Authority, and preferable but not required, a member who has served a minimum of one year on a Conservation Authority Board of Directors;
- b) Presides at all meetings of the Board of Directors (and Executive Committee if applicable);
- c) Attends all Hearing Committee and Finance and Audit Committee meetings;
- d) Calls special meetings if necessary;
- e) Acts as a public spokesperson on behalf of the Board of Directors;
- f) Serves as signing officer for the Authority;
- g) Ensures relevant information and policies are brought to the Authority's attention;
- h) Keeps the Board of Directors apprised of significant issues in a timely fashion;
- i) Performs other duties when directed to do so by resolution of the Authority.
- j) Chair Source Protection Authority meetings;
- k) Serve as the Authority's voting representative on Conservation Ontario Council (CO), unless otherwise designated
- l) Annually evaluates the performance of General Manager / Secretary-Treasurer measuring their performance against the Authority's strategic plan and financial and human resources goals of the organization and recommend the annual salary and pay for performance of the General Manager / Secretary-Treasurer for consideration to the Board Members.

Vice-Chair

- a) Is/are a Member of the Authority, and preferable but not required, a member who has served a minimum of one year on a Conservation Authority Board of Directors;
- b) Attends all Board meetings, Finance and Audit Committee meetings, and Hearing Committee meetings;
- c) Carries out assignments as requested by the Chair;
- d) Understands the responsibilities of the Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of the Chair until such time as a new Chair is appointed or until the Chair resumes their duties;
- e) Serves as a signing officer for the Authority.
- f) Serves as the Authority's alternate voting representative on Conservation Ontario Council (CO), in the event the Chair is not available to attend;
- g) Participates in the annual evaluation of the performance of General Manager / Secretary-Treasurer measuring their performance against the Authority's strategic plan and financial and human resources goals of the organization.

General Manager / Secretary-Treasurer (GM)

The duties of the Chief Administrative Officer / General Manager and the Secretary-Treasurer may be combined and assigned to a single position, in which case the person is an Officer called the General Manager. Responsibilities of the GM as assigned by the Authority include, but are not limited to the following:

- a) Is an employee of the Authority;
- b) Attends all meetings of the Board of Directors (and Executive Committee if applicable) or designates an acting GM if not available;
- c) Works in close collaboration with the Chair and Vice-Chair and keeps them apprised of relevant information and significant issues in a timely fashion;
- d) Develops a strategic planning process for approval by the Board of Directors and Implements short and long-range goals and objectives;
- e) Is responsible for the management of the operations of the Authority, including all staff and programs of the Authority;
- f) Ensures resolutions of the Authority are implemented in a timely fashion;
- g) Develops and maintains effective relationships and ensures good communications with Participating Municipalities, federal and provincial government ministries/agencies, Indigenous communities, other conservation authorities, Conservation Ontario, stakeholders, community groups and associations;
- h) Serves as a signing officer for the Authority;
- i) Fulfills the requirements of the Secretary-Treasurer as defined under the Act;
- j) Is the custodian of the Corporate Seal;
- k) Serves as the Authority's second alternate voting representative on Conservation Ontario Council (CO), in the event the Chair and Vice-Chair are not available to attend;

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

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

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

Both the Chair and Vice-Chair shall hold office for a term of one year and shall serve for no more than two consecutive terms. Notwithstanding these terms, the Minister may grant permission (upon application by an Authority or a participating municipality) for a Chair or Vice-Chair to serve for a term of more than one year or to hold office ~~from for~~ more than two consecutive terms.

5. Representatives to Conservation Ontario Council

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

6. Election of Chair and Vice-Chair

The election of the Chair and Vice-Chair shall be held at the first meeting held each year in accordance with the Authority's Procedures for Election of Officers (Appendix 2). Successors to the positions of Chair and Vice-Chair shall be a Member from a different participating municipality from the incumbent. Upon application by an Authority or a participating municipality, the Minister may grant permission for a member who was appointed to the Authority by the same participating municipality that appointed the outgoing Chair or Vice-Chair to serve as Chair or Vice-Chair.

7. Appointment of Financial Institution

The Board of Directors shall appoint a financial institution to provide banking services to the Authority by Resolution as required.

8. Appointment of Solicitor

The Board of Directors shall appoint a solicitor to act as the Authority's legal counsel.

9. Appointment of the Auditor

The Board of Directors shall appoint an auditor in accordance with Section 38 of the Act.

The Authority's accounts and transactions will be audited annually by a person licensed under the *Public Accounting Act, 2004* and shall ensure that the annual audit is prepared in accordance with generally accepted accounting principles for local governments recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada.

The Board of Directors shall receive and approve the report of the auditor for the previous year at the May meeting.

The Authority shall forward copies of the Audited Financial Statements and Report of the Auditor to Participating Municipalities and the Minister in accordance with Section 38 of the Act and will make the Audited Financial Statements available to the public on the Authority's website within sixty (60) days of receiving the Auditor's Report, and at the Administrative Offices.

10. Borrowing Resolution

If required, the Authority shall establish a borrowing resolution, which may be renewed as needed. The signing officers are empowered to arrange for the borrowing of the funds necessary for approved projects and programs of the Authority.

11. ~~Levy~~ Apportionment Notice

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

12. Signing Officers

All deeds, transfers, assignments, contracts and obligations entered into by the Authority shall be signed by the Chair or the Vice Chair and the General Manager. These officers are empowered to sign such documents as are necessary for transactions approved by the Authority's Board of Directors.

Other signing officers for operational purposes include all Unit Managers and others engaged in day to day signing activities. Examples of such transactions are issuing payroll, and making payments for purchases, by either cheque for Electronic Funds Transfer (EFT). Two signers shall verify each payment just as two people shall be involved in executing funding agreements, contracts and investment transactions. Those other staff positions are:

- Manager, Community and Corporate Services
- Manager, Water and Information Management
- Manager, Integrated Watershed Management
- Manager, Environmental Planning and Regulations
- Manager, Lands, Facilities and Conservation Areas
- Supervisor, Finance and Accounting
- Financial Analyst
- Payables and Payments Administrator
- Human Resources Coordinator
- Human Resources/ Payroll

Any changes to Signing Officers will be disclosed annually to the Board in the Factual Certificate.

13. Executive Committee

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

14. Advisory Boards and Other Committees

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

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

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

Each advisory board or committee shall report to the Board of Directors, presenting any recommendations made by the advisory board or committee.

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

The election of the Advisory Board and Committees shall be held at the first meeting held each year and will follow the Authority's Procedures for Election of Officers (Appendix 2).

Advisory Boards of the Upper Thames River Conservation Authority are:

a. The Finance & Audit Committee

The Finance and Audit Committee is a Standing Committee that meets at the call of the Finance and Audit Committee Chair. The Committee consists of the Chair, the Vice-Chair, and no fewer than one, but no more than three other members shall be

elected from the Board. A Committee Chair will be elected at the first meeting of the year.

- b. **Hearings Committee** (this fills the role of the **Executive Committee**)
The Hearings Committee is a Standing Committee that meets at the call of the Chair and follows the [Hearing Guidelines for Conducting Hearings Pursuant to the Section 28 of the Act](#). The Committee consists of the Chair, Vice-Chair, the Past Chair provided they are a member of the Authority, and two other members shall be elected from the Board. The Hearings Committee shall also serve as Executive Committee when required; however, the practice of the Board is to deal with all matters before the whole Board rather than an Executive Committee.
- c. **Source Protection Striking Committee** The UTRCA also sits as the Source Protection Authority pursuant to the Clean Water Act and Regulations or Minister's direction. The *Clean Water Act, 2006* requires that the Source Protection Authority for each Source Protection Region, form, and maintain, a Source Protection Committee. In the Thames-Sydenham and Region, the Upper Thames River, Lower Thames Valley and St. Clair Region Source Protection Authorities share this role. The Striking Committee shall have one representative from each Source Protection Authority to carry out the responsibilities related to the formation and maintenance of the Source Protection Committee. The Source Protection Authorities' General Managers and the Program Coordinator provide support to the Striking Committee.

15. Remuneration of Members

The Authority shall establish a per-diem rate ~~from time to time~~ to be paid to Members for attendance at General Meetings and Advisory Board or Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the General Manager / Secretary-Treasurer. ~~The per diem rate of remuneration for board members shall be set using the Province of Ontario's Agencies and Appointment Directive Schedule A, Level 1, Members.~~ In addition, an honorarium may be approved by the Authority for the Chair and Vice-chair as compensation for their additional responsibilities ~~and shall be updated annually as per the annual salary grid adjustments for Authority salaried and contract staff.~~ A single per-diem will be paid for attendance at more than one meeting if they occur consecutively on the same day. If no quorum is present, the per diem rate shall be paid to those in attendance.

Remuneration of the Member appointed by the Minister as a representative of the agricultural sector is at the expense and discretion of the Province.

The Authority shall reimburse Members' reasonable travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority. A per-kilometre rate to be paid for use of a personal vehicle shall be ~~updated annually to reflect the Department of Finance Canada's annual automobile income tax deduction limits and expense benefit rates, approved by Resolution of the Board of Directors from time to time.~~ Requests for such reimbursements shall be submitted within a timely fashion and shall be consistent with Canada Revenue Agency guidelines.

16. Records Retention

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

- i. Minutes of all meetings of the Authority, including registries of statements of interests in accordance with the *Municipal Conflict of Interest Act*;
- ii. Assets, liabilities, receipts and disbursements of the Authority and Financial Statements and Reports of the Auditors;
- iii. Human Resources Files for all employees and Members as applicable;
- iv. Workplace Health and Safety documents including workplace inspections, workplace accidents, investigations, etc.;
- v. Electronic Communications including emails
- vi. Contracts and Agreements entered into by the Authority;
- vii. Strategic Plans and other documents providing organizational direction;
- viii. Projects of the Authority;
- ix. Technical Studies and data gathered in support of Programs of the Authority;
- x. Legal Proceedings involving the Authority;
- xi. Incidents of personal injury or property damage involving the Authority and members of the public.

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

17. Records Available to Public

Records of the Authority shall be available to the public as required pursuant to, the *Municipal Freedom of Information and Protection of Personal Privacy Act* (MFIPPA) and further to O. Regulation 400/22 Information Requirements.

~~The General Manager shall act as head of the Authority for the purposes of MFIPPA. The Chair of the Authority shall act as head of the Authority for the purposes of MFIPPA and responsibility for administration related to MFIPPA shall be delegated to the General Manager.~~

18. By-law Review

In accordance with the Act, these by-laws shall be reviewed by the Authority to ensure the by-laws are in compliance with the Act and any other relevant law. The Board of Directors shall review the by-laws annually to ensure best management practices in governance are being followed.

19. By-law Available to Public

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

20. Enforcement of By-laws and Policies

The Board members shall respect and adhere to all applicable by-laws and policies (for example, the Code of Conduct and Conflict of Interest, Appendix 1 and Schedule A, respectively). The Authority may take reasonable measures to enforce its by-laws and policies, including the enforcement mechanisms under the *Municipal Conflict of Interest Act*. The procedure for enforcement shall be as follows:

- 20.1 Board members are encouraged to resolve disagreements and conflicts through one-on-one discussion in order to remedy a behaviour or activity contrary to the UTRCA policies. However, it is not required to have a discussion prior to pursuing the Formal Complaint Procedure as described below:
- 20.2 The Formal Complaint Procedure shall be as follows:
- a) A dated signed written complaint detailing the relevant particulars shall be submitted to the General Manager;
 - b) Upon receipt of the complaint, the General Manager or designate shall prepare an information package to provide to the Board in closed session at a regularly scheduled meeting advising that a complaint was received. A report shall include the following information subject to any requests to maintain privacy (and administered in accordance with applicable privacy legislation):
 - i. The Complaint: names of alleged offender and complainant, date the written complaint was received etc.;
 - ii. A copy of the Policies that are relevant;
 - iii. Such other information or documentation that the General Manager/Secretary Treasure or designate deems relevant,
 - c) An investigation will be conducted regarding the alleged breach. The Board may choose to engage an independent investigator to investigate the alleged breach.
 - d) The findings of the investigation and the Board Member's response will be communicated to the Board in a closed meeting within 60 days of the receipt of the information package.
 - e) The Board Member will be given a reasonable opportunity as established by the Board to respond to the allegation.
 - f) The Board may choose to enforce the regulation or policy following debate by, among other things, including but not limited to the following:
 - i. Requesting adherence to the regulation or policy in the future;
 - ii. Imposing procedures to monitor adherence to the regulation or policy in future;
 - iii. If the member is chair or vice chair of a committee of the Board or advisory board, removing the member from that position; or
 - iv. Recommending to the municipality that the appointed member that the appointment be revoked, and a replacement be appointed.
 - g) The information package, outcome of the investigation, and decision of the Board shall be forwarded to the Board Member's appointing municipality and the integrity commissioner of the Board Member's appointing municipality to inform them of the complaint.

21. Indemnification of Members, Officers and Employees

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

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

C. Meeting Procedures

The Meeting Procedures below governing the procedure of the Authority shall be observed in Executive Committee and Advisory Board meetings, as far as they are applicable, and the words Executive Committee or Advisory Board may be substituted for the word Authority as applicable. When the Authority or Executive Committee, as the case may be, are sitting as a Hearing Board, hearings will meet the requirements of the *Statutory Powers and Procedures Act SPPA*, the details of which are specified in the *UTRCA Hearing Guidelines for Conducting Hearings Pursuant to Section 28 of the Conservation Authorities Act*.

1. Rules of Procedure

- 1.1 In all matters of procedure not specifically dealt with under the Act and this By-law, Parliamentary Procedure, as specified in Robert's Rules of Order Simplified and Applied, Third Edition, will be followed.

2. Notice of Meeting

- 2.1 The Board of Directors shall approve a schedule for regular meetings in November for the upcoming year. The schedule will be posted to the Authority website December 1st. The Secretary-Treasurer shall send Notice of regular meetings to all Members at least seven calendar days in advance of a meeting. Such notice shall include time, place, agenda, and shall be posted on website. Notice of all regular or special meetings of the Board of Directors or its committees shall be made available to the public no later than one business day after it is delivered to the Board of Directors.
- 2.2 Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.
- 2.3 Communications to be dealt with by the Authority shall be delivered to the Secretary-Treasurer ten days in advance of the meeting where it is to be dealt with if it is to be included in the published agenda, or one to seven days if it is to be introduced at the meeting.
- 2.4 The Chair may direct the Secretary-Treasurer, to call a special meeting of the Authority as necessary on three calendar days' notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Upon petition of the majority of the members the Secretary-Treasurer shall call a special meeting of the Authority and only that business cited on the petition shall be considered at that special meeting.
- 2.5 The Chair in consultation with Secretary-Treasurer/General Manager may cancel, postpone, or reschedule electronically a meeting in the case of actual or pending inclement weather or other urgent situation, by notice in writing or email delivered to the members so as to be received by them at least 12 hours where practical before the hour appointed for the meeting. Postponement shall not be for any longer than the next regularly scheduled meeting date.

3. Meetings Open to Public

- 3.1 All meetings of the Board of Directors and Committees, shall be open to the public as per Section 15(3) of the Act . Where possible, the Authority will provide for alternative means for the public to participate in meetings electronically.
- 3.2 A meeting or part of a meeting may be closed to the public if the subject matter being considered is identified in the closed meeting section of the Agenda or arises during a meeting requiring that it be closed to the public at the time that the matter is raised at a meeting, and the subject matter meets the criteria for a closed meeting as defined in Section C.12 in this by-law.

4. Agenda for Meetings

- 4.1 Authority staff, under the supervision of the Secretary-Treasurer, shall prepare an agenda for all regular meetings of the Authority.
- 4.2 An agenda which shall include, but not necessarily be limited to, the following headings:
1. Territorial Acknowledgement
 2. Modifications to the Agenda
 3. Declaration of Pecuniary Interest
 4. Presentations/Delegations
 5. Administrative Business
 - i. Approval of Minutes of Previous Meeting
 - ii. Business Arising from Minutes
 - iii. Correspondence
 6. Reports – For Consideration
 7. Reports – In Camera
 8. Reports – Information
 9. Reports – Committee Updates
 10. Notices of Motion
 11. Chair's Comments
 12. Members Comments
 13. General Manager's Comments
 14. Adjournment
- 4.3 The agenda for special meetings of the Authority shall be prepared as directed by the Chair or petition.

5 Quorum

- 5.1 At any meeting of the Authority, a quorum consists of one-half of the members appointed by the participating municipalities, except where there are fewer than six such members, in which case three such members constitute a quorum (per s16(2) CAA). Note: the member appointed by the Minister to represent agricultural interests is not part of quorum.
- 5.2 If there is no quorum within one quarter hour after the time appointed for the meeting, the meeting shall stand adjourned due to a lack of a quorum. The recording secretary shall record the names of the Members present and absent.
- 5.3 If during an Authority or Advisory Board or Committee meeting a quorum is lost and not regained within fifteen minutes of quorum being lost, then the meeting shall stand adjourned,

until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law.

- 5.4 Where the number of Members who are disqualified from participating in a meeting due to the declaration of a pecuniary interest is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two. Municipal conflict of interest act R.S.O 1990, c. .50, s. 7.(1).

6 Order of Business

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

7 Debate

- 7.1 The Authority shall observe the following procedures for discussion/debate on any matter coming before it:
- a) A Member shall be recognized by the Chair prior to speaking;
 - b) Where two or more Members wish to speak, the Chair shall designate the Member who has the floor, who shall be the Member who in the opinion of the Chair was first recognized;
 - c) All questions and points of discussion shall be directed through the Chair;
 - d) Motions shall be moved and seconded before debate;
 - e) No Member shall speak more than once to the same question without leave from the Chair, except in explanation of a material part of the speech;
 - f) No Member shall speak more than 10 minutes without leave of the Chair;
 - g) Any Member may ask a question of the previous speaker through the Chair;
 - h) The Member who has presented a motion, other than a motion to amend, postpone, refer, lay on the table, or other subsidiary motion, may speak again to the motion immediately before the Chair puts the motion to a vote;
 - i) When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer the question, to vote on the motion, or to adjourn;
 - j) When a main motion is under consideration, only one amendment is permitted at a time. It cannot be in opposition to the main motion. Only one amendment may be permitted to an amendment.
 - k) To reconsider a vote on a motion, only a member who voted on the prevailing side can make the motion requiring a majority vote to adopt. Members must make this motion at the same meeting in which the vote was taken and cannot be reconsidered.

8 Members' Attendance

- 8.1 The Authority shall provide a listing of Members' attendance as part of each meeting's published minutes.
- 8.2 Where a vacancy occurs, the Authority shall request the municipality that was represented by that Member appoint a Member replacement.

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

9 Electronic Meetings and Participation

Electronic meetings are permitted, and the Meeting Procedures identified in this by-law apply.

A Member can participate electronically in a meeting that is open or closed to the public and in either case may be counted in determining whether a quorum of members is present at any point in time. Electronic meetings must permit all participants to communicate adequately with each other during the meeting. For open electronic meetings, the public must have the opportunity to observe electronically all that Members can hear and see at the meeting.

- 9.1 Electronic participation in meetings shall be permitted during any period of time. For further clarity, any hearing or appeal that is dealt with in this By-Law may be conducted as a hybrid meeting with provisions for applicants and their agents to participate if the Hearings Committee decides to hold any such hearing or appeal as an electronic or hybrid meeting. All such meetings shall be open to the public unless the meeting is closed to the public pursuant to Section C.3 of this By-Law. The General Manager, in consultation with the Administrative Assistant, may direct that a Board of Directors, Executive Committee, advisory board or other committee meeting be conducted electronically or as a hybrid meeting, via a meeting platform.
- 9.2 A Board Member shall be permitted to participate by electronic means in any Board of Directors, Executive Committee, advisory board or other committee meeting. Any Member participating by electronic means shall have the ability to:
- a) register a vote;
 - b) be counted towards determining quorum for both open and closed session; and
 - c) participate in a meeting that is closed to the public.
- 9.3 The Board Member or advisory board member who wishes to participate by electronic means shall provide the Administrative Assistant a minimum of 48 hours' notice, or as much time that is practically required to ensure appropriate preparations for a hybrid meeting.
- 9.4 Members attending by electronic means that is closed to the public shall declare at the start of the closed session that they will maintain the confidentiality of the closed session through ensuring that they are alone and that any discussions cannot be overheard.
- 9.5 Electronic meetings shall be conducted in accordance with the procedures established by the Administrative Assistant for facilitating electronic participation, which will ensure the adequate communications during the meeting and allow members of the public to hear and observe meetings open to the public. Procedures will not be contrary to prevailing Provincial legislation, order or direction.
- 9.6 All meetings of the Board of Directors, Executive Committee, Advisory Committees, and other meetings as directed by the Chair, will be livestreamed except in times of technological failure (e.g., Internet or power outage, system crash). Meeting recordings shall be made publicly available for later viewing. Failure to livestream or produce a recording does not call the meeting into question.

10 Delegations

- 10.1 Any person or organization desiring an opportunity to address the Authority may make a request in writing to the General Manager ten (10) days in advance of a scheduled meeting if such a request is to be included in the agenda of that meeting. A detailed brief of their presentation, including any presentation materials to be used, outlining the request/direction the presenter is seeking from the Standing Committee or the Board and if applicable, the name, address and telephone number of any person(s) or organization they represent. The brief will form part of the official record of the proceedings of Committee or the Board and therefore will be a public document.
- 10.2 The General Manager is empowered to seek clarifications from the person or organization if the submitted statement is ambiguous and/or requires further explanation.
- 10.3 Any person or organization requesting an opportunity to address the Authority related to a specific agenda item, but not having made a written request to do so in the timelines specified above, may register as a delegation through the Office of the General Manager / Secretary-Treasurer up to two business days immediately preceding a meeting of the General Membership or shall be listed on the published agenda for the following meeting. Registered delegations may address the Authority by joining the meeting electronically or in person. Presentation materials related to the delegation shall be provided to Authority Members at least two business days in advance of the meeting.
- 10.4 The Board Chair, in consultation with the General Manager, maintains the right to refuse any delegation request, regardless of having the notice requirements met, for reasons they identify, including, but not limited to, agenda /meeting management and issues outside of UTRCA mandate. It shall be the responsibility of the General Manager to communicate this decision to the individual(s) applying for a delegation.
- 10.5 Delegations shall be limited to a time of not more than ten (10) minutes. Board Members may limit or extend the time allowed for a presentation by a majority vote.
- 10.6 Delegations may participate in-person or virtually/electronically. Those wishing to participate electronically shall provide the Administrative Assistant 48 hours notice.
- 10.7 Delegations shall be limited to not more than two (2) per Board meeting.
- 10.8 Delegations must abide by this by-law and interpretations by the Chair. They shall abide by any decisions of the Board Chair and shall not enter into cross debate with members, other delegations, or staff. Any discourse between members and the delegation will be limited to members asking questions for clarification and obtaining additional, relevant information only.

11 Annual Meeting

- 11.1 The Authority shall designate one meeting of the Board of Directors each year as the annual meeting before March 1st and shall include the following items on the agenda, in addition to the normal course of business:
- a) Approvals of the Budgets and Apportionment Levies
 - b) Service Awards

12 Meetings with Closed “In Camera” Sessions

- 12.1 Every meeting of the Board of Directors, Executive Committee and Advisory Boards, shall be open to the public as per Section 15(3) of the Act, subject to the exceptions set out below by this by-law, in conformity with section 239 of the Municipal Act which is appended to this by-law as Schedule B as amended from time to time.

12.412.2 The Authority shall close a meeting if the subject matter relates to the consideration of a request under MFIPPA, and the designated Head of the Authority for the purposes of MFIPPA is present.

12.212.3 Before holding a meeting or part of a meeting that is to be closed to the public, the Members shall state by resolution during the open session of the meeting that there will be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting. If the authority reconvenes in open session following a closed meeting, the Chair may provide a brief summary of the closed meeting proceedings.

12.312.4 The Board of Directors shall not vote during a meeting that is closed to the public, unless:

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

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

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

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

12.7 See Section C.9.4 of this By-Law for members attending by electronic means.

13 Voting

13.1 In accordance with Section 16 of the Act:

- a) each Member is entitled to one vote, including the Chair, and a majority vote of the Members present at any meeting is required upon all matters coming before the meeting, except for voting on the benefit-based apportionment as required under the Budget and Apportionment O.Reg 402/22(see below).

13.2 Where a member has been appointed by the Minister as a representative of the agricultural sector, the member shall not vote on:

- a) A resolution to enlarge an Authority's area of jurisdiction;
- b) A resolution to amalgamate the Authority with another Conservation Authority;
- c) A resolution to dissolve the Authority; or
- d) A resolution related to any budgetary matter

13.3 If any Member who is qualified to vote abstains from voting, they shall be deemed to have voted in the negative.

13.4 On a tie vote, the motion is lost.

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

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

~~At the meeting of the Authority where Members review the amounts owing and approve the levy and Final Budget, the Secretary-Treasurer shall conduct the vote to approve the levy and apportionment methods by a Weighted Majority of the Members present and eligible to vote, in accordance with Budget and Apportionment Ontario Regulation 402/22. This shall be a recorded vote.~~

14 At the meeting of the Authority at which the municipal apportionment is to be approved, the Secretary-Treasurer shall conduct the vote to approve the apportionment by a Weighted Majority of the Members present and eligible to vote, in accordance with Ontario Regulation 402/22 Budget and Apportionment.

~~13.7~~14.1 Where a question under consideration contains more than one item, upon the request of any Member, a vote upon each item shall be taken separately.

~~13.8~~14.2 Except as provided in Section B.6 of this By-law (Election of Chair and Vice-Chair), and B.14 of this By-law (Advisory Boards and Other Committees), no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

1415 Notice of Motion

~~14.1~~15.1 Written notice of motion to be made at an Authority, executive committee, advisory board or committee meeting may be given to the Secretary-Treasurer by any Member of the Authority no less than seven business days prior to the date and time of the meeting and shall be forthwith placed on the agenda of the next meeting. The Secretary-Treasurer shall include such notice of motion in full in the agenda for the meeting concerned.

~~14.2~~15.2 Any motion may be introduced without notice if the Board of Directors, without debate, dispenses with the notice requirement, on the affirmative vote of at least two thirds of the members present and voting.

1516 Duties of the Meeting Chair

~~15.1~~16.1 It shall be the duty of the Chair, with respect to any meetings over which they preside, to:

- a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;

- b) Receive and submit to a vote all motions presented by the Members, which do not contravene the rules of order or regulations of the Authority;
- c) Announce the results of the vote on any motions so presented;
- d) Adjourn the meeting when business is concluded;
- e) Perform other duties as necessary;
- f) Ensure no person interferes or disrupts the proceedings of the Members;
- g) May expel any person for improper conduct at a meeting.

1617 Conduct of Members

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

16.217.2 No Member at any meeting of the Authority shall:

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

1718 Minutes of Meetings

17.118.1 The Secretary Treasurer or a person acting under their direction shall be in attendance at meetings of the Authority, the Executive Committee and each advisory board or committee as recording secretary. The recording secretary shall make a record in the form of minutes of the meeting proceedings and shall record all motions considered at the meeting.

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

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

17.418.4 After the minutes have been adopted by resolution, original copies shall be signed by the Secretary-Treasurer and copies of minutes of all open meetings shall be posted on the Authority's website. Draft minutes shall be made available for review on the Authority's website within 30 days of the meeting. Minutes shall be made available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

D. Appendices and Schedules to the Administrative By-law

Appendix 1 - Code of Conduct

1. Background

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

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

This Code of Conduct will also assist Members in dealing with confronting situations not adequately addressed or that may be ambiguous in Authority resolutions, regulations, or policies and procedures. Additionally, the agricultural representative appointed by the Minister will be required to follow the provincial ethical framework set out for government public appointees in the Management Board of Cabinet's Agencies and Appointments Directive.

2. General

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

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

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

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

3. Gifts and Benefits

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

- i. Board Members may only accept gifts and benefits according to prescribed rules outlined in this Code of Conduct. To ensure impartial and transparent decision-making, Board Members may only accept gifts and benefits under certain conditions.
- ii. Board Members may only accept gifts that are received as part of normal protocol or social obligation. Board Members may only receive a gift, hospitality or entertainment that is received as an incident of protocol or social obligation that normally accompanies the responsibilities of being a member of the UTRCA Board. For example, if a Board Member is asked to speak at a meeting or function as a representative of UTRCA, the Board Member may accept a gift given as a gesture of thanks for their time and effort. In these cases, there would be no perceived obligation or special consideration being placed on the Board Member.
- iii. Board Members shall not accept gifts that may be perceived to create any obligation or special consideration. Board Members shall not accept any gift, benefit, service, entertainment or hospitality which could be seen to compromise their decision on a matter or create any obligation or special consideration by an individual, group or organization.
- iv. A Board Member who receives a gift while acting as a representative of the UTRCA that they believe does not meet the tests described above must submit the gift to the General Manager for further consideration. When a Board Member receives a gift while acting as a representative of the UTRCA that does not meet the tests described above the Board Member will forward the gift to the General Manager. The General Manager will:
 - log the gifts received and;
 - return the gift received or;
 - direct the gift to a local charity and
 - send a letter of appreciation to the donor, where appropriate, advising their gift will benefit a local charity.

4. Confidentiality

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

All information, documentation or deliberations received, reviewed, or taken in a closed meeting or otherwise received in a confidential manner are to be maintained in confidence in perpetuity.

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

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

In the instance where a member vacates their position on the Board of Directors they will continue to be bound by MFIPPA requirements and this section.

Examples include but are not limited to:

- i. Human Resources matters;
- ii. Information about suppliers provided for evaluation that might be useful to other suppliers;
- iii. Matters relating to the legal affairs of the Authority;
- iv. Sources of complaints where the identity of the complainant is given in confidence;
- v. Items under negotiation;
- vi. Schedules of prices in tenders or requests for proposals;
- vii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions;
- viii. Information deemed to be "personal information" under MFIPPA.

5. Use of Authority Property

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

6. Work of a Political Nature

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

7. Conduct at Authority Meetings

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

8. Influence on Staff

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

9. Business Relations

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

No Member shall act as an agent before the Authority, the Executive Committee or an advisory board or committee of the Authority.

10. Encouragement of Respect for the Authority and its Regulations

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

11. Harassment

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

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

12. Breach of Code of Conduct

Any breach, or alleged breach, of the Code of Conduct for Board Members shall be investigated in accordance with Section B.20. - Enforcement of By-laws and Policies outlined in the Board of Directors Administrative By-law.

Appendix 2 - Procedure for Election of Officers

1. Voting

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

2. Acting Chair

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

3. Scrutineer(s)

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

4. Election Procedures

The Acting Chair shall advise the Members that the election will be conducted in accordance with the Act and the UTRCA Administrative By-Law Section B: Governance subsection 4 'Maximum Term for Chair and Vice Chair(s)' as follows:

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

If one Nominee:

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

If More than One Nominee:

- h) In the event of an election, each nominee shall be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing by surnames.

- i) Upon the acceptance by nominees to stand for election to the position of office, ballots shall be distributed to the Members by the scrutineers for the purpose of election and the Acting Chair shall ask the Members to write the name of one individual only on the ballot.
- j) The scrutineers shall collect the ballots, leave the meeting to count the ballots, return and advise the Acting Chair who was elected with more than 50% of the vote.

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

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

Schedule A – Municipal Conflict of Interest Act

Municipal Conflict of Interest Act

R.S.O. 1990, CHAPTER M.50

Consolidation Period: From April 19, 2021 to the e-Laws currency date.

Definitions

1 In this Act,

“child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of family; (“enfant”)

“controlling interest” means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; (“intérêts majoritaires”)

“council” means the council of a municipality; (“conseil”)

“elector” means,

(a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and

(b) in respect of a school board, a person entitled to vote at the election of members of the school board; (“électeur”)

“interest in common with electors generally” means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; (“intérêt commun à tous les électeurs”)

“judge” means a judge of the Superior Court of Justice; (“juge”)

“local board” means a school board, board of directors of a children’s aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; (“conseil local”)

Note: On a day to be named by proclamation of the Lieutenant Governor, the definition of “local board” in section 1 of the Act is amended by striking out “police services board” and substituting “police service board”. (See: 2019, c. 1, Sched. 4, s. 35)

“meeting” includes any regular, special, committee or other meeting of a council or local board, as the case may be; (“réunion”)

“member” means a member of a council or of a local board; (“membre”)

“municipality” includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; (“municipalité”)

“parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family; (“père ou mère”)

“school board” means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; (“conseil scolaire”)

“senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; (“dirigeant”)

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. (“conjoint”) R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219; 2016, c. 23, s. 58; 2021, c. 4, Sched. 11, s. 23 (1-3).

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 156 (1) - 01/01/1998; 1999, c. 6, s. 41 (1) - 01/03/2000

[2002, c. 17, Sched. F, Table](#) - 01/01/2003

[2005, c. 5, s. 45 \(1, 2\)](#) - 13/06/2005

[2006, c. 19, Sched. C, s. 1 \(1\)](#) - 22/06/2006; [2006, c. 32, Sched. D, s. 10](#) - 01/01/2007

[2007, c. 8, s. 219](#) - 01/07/2010

[2016, c. 23, s. 58](#) - 01/01/2017

[2018, c. 3, Sched. 5, s. 37](#) - no effect - see [2019, c. 1, Sched. 3, s. 5](#) - 26/03/2019

[2019, c. 1, Sched. 4, s. 35](#) - not in force

[2021, c. 4, Sched. 11, s. 23 \(1-3\)](#) - 19/04/2021

Principles

1.1 The Province of Ontario endorses the following principles in relation to the duties of members of councils and of local boards under this Act:

1. The importance of integrity, independence and accountability in local government decision-making.

2. The importance of certainty in reconciling the public duties and pecuniary interests of members.

3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.

4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise. 2017, c. 10, Sched. 3, s. 1.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 1](#) - 01/03/2019

Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
 - (iii) is a member of a body,

that has a pecuniary interest in the matter; or

(b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3); 2021, c. 4, Sched. 11, s. 23 (4).

Section Amendments with date in force (d/m/y)

1999, c. 6, s. 41 (2) - 01/03/2000

[2005, c. 5, s. 45 \(3\)](#) - 13/06/2005

[2021, c. 4, Sched. 11, s. 23 \(4\)](#) - 19/04/2021

EXCEPTIONS

Where ss. 5 and 5.2 do not apply

4 Sections 5 and 5.2 do not apply to a pecuniary interest in any matter that a member may have,

(a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;

(b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;

(c) by reason of the member purchasing or owning a debenture of the municipality or local board;

(d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;

(e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;

(f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;

(g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;

(h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;

(i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;

(j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or

(k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1); 2017, c. 10, Sched. 3, s. 2.

Section Amendments with date in force (d/m/y)

[2002, c. 17, Sched. F, Table](#) - 01/01/2003

[2006, c. 32, Sched. C, s. 33 \(1\)](#) - 01/01/2007

[2017, c. 10, Sched. 3, s. 2](#) - 01/03/2019

DUTY OF MEMBER

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

(a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;

(b) shall not take part in the discussion of, or vote on any question in respect of the matter; and

(c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

Exception, consideration of penalty

(2.1) The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*:

1. Despite clauses (1) (b) and (c), the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.

2. Despite subsection (2), in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration. 2017, c. 10, Sched. 3, s. 3.

When absent from meeting at which matter considered

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 3](#) - 01/03/2019

Written statement re disclosure

5.1 At a meeting at which a member discloses an interest under section 5, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 4](#) - 01/03/2019

Influence

5.2 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the municipality or local board, or by a person or body to which the municipality or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Exception

(2) However, if a municipality delegates a power to suspend the remuneration paid to a member under subsection 223.4 (5) of the *Municipal Act, 2001* or subsection 160 (5) of the *City of Toronto Act, 2006* to a person or body, and the person or body is considering exercising that power with respect to a member, subsection (1) of this section does not prevent the member from attempting to influence any decision or recommendation of the person or body that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 4](#) - 01/03/2019

RECORD OF DISCLOSURE

Disclosure to be recorded in minutes

6 (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

Idem

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

REGISTRY

Requirement to establish registry

6.1 (1) Every municipality and local board shall establish and maintain a registry in which shall be kept,

- (a) a copy of each statement filed under section 5.1; and
- (b) a copy of each declaration recorded under section 6. 2017, c. 10, Sched. 3, s. 5.

Access to registry

(2) The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine. 2017, c. 10, Sched. 3, s. 5.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 5](#) - 01/03/2019

REMEDY FOR LACK OF QUORUM

Quorum deemed constituted

7 (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).

Application to judge

(2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

Power of judge to declare s. 5, 5.1 or 5.2 not to apply

(3) The judge may, on an application brought under subsection (2), by order, declare that section 5, 5.1 or 5.2 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3); 2017, c. 10, Sched. 3, s. 6.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 6](#) - 01/03/2019

ACTION WHERE CONTRAVENTION ALLEGED

Application

8 (1) An elector, an Integrity Commissioner of a municipality or a person demonstrably acting in the public interest may apply to a judge for a determination of the question of whether,

(a) a member has contravened section 5, 5.1 or 5.2; or

(b) a former member contravened section 5, 5.1 or 5.2 while he or she was a member. 2017, c. 10, Sched. 3, s. 7.

Six-week period

(2) An application may only be made within six weeks after the applicant became aware of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Exception

(3) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if all of the following conditions are satisfied:

1. The applicant applied to an Integrity Commissioner for an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* in accordance with those sections.
2. The Integrity Commissioner conducted an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* and the Commissioner,
 - i. has advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. has not completed the inquiry within the time limit set out in subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006*, or
 - iii. has terminated the inquiry under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*.
3. The application under this section includes a copy of the applicant's statutory declaration made under subsection 223.4.1 (6) of the *Municipal Act, 2001* or under subsection 160.1 (6) of the *City of Toronto Act, 2006*.
4. The application under this section is made within six weeks after the earlier of the following,
 - i. the day the Commissioner advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
 - ii. the last day on which the Commissioner is required under subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006* to complete the inquiry referred to in paragraph 2 of this subsection, and
 - iii. the day the inquiry was terminated under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

Same, application by Integrity Commissioner

(4) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if the applicant is an Integrity Commissioner and if the application relates to an inquiry conducted by the Commissioner under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

No application by Integrity Commissioner during regular election

(5) No application shall be made by an Integrity Commissioner of a municipality during the period of time starting on nomination day for a regular election, as set out in section 31 of the

Municipal Elections Act, 1996, and ending on voting day in a regular election, as set out in section 5 of that Act. 2017, c. 10, Sched. 3, s. 7.

Limitation

(6) Despite subsections (2), (3) and (4), no application shall be made after the sixth anniversary of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

Contents of notice of application

(7) The notice of application shall state the grounds for finding that the member or former member contravened section 5, 5.1 or 5.2. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 7](#) - 01/03/2019

Power of judge

9 (1) If the judge determines that the member or former member contravened section 5, 5.1 or 5.2, the judge may do any or all of the following:

1. Reprimand the member or former member.
2. Suspend the remuneration paid to the member for a period of up to 90 days.
3. Declare the member's seat vacant.
4. Disqualify the member or former member from being a member during a period of not more than seven years after the date of the order.
5. If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, if the party's identity is not readily ascertainable, to the municipality or local board, as the case may be. 2017, c. 10, Sched. 3, s. 7.

Same

(2) In exercising his or her discretion under subsection (1) the judge may consider, among other matters, whether the member or former member,

- (a) took reasonable measures to prevent the contravention;
- (b) disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner under the *Municipal Act, 2001* or the *City of Toronto Act, 2006* and acted in accordance with the advice, if any, provided to the member by the Commissioner; or
- (c) committed the contravention through inadvertence or by reason of an error in judgment made in good faith. 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 7](#) - 01/03/2019

10 REPEALED: 2017, c. 10, Sched. 3, s. 7.

Section Amendments with date in force (d/m/y)

1997, c. 31, s. 156 (2) - 01/01/1998

[2017, c. 10, Sched. 3, s. 7](#) - 01/03/2019

Appeal to Divisional Court

11 (1) An appeal lies from any order made under section 9 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1); 2017, c. 10, Sched. 3, s. 8.

Judgment or new trial

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

Appeal from order or new trial

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 8](#) - 01/03/2019

Proceedings not invalidated but voidable

12 (1) A member's failure to comply with section 5, 5.1 or 5.2 does not invalidate any proceedings in respect of a matter referred to in those sections, but those proceedings are voidable in the circumstances described in subsection (2). 2017, c. 10, Sched. 3, s. 9.

Declaring proceedings void

(2) Subject to subsection (3), if a member has failed to comply with section 5, 5.1 or 5.2 in respect of a matter referred to in those sections, the municipality or local board, as the case may be, may declare the proceedings to be void before the second anniversary of the date of the passing of the by-law or resolution authorizing the matter. 2017, c. 10, Sched. 3, s. 9.

Exception

(3) Subsection (2) does not apply if declaring the proceedings to be void would adversely affect the rights that any person who acted in good faith and without actual notice of the failure to comply with section 5, 5.1 or 5.2 acquired under or by virtue of the proceedings. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 9](#) - 01/03/2019

Other proceedings prohibited

13 (1) A proceeding that relates to a member's or former member's alleged conflict of interest and seeks a remedy described in subsection 9 (1) shall be brought only under this Act. 2017, c. 10, Sched. 3, s. 9.

Same

(2) Subsection (1) does not affect the power of a municipality or a local board to reprimand a member or suspend a member's remuneration under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 9.

Section Amendments with date in force (d/m/y)

[2017, c. 10, Sched. 3, s. 9](#) - 01/03/2019

GENERAL

Insurance

14 (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, 5.1 or 5.2 against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2); 2017, c. 10, Sched. 3, s. 10 (1).

Insurance Act does not apply

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in accordance with subsection 279 (2) of the *Municipal Act, 2001* or subsection 218 (3) of the *City of Toronto Act, 2006*, as the case may be. 2017, c. 10, Sched. 3, s. 10 (2).

Reserve funds

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

Local boards

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

Former members

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

Section Amendments with date in force (d/m/y)

1996, c. 32, s. 76 (1) - 06/03/1997

[2002, c. 17, Sched. F, Table](#) - 01/01/2003

[2006, c. 32, Sched. C, s. 33 \(2, 3\)](#) - 01/01/2007

[2007, c. 7, Sched. 27, s. 1](#) - 05/05/2008

[2009, c. 33, Sched. 21, s. 7](#) - 15/12/2009

[2017, c. 10, Sched. 3, s. 10 \(1\)](#) - 01/03/2019; [2017, c. 10, Sched. 3, s. 10 \(2\)](#) - 01/03/2018

Conflict with other Acts

15 In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.

Schedule B – Municipal Act Section 239

Municipal Act, 2001

S.O. 2001, CHAPTER 25

Consolidation Period: From December 9, 2021 to the e-Laws currency date.

Meetings

Meetings open to public

239 (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

Exceptions

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

Other criteria

(3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22.

Educational or training sessions

(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1).

Resolution

(4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,

- (a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- (b) in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection. 2001, c. 25, s. 239 (4); 2006, c. 32, Sched. A, s. 103 (2).

Open meeting

(5) Subject to subsection (6), a meeting shall not be closed to the public during the taking of a vote. 2001, c. 25, s. 239 (5).

Exception

(6) Despite section 244, a meeting may be closed to the public during a vote if,

- (a) subsection (2) or (3) permits or requires the meeting to be closed to the public; and
- (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board. 2001, c. 25, s. 239 (6).

Record of meeting

(7) A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not. 2006, c. 32, Sched. A, s. 103 (3).

Same

(8) The record required by subsection (7) shall be made by,

- (a) the clerk, in the case of a meeting of council; or
- (b) the appropriate officer, in the case of a meeting of a local board or committee. 2006, c. 32, Sched. A, s. 103 (3).

Record may be disclosed

(9) Clause 6 (1) (b) of the *Municipal Freedom of Information and Protection of Privacy Act* does not apply to a record of a meeting closed under subsection (3.1). 2006, c. 32, Sched. A, s. 103 (3).

To: UTRCA Board of Directors
From: Brent Verscheure, Manager, Lands, Facilities and Conservation Areas
Date: May 27, 2025
File Number: BoD-05-25-38
Agenda #: 6.3
Subject: Provincial Offences Officer Designation for Shane Butnari, Dustin Patrick and Carly Sing-Judge

Recommendation

That pursuant to section 30.1 of the Conservation Authorities Act, the Board of Directors appoints Shane Butnari as an officer for the purposes of enforcement and compliance with the regulation enacted under section 29 of the Act and on Upper Thames River Conservation Authority (UTRCA) owned or controlled property, as a requirement of the position of Land Management Technician,

and further,

That pursuant to section 30.1 of the Conservation Authorities Act, the Board of Directors appoints Dustin Patrick as an officer for the purposes of enforcement and compliance with the regulation enacted under section 29 of the Act and on Upper Thames River Conservation Authority (UTRCA) owned or controlled property, as a requirement of the position of Land Management Technician,

and further,

That pursuant to section 30.1 of the Conservation Authorities Act, the Board of Directors appoints Carly Sing-Judge as an officer for the purposes of ensuring compliance with the regulation enacted under section 28 of the Act and within the Upper Thames River watershed.

Background

The Board of Directors appoints as Provincial Offences Act (POA) Officers those full-time staff whose responsibilities include performing regulatory enforcement duties associated with Rules and Conduct in Conservation Areas, Ontario Regulation 688/21 and Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits made under the *Conservation Authorities Act*. Prior to the appointment, the individual being considered must provide proof of a clear criminal record (immediately prior to the appointment) as well as proof of prior enforcement officer training.

Shane Butnari has a B. Sc. Honours in Biology from Trent University, and Fish and Wildlife Technician and Technologist diplomas from Sir Sandford Fleming Collage. Shane's previous work experience includes five years with the MNR at the Ojibway Prairie Nature Reserve, ten years as a Field Ecologist with a consultant in Windsor, and as an Ecologist Planner with the City of London since 2021. Shane began his career with the UTRCA in 2024, as a Land Management Technician within our land management unit.

Dustin Patrick is a graduate of the Fish and Wildlife Diploma program from Sir Sandford Fleming Collage. Dustin has been with the UTRCA since 2016 as a Park Operation Technician at Fanshawe CA, Acting Assistant Superintendent at Pittcock CA and Land Management Technician with the ESA Management Program since 2024.

Carly Sing-Judge has been employed with UTRCA as a Land Use Regulations Assistant within the Environmental Planning and Regulations Unit since November 2024. Carly has a B. Sc. In Environmental Toxicology from University of Guelph and a Masters in Aquatic Toxicology from Wilfred Laurier University.

Shane, Dustin and Carly have all successfully passed the Level 1 Conservation Authority Compliance training alongside the UTRCA annual use of force training.

Prepared and Recommended by:

Brandon Williamson, Land Management Coordinator

Brent Verscheure, Manager, Lands, Facilities and Conservation Areas

Joe Gordon, Regulations Coordinator

Jenna Allain, Manager, Environmental Planning and Regulations

To: UTRCA Board of Directors
From: Chris Tasker
Date: May 27, 2025
File Number: BoD-05-25-39
Agenda #: 6.4
Subject: Water and Erosion Control Infrastructure Report

Recommendation

That the Board receives the Water and Erosion Control Infrastructure (WECI) report for information

Background

The Upper Thames River Conservation Authority (UTRCA) Board of Directors approved the 2024-25 and 2025-26 WEIC Projects, in June of 2024, with five Repair Projects, three Safety Projects and five Studies for year 1 (2024/2025) and one Repair Project, two Safety Projects and one Study for year 2 (2025/2026) along with their respective project budgets.

The proposed projects for the 2024-25 WEIC fiscal year (YEAR 1- April 1,2024 – March 31,2025) with their actual expenditures are summarized in the attached table 1. The total expenditure of the 2024-2025 WEIC projects is \$1,612,318.26, the amount previously approved.

The proposed projects for the 2025-26 WEIC fiscal year (YEAR 2- April 1,2025 – March 31,2026) with their cost estimates are summarized in attached table 2. The total estimated cost of the proposed 2025-2026 WEIC projects is \$4,450,000.00.

Summary

As expected with multi-year contracts, an amendment to the West London Dyke Construction Project is needed.

For (R.25.017) - West London Dyke Phases 8 through13 Construction project, and as per the original proposed schedule, the construction was planned for Summer 2025. However, due to site investigation outcomes and design amendment, the construction is now planned for Fall 2025. The Ministry of Natural Resources (MNR) and Infrastructure Canada through the Disaster Mitigation and Adaptation Fund (DMAF) will be updated once the budget revision is finalized.

The remaining three projects for the 2025-26 WECl fiscal year (YEAR 2- April 1,2025 – March 31,2026) are progressing as planned within time and budget.

Recommended by:

Chris Tasker, Manager Water and Information Management

Report Prepared by:

Huda Ghadhban , Engineering Coordinator

STUDIES, SAFETY PROJECTS AND REPAIRS PROJECTS

Table 1-YEAR 1- April 1,2024 – March 31,2025
(5 Repair Projects, 3 Safety Projects and 5 Studies)

Project ID-Name	Project Description	Project Cost Estimate
R.24.047- Fanshawe Dam- Access Elevator Assessment	SAFETY - The elevator has been inspected by TSSA, and it was not complying with TSSA standards and will need to be removed and replaced. The hoist has been removed. Replacement will be considered as a future project.	\$37,244.59
S.24.020 -Pittock Dam- Safety Boom Design	STUDY -As per the recommendation of the Dam Safety Review, a safety boom installation in the reservoir on the upstream side of the dam is a priority. The safety boom design has been finalized by the consultant. Implementation will be considered as a future project.	\$63,032.29
S.24.045 - R. Thomas Orr Dam- Safety Boom Design	STUDY- As per the recommendation of the Dam Safety Review, a safety boom installation in the reservoir on the upstream side of the dam is a priority. The safety boom design has been finalized by the consultant. Implementation will be considered as a future project.	\$63,238.78
R.24.053 - Wildwood Dam - Machine Guarding for Hoists	SAFETY - As per the recommendation of the Dam Safety Review, installing machine guarding for all four hoists is required to protect the operators from the moving mechanical parts. As per the available funding, only one hoist has been guarded. Other hoists will be considered as a future project.	\$11,611.29
S.24.041 - Wildwood Dam - Safety Boom Design	STUDY-As per the recommendation of the Dam Safety Review, a safety	\$71,360.65

Project ID-Name	Project Description	Project Cost Estimate
	boom installation in the reservoir on the upstream side of the dam is a priority. The safety boom design has been finalized by the consultant. Installation is planned in 2025 (R.25.034)	
R.24.052 -Wildwood Dam - Drainage Gallery & Relief Wells Detailed Design and Repair	REPAIR- As per the recommendation of the Dam Safety Review, some repairs and upgrades of the pressure relief wells, and the piping of the drainage gallery were necessary to meet the 2011 OMNR stability requirements. A condition assessment took place in 2023-2024 and the scope of work was determined for the repairs. A consultant has been involved in the design of the piping system. Repairs and replacement have been carried out by a contractor. Works are almost completed.	\$157,573.17
R.24.003-Fanshawe Dam- Safety Boom Installation	SAFETY - As recommended in the Dam Safety Review, a safety boom in the reservoir on the upstream side of the dam is required as a high priority. Design was completed in 2023. Installation of the safety boom has been completed.	\$762,530.13
R.24.045- Wildwood Dam - Valve Repair	REPAIR - A leak at one of the bypass valves requires fixing. Divers were involved in plugging the valve intake to facilitate repairs. UTRCA assessed the valve with the help of a technical representative from the supplier. Work has been completed, and monitoring continues to assess the process.	\$17,124.90
R.24.051-Nelson-Clarence Dyke rehabilitation	REPAIR- During routine inspections, it was noticed that there were	\$9,022.28

Project ID-Name	Project Description	Project Cost Estimate
	eroded sections and areas impacted from downed trees. Affected areas required restoration. A contractor was involved to remove the fallen trees, bring in new fill, and repair the damaged area. Work has been completed.	
R.24.054- R. Thomas Orr Dam - Gate Painting	REPAIR- As recommended in the Dam Safety Review, repairing and repainting severely corroded gates is a high priority. A contractor and a consultant were both engaged in the project. The south gate has been removed, sand blasted by the contractor, assessed by the consultant to determine the extent of the repairs, repaired, and repainted. Reinstalling the sluiceway is planned before the end of May. The north gate repairing and repainting to be considered a future project.	\$150,426.12
R.24.061- Mitchell Dam- Building Roof Replacement	REPAIR - During the asbestos removal project early 2024, a significant deterioration of the roof was identified. The truss and structural design of the new roof were prepared by an engineer; a contractor was involved in the roof replacement. Work has been completed.	\$16,975.35
S.24.040- West London Dyke Ph8-13 Design	STUDY- Background Details: As part of the master repair plan EA (2013) recommendations, reconstruction of the West London Dyke was required to improve the stability standards, height requirements and regulatory flood level plus freeboard. Phases (1-7) have been reconstructed, rehabilitated, and substantially completed. The remaining phases (8-13) are planned to be reconstructed through 2025-2027.	\$158,635.83

Project ID-Name	Project Description	Project Cost Estimate
	<p>Current Project: 90% of the detailed design package has been prepared by the consultant and is currently under review by the UTRCA and City of London. Public Meeting Update was held in early May 2025. Construction project (R.25.017) is planned for Fall 2025.</p> <p>Financial Details: Total expenditure for this project is \$246,584.2. 40% (\$87,948.37) of the total expenditures is covered by infrastructure Canada through the Disaster Mitigation and Adaptation Fund (DMAF). The remainder amount (\$158,635.83) is covered through WECl (\$150,000 only which is the approved WECl funding amount) and the remaining amount (\$8,635.83) will be levied to the City of London.</p>	
S.24.031- Wildwood Dam - Piezometers Installation & Stability Analysis	STUDY- As recommended in the Dam Safety Review, installation of piezometers and completion of the stability analysis on the concrete abutment walls and wingwalls was required. A consultant was engaged in the design and installation of the piezometers. Installation has been completed. The stability analysis project (S.25.032) using the data collected from the installed piezometers has been started.	\$93,542.88
Grand Total		\$1,612,318.26

Table 2-YEAR 2- April 1,2025 – March 31,2026
(1 Repair Project, 2 Safety Projects and 1 Study)

Project ID-Name	Project Description	Project Cost Estimate
R.25.056 - Dorchester Mill Pond-Public Safety	SAFETY - Railings across the dam spillway were upgraded in 2023 to meet current standards. This proposed safety work will complete a Public Safety Assessment and Plan; supply and installation of recommended signs; and additional improvements to safety railings and fencing.	\$25,000.00
R.25.017 - West London Dyke Ph8-13 Construction	REPAIR – This is a continuation of S.24.040- West London Dyke (Ph8-13) Design Project. Construction works were initially planned to be started in Summer 2025 and due to design amendment, the project schedule is now revised, and construction is planned in Fall 2025. The construction of phases (11 - 13) will be initiated in Fall 2025 and the construction of phases (9 & 10) will be initiated in 2026. The work is expected to continue through 2026/2027. Due to the revised schedule, revised cost estimation will be prepared as soon as we have the design packages completed and cost estimation submitted by the consultant. A similar approach of the design phase will be utilized for the construction phase in terms of DMAF and WECl funding.	\$3,500,000.00
R.25.034 - Wildwood Dam – Safety Boom Installation	SAFETY - This is a continuation of the Wildwood Dam-Safety Boom Design project (S.24.041). The installation project has been started, and the work will proceed to supply and install the safety boom.	\$865,000.00
S.25.032 - Wildwood Dam-Piezometers Installation	STUDY - This is a continuation of the Wildwood Dam - Piezometers Installation & Stability Analysis	\$60,000.00

Project ID-Name	Project Description	Project Cost Estimate
	project (S.24.031). The installation of the piezometers has been completed and the data collected from the piezometers will be used to complete the stability analysis project.	
Grand Total		\$4,450,000.00

To: UTRCA Board of Directors
From: Brandon Williamson, Land Management Coordinator
Date: May 27, 2025
File Number: BoD-05-25-40
Agenda #: 6.5
Subject: Draft UTRCA Encampment Response Strategy

Recommendation

THAT the Board of Directors approve the draft UTRCA Encampment Strategy to enable staff to receive input on the strategy from municipal partners and other interest holders, to end encampments on UTRCA owned or controlled lands.

Background

In recent years, staff have identified a substantial increase in illegal encampments throughout the watershed, specifically on UTRCA owned and controlled lands. Although the encampment issue can be divisive, our approach to the encampment situation is led with compassion and maintains a focus on human rights. Developing an encampment strategy and associated protocols will provide staff with the guidance and tools needed to deal with these challenging situations. Each encampment will require a unique and balanced approach, with a coordinated and collaborative commitment from a number of municipal partners, outreach organizations and other interest holders.

Discussion

The Draft Encampment Response Strategy provides a detailed process for staff to ensure the health and safety of everyone involved is a priority. The goals for each encampment situation are for the occupants to find suitable shelter, and UTRCA lands are restored to their natural state. There are several tools that we may use to deliver on our goals, including newly introduced provincial legislation. The *Safer Municipalities Act* proposes previously unavailable abilities, allowing municipalities and police services to remove encampments. This legislation, if passed, will allow the UTRCA to work more actively with our municipal partners, police services and other interest holders to clear encampments, without the consideration for judicial proceedings.

Summary

Staff will circulate the draft Encampment Response Strategy to municipal partners, outreach organizations and other interest holders. Input received will be used to finalize the Encampment Response Strategy.

Prepared by:

Brandon Williamson, Land Management Coordinator

Recommended by:

Brent Verscheure, Manager Lands, Facilities and Conservation Areas

Attachment: Draft UTRCA Encampment Response Strategy

Draft UTRCA Encampment Response Strategy [OBJ]

1.0 Background

The term encampment refers to emergency accommodation established by people who are unhoused on public property or privately-owned lands, often without permission. Encampments have always been a feature of homelessness in Canada. While there is no systemic data collection on the demographics of who lives in encampments, we know encampments represent an effort by unhoused people to claim their human rights to meet their most basic needs.

In recent years, staff have noticed a steady increase of encampments throughout the UTRCA watershed and specifically, on UTRCA owned and controlled lands. Unfortunately, these trends are expected to continue to rise. Encampment occupants experience incredible barriers to finding and securing safe, affordable, and appropriate housing options, particularly in the communities of their choice. While views on homeless encampments can be polarizing and divisive, it is imperative that we approach each encampment situation with compassion and a focus for a human rights-based approach.

Developing a homeless encampment strategy and joint protocols to effectively and appropriately deal with these challenges on UTRCA lands is needed, and will require enhanced cooperation, collaboration, and commitment from a wide array of municipal partners and other interest holders.

There has been precedence set in Ontario through court rulings where injunctions were sought by municipalities for municipally owned lands but not granted due to human rights violations. The *Safer Municipalities Act*, draft legislation under the banner of Ontario Taking Action to Protect Parks and Public Spaces would give the UTRCA the ability to work proactively with our municipal partners, police agencies and other industry partners, without the requirement of a court injunction for those more severe encampment situations.

2.0 Objective

The UTRCA's position regarding encampments is that we do not permit illegal encampments on any UTRCA property. Once identified, staff will work with occupants to schedule a vacancy date and removal of personal belongings and other materials. UTRCA staff will collaborate with municipal partners, police services and other agencies to establish and/or implement a plan to end illegal occupancy of UTRCA land in a timely

manner to ensure the health and safety of the occupants and the public/user groups, while minimizing any potential environmental impacts.

3.0 Purpose

The UTRCA Encampment Response Strategy was developed as a result of increasing numbers of encampments on UTRCA owned and controlled lands in recent years. The UTRCA has engaged municipalities, outreach organizations, and local and regional police services to guide and inform the process for working with unhoused individuals in encampments on UTRCA lands.

UTRCA response to encampments on UTRCA owned/managed property is to collaborate with municipal partners, outreach organizations and police services with a focus on human rights and freedoms, while prioritizing the health and safety of UTRCA staff, public user groups and the encampment occupants, while managing risk and liability to the Authority.

Encampment locations near flood prone areas, rail lines, utility corridors and roadways all present inherent dangers to occupants and staff required to respond to these higher risk areas. Removing occupants from these dangerous conditions reduces risk to both them and staff, which also reduces liability for the Authority.

Additionally, the UTRCA has consideration for the impact these encampments have on the environment including but not limited to biohazards, soil and water contamination, garbage, vegetation damage, slope destabilization and sensitive wildlife habitat degradation.

4.0 Risk based on Land Use Categories

UTRCA owned and controlled lands are identified in our Lands Strategy into 3 general management categories: Management area, Passive use recreation and Active use recreation. Management of lands within each category is operationally very different, considering the levels of risk to user groups. Active use recreation areas will require a higher level of management than passive use and management areas. Consequently, encampment response will require an appropriate level of action based on the land use category of the property, in order to ensure public safety and visitor experience is maintained at the highest standard possible. Therefore, encampments in active use areas may require an expedited response with additional resources when compared to rural passive recreation areas and management areas.

5.0 Site Assessment

As the landowner, the UTRCA has a responsibility to maintain our properties in a safe and sustainable manner, protecting life and property from natural hazards, conserving and enhancing natural heritage features, and providing recreational opportunities to the community.

UTRCA staff conduct risk management assessments on all UTRCA properties at regular intervals throughout the year that detail site conditions, identify hazards, classify risk and provide mitigation recommendations.

5.1 Outcomes

UTRCA staff will begin with an assessment of the encampment site to gather information that will inform next steps in the process and identify the appropriate agency(s) to be involved, including:

- Site-specific information and location – i.e. located within hazard lands or passive/active recreation areas;
- GPS encampment location to provide a map that will accompany pictures of the site conditions;
- Determine if the encampment is active or abandoned
- Confirm how many occupants and quantity/condition of structures, tents and other items;
- Assess equipment required for cleanup/removal of items and structures and tools/resources required to return the property to its original natural state
- Identify access and staging areas for cleanup activities

6.0 Outreach and Enforcement

When considering outreach and enforcement within these encampment environments, a very different approach may be required. A court injunction involves a legal request to the courts to allow police services to assist in removing unauthorized occupants from a property. Without a court injunction or additional legislation allowing agencies to remove encampments, some police services may not assist unless the circumstances are exigent in nature. The complexities of understanding the specific needs of this diverse community are challenging and beyond what UTRCA staff can offer and support. Instead, staff will engage and connect with the appropriate outreach services to ensure

a collaborative approach between the UTRCA, municipal partners, outreach organizations and police services. This approach is critical in providing the unhoused with necessary support and alternate shelter arrangements, while ending occupancy of UTRCA property. A flowchart is attached to highlight the process UTRCA will follow when responding to encampments on UTRCA lands.

6.1 Outcomes

- UTRCA staff will engage municipal partners and community outreach organizations early in the process to make connections with the unhoused and provide initial support;
- UTRCA staff will work with municipal partners and outreach organizations to assist in communicating UTRCA's position regarding unauthorized occupancy of Authority property, including a schedule to vacate the property and expectations during interim occupancy;
- UTRCA will collaborate and engage the local/provincial police service with enforcement at encampment sites if the unhoused exhibit violent behaviour and/or the occupants fail to recognize attempts by outreach workers to connect and communicate UTRCA expectations.

7.0 Site Cleanup and Waste Removal

When an encampment is found to be inactive or, upon completion of the process to relocate the occupants, the UTRCA will assess site cleanup requirements and initiate waste removal efforts at first opportunity or collaborate with municipal partners to begin site cleanup.

7.1 Outcomes

- UTRCA staff to determine if cleanup can be undertaken internally or through a contractor, capable of handling hazardous materials and/or biohazardous materials;
- Engage and collaborate with appropriate agencies to facilitate access to the site to develop a site cleanup and waste disposal plan, including bin location, staging area for equipment and materials and as needed, emergency plans and/or security services;
- Budget for cleanups will vary annually depending on data, trends, and anticipated needs. Where feasible, implement a cost share as identified in management agreements with our municipal partners or if encampments occupy land owned by the UTRCA or other agencies/landowners.

8.0 Relocation Plan

While the UTRCA does not have the expertise or ability to support relocation efforts, we will continue to engage in discussions to develop a relocation plan with our municipal partners and applicable agencies. This provides the UTRCA with an opportunity to ensure there is a continued effort to promote alternate living arrangements other than UTRCA lands and maintain communications between our partners.

9.0 Monitoring

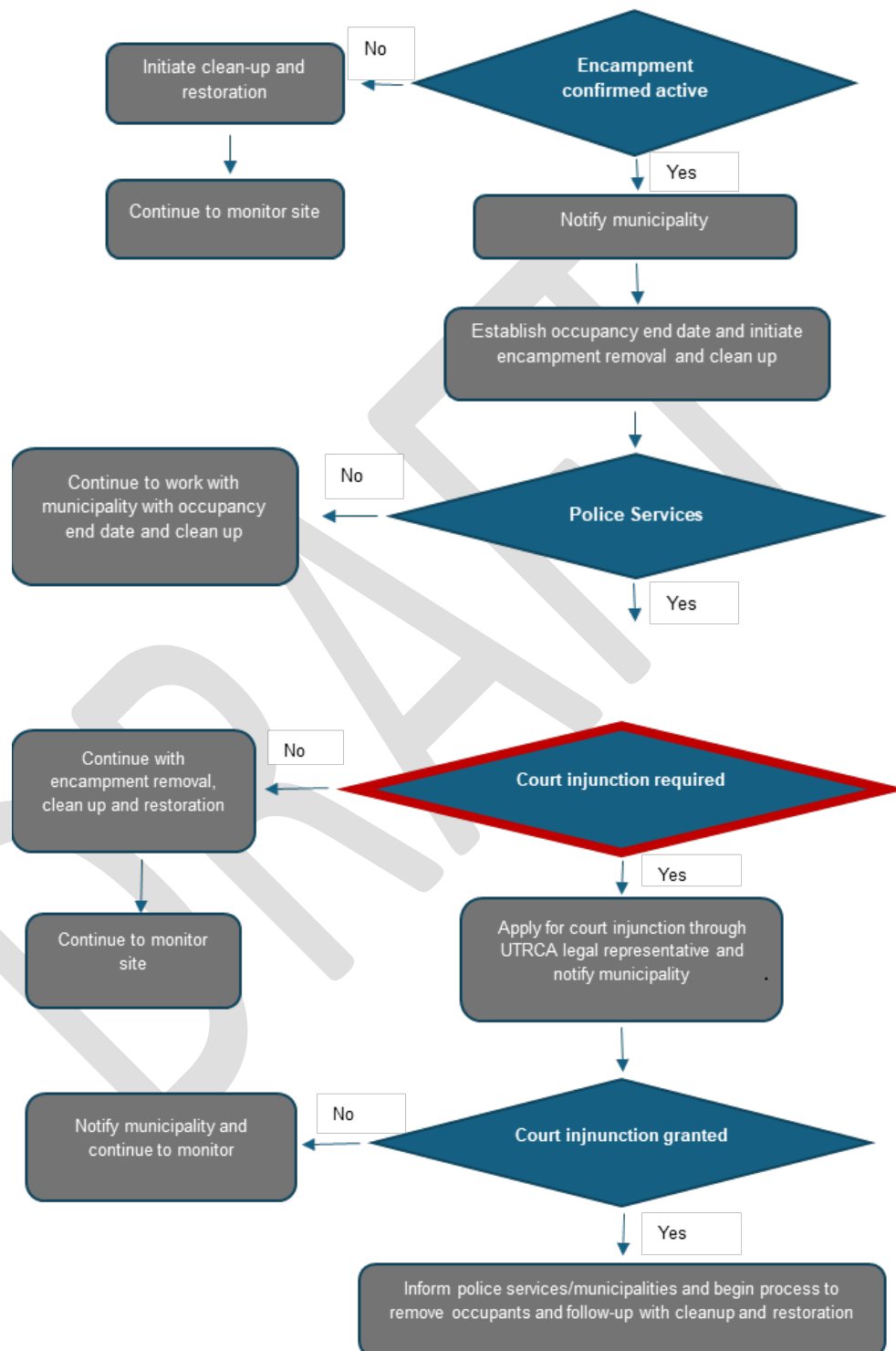
UTRCA staff will continue to monitor each encampment site while it is active and after encampment clean up. Responding to a new encampment quickly will allow staff to deliver a trespass notice to the occupants before they become established. Partner municipalities, partnering agencies and police services will be notified as soon as an active encampment is identified, in order ensure prompt response for outreach and enforcement, as required.

10.0 Summary

UTRCA is committed to collaborating with our municipal partners, outreach organizations, agencies, and local/provincial police services, to work towards the relocation of illegal occupants, site cleanup and remediation. The primary focus of this initiative is to ensure the health and safety of the occupants and user groups is at the forefront of our efforts, but also the environmental impacts to these sites, the community and the surrounding area.

We look forward to ongoing communication about how this strategy dovetails with applicable legislation, municipal homelessness efforts and annual work plans for all agencies involved.

UTRCA Encampment Response Strategy Flow Chart



APPENDIX A: Draft Legislation and Court Decisions

On January 27, 2023, Justice M.J. Valente of the Ontario Superior Court rejected the Regional Municipality of Waterloo's application for an injunction to evict individuals who were encamped on municipally owned property due to those individuals being in breach of a local by-law prohibiting such actions. The injunction application was rejected due to a violation of the homeless resident's Charter right to life, liberty and security.

It's important to note that this decision was related to municipally owned property and not private property. The UTRCA, like all conservation authorities in Ontario, works in partnership with all levels of government, landowners and other organizations. However, the UTRCA is a private, independent body with its own Board of Directors, members and mandate. It is not an agent of the Province of Ontario or of any municipality. The lands owned by the UTRCA are not public properties; rather they are private properties where the *Trespass to Property Act* applies.

The *Safer Municipalities Act* was introduced on December 12, 2024 to restore safety to parks and public spaces by ending encampments and cracking down on public use of illegal drugs. This legislation did not ascend to the legislature at that time due to the call of the provincial election, however, was reintroduced on April 30, 2025. If passed, this legislation would provide the UTRCA the additional tools necessary to work collaboratively with our municipal partners and other partnering agencies to clear encampments on UTRCA property, without the requirement of a court injunction. The ability to work directly with municipalities and police services without judicial processes saves time and reduces the financial burden on the UTRCA.

To: UTRCA Board of Directors
From: Joe Gordon, Regulations Coordinator
Date: May 14, 2025
File Number: BoD-05-25-41
Agenda #: 8.1
Subject: Administration and Enforcement – Section 28 Status Report

Recommendation

THAT the Board of Directors receive the Section 28 Status Report for information.

Background

The attached tables are provided to the Board as a summary of staff activity related to Section 28 of the *Conservation Authorities Act* and Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits. Table 2 covers staff activities and information for the month of April 2025.

Summary of 2025 Permit Activity To-Date (Jan - April):

- **88 permit numbers** have been assigned with **54 of those permits issued**.
- **Nine (9)** permits have been issued in 2025 where the application was submitted in 2024.
- **Five (5)** Hydro One Standard Compliance Permits have been issued.
- **12** Permit Extensions or Amendments have been issued.
- **100** Site Clearances for regulated properties where proposed development was reviewed and determined not to require a Section 28 Permit.

TOTAL Permits In-Progress:

There are currently **28 total permits in progress** where additional information is still required prior to processing the permit application. There are eleven (11) permits-in-progress from 2024 and one (1) from 2023 (ie. *Permit 209-23. The applicant has been provided verbal consent from UTRCA, but the permit will not be issued until associated planning approvals are in place*). 50% of those permits-in-progress are within the City of London. Twenty-four (24) permit numbers previously reported in annual reports have been canceled due to inactivity where the application was subsequently withdrawn or where no application form and/or applicable fee have been received.

The following table provides information on ALL permit in-progress in a tally format
Table 1: Permit In-Progress Tracker

YEAR	PERMIT #'S ASSIGNED	MORE INFORMATION REQUIRED	PERMIT ISSUED	HEARING DECISION	INACTIVE* (CLOSED)
2025	88	16	54	0	0
Permits in Progress (Prior Year Submission):					Prior Years
2024	219	11	185	4	19
2023	235	1*	229		5

The attached Table 2 provides further details of those permits issued in April 2025 and demonstrates compliance with processing timelines required by O. Reg. 41/24 unless otherwise stated.

Recommended by:

Jenna Allain, Manager, Environmental Planning and Regulations

Prepared by:

Joe Gordon, Regulations Coordinator
Jessica Schnaithmann, Land Use Regulations Officer
Mike Funk, Land Use Regulations Officer
Cari Ramsey, Land Use Regulations Officer
Dave Griffin, Land Use Regulations Assistant
Richard Brewer, Land Use Regulations Assistant
Carly Sing-Judge, Land Use Regulations Assistant

Section 28 Status Report – Summary of Permits Issued for 2025
Ontario Regulation 41/24

Report Date: April 2025

Application #	Municipality	Location	Category	Application Type	Project Description	Application Received	Response Notice	Notification of Complete Application	Permit Issued On	Comply with Timelines	Staff
50-24	London	952 Southdale Road West	Development	Major	New Commercial Plaza	14-May-24		03-Apr-25	26-Apr-25	YES	Funk
42-25	Middlesex Centre	154 Edgewater Blvd.	Municipal Project	Routine	Shed Construction	25-Mar-25	26-Mar-25	26-Mar-25	02-Apr-25	YES	Ramsey
46-25	West Perth	Lot 12, Concession 13	Municipal Drain	Minor	Install Stilling basin with rip-rap at upstream end of open channel on Branch C of 12th Concession Municipal drain	06-Mar-25	10-Mar-25	03-Apr-25	03-Apr-25	YES	Brewer
40-25	Perth South	Perth-Oxford Road, 0.9km east of Perth Road 113 (ROW south of Lot 4, Gore 9)	Municipal Project	Minor	Replacement of Str 108 - BR1584	28-Jan-25	14-Feb-25	26-Mar-25	04-Apr-25	YES	Brewer
41-25	South Huron	County Road 14, 0.5km south of Hulett McKillop Rd, ROW between Huron East (Lot1, Con12) and West Perth(Lot35, Con12)	Municipal Project	Minor	Replacement of BR1579 Str 14-11.7	05-Feb-25	25-Feb-25	25-Mar-25	04-Apr-25	YES	Brewer
39-25	Woodstock	468 Innovation Way - Maglin Trail	Municipal Project	Routine	Pedestrian Bridge at SWMF	14-Mar-25	21-Mar-25	07-Apr-25	07-Apr-25	YES	Griffin

Application #	Municipality	Location	Category	Application Type	Project Description	Application Received	Response Notice	Notification of Complete Application	Permit Issued On	Comply with Timelines	Staff
49-25	Perth East	5321 Perth Road 119	Development	Major	Renovations and Addition to Existing Single Family Dwelling	04-Apr-25	04-Apr-25	04-Apr-25	07-Apr-25	YES	Winfield
43-25	Middlesex Centre	Glendon Drive Roundabout - 25549 Coldstream Rd.	Municipal Project	Routine	Glendon Drive Roundabout and Coldstream Road Re-alignment	10-Mar-25	26-Mar-25	31-Mar-25	10-Apr-25	YES	Ramsey
48-25	Perth South	271 Flax Mill Road	Development	Major	Addition to Existing Single Family Dwelling	28-Mar-25	04-Apr-25	11-Apr-25	14-Apr-25	YES	Griffin
68-25	Thames Centre	20302 Fairview Road	Restoration/Creation	Minor	Wetland creation	03-Apr-25	15-Apr-25	15-Apr-25	16-Apr-25	YES	Ramsey
27-25	Stratford	426 Britannia Street	Development	Major	Replacement Residential / Office Building	19-Feb-25	19-Feb-25	15-Apr-25	17-Apr-25	YES	Griffin
61-25	West Perth	36 Riverview Street	Development	Routine	Deck Extension	13-Apr-25	17-Apr-25	17-Apr-25	22-Apr-25	YES	Griffin
33-25	Perth South	4518 Perth Line 20	Development	Major	Garage Addition & Septic Expansion	22-Feb-25	03-Mar-25	22-Apr-25	23-Apr-25	YES	Griffin
50-25	Blanford-Blenheim	17th Line	Linear Utility Corridor	Minor	DRMBON102_DP01_MC08 -New micro-conduits for fibre optic cables & utility poles/ anchor down guys	20-Mar-25	08-Apr-25	11-Apr-25	24-Apr-25	YES	Brewer
51-25	Blanford-Blenheim	Blandford Rd & Township Rd 5	Linear Utility Corridor	Minor	DRMBON105_DP01_MC04 - New micro-conduits for fibre optic cables & utility poles/ anchor down guys	20-Mar-25	08-Apr-25	11-Apr-25	24-Apr-25	YES	Brewer
52-25	Blanford-Blenheim	Blandford Rd & Township Rd 4	Linear Utility Corridor	Minor	DMBON_DP01_MC06 - New micro-conduits for fibre optic cables & utility poles/ anchor down guys	20-Mar-25	08-Apr-25	11-Apr-25	24-Apr-25	YES	Brewer
44-25	London	2114 Watroak Drive (Snake Creek)	Municipal Project	Minor	New Pedestrian Bridge	20-Mar-25	28-Mar-25	28-Apr-25	28-Apr-25	YES	Funk
74-25	Thames Centre	6143 Cobble Hills Rd	Municipal Drain	Minor	Drainage Rock Chute	28-Mar-25	28-Mar-25	29-Mar-25	28-Apr-25	YES	Ramsey

To: UTRCA Board of Directors
From: Tracy Annett
Date: May 27, 2025
File Number: BoD-0-25-42
Agenda #: 8.2
Subject: Project Status Updates

Recommendation

THAT the Board of Directors receive the report for information.

Background

To assist the Board with previously discussed items the following status updates are provided. This report is updated and included at each meeting to identify project timelines and expected future reports.

Discussion

The table below provides progress and estimated timelines associated with significant UTRCA projects and items identified by the Board of Directors requesting reports. As the Strategic Plan is completed, workplans deliverables will also be incorporated into the tables below.

Report Back Items	Planned report or update	Project lead(s)	Status
City of London 2026 Budget Request	April 2025	Tracy & Christine	In Progress – Draft initial response in April with additional updates to be provided through 2026 budget development
Green Leaders Participating Schools	April 2025	Karlee and Brad	In Progress – Requested details on Schools participating in Green Leaders Program. Details are provided and included as part of Community Engagement and Events update.
Hazard Mapping Consultation	August 2025	Jenna & Erin	In Progress - Hazard Mapping Consultation Thames River in the City of London Report was provided at September Meeting and Presentation in October 2024. Status update provided in April, next update expected in August
Land Options	June 2025	Brent &	In progress - As requested at the October

Report Back Items	Planned report or update	Project lead(s)	Status
(March 2025)		Tracy	meeting, report provided March 2025 with a report on options for parcels identified in closed session. Report with priorities expected in June.
Administrative Review / Interim Policies (March 2025)	Quarterly updates Jan-Mar Q1 Apr-June Q2 Jul-Sept Q3 Oct-Dec Q4 Next update at August Meeting	Jenna	Administrative Review Policy in November 2024 December - Environmental Policy Manual Updates and Interim Response Mechanisms: Discussion Papers 1) Overview and Discussion 2) Wetland Management Policies 3) Access Standards February – Floodplain Freeboard Interim Response (Administrative Review Report in no later than March 31, 2025) First report provided in March with next Quarterly report planned to include April to June at the August meeting
Section 28 Regulation Policies (March 2024, September 2024)	June 2025	Jenna	In Progress - Release of new Regulations on Friday February 16th, effective April 1, 2024. May 2024 Meeting included Technical Checklists and S28 Compliance Procedures Staff will continue to develop policies and procedures, and undertake consultation with municipalities, partners, and development groups, etc.
Children's Safety Village (June 2023, February 2024)	April	Teresa & Brent	Complete – Update provided at the April 2025 meeting. Future updates to be included with Day Use Plans.
Retention Policy	August	Tracy & Michelle	Overdue – updated retention policy to be prepared based on a collaborative CA draft. The CA draft has been legally reviewed. Aligning retention policies with integration of Microsoft 365 (file structure, naming conventions, etc.) Currently migrating from GroupWise to Outlook and Microsoft 365. FOI requests have delayed work on the policy.
Cyber Security	October – Postponed to June	Tracy Christine Chris	Overdue - Report to F&A – Staff to prepare a report on the current state of cyber security for the organization and any recommendations to improve to be presented to the Finance and Audit

Report Back Items	Planned report or update	Project lead(s)	Status
			Committee at the April meeting, in-camera. Directed staff for future updates. Report to the Board to follow.
UTRCA Asset Management Plan	May 2025	Brent & Christine	In progress - Groups of Assets e.g., Natural Hazard Infrastructure, Fleet, Facilities etc. Regular progress reports expected. (Note* suggested to add graphics similar to those used by the City of London in their asset management plans to identify overall condition of asset) Asset Management Policy – Approved January 2024
Land Tenant Program Update (Last update provided November 2024)	As required	Brent	In Progress – Ongoing status of land tenant program, in-camera. Report provided. Update provided in October. Verbal in-camera update in November. Future update as required
Phosphorus Reduction Program	June	Tatianna	In progress - Staff to provide a future update report on program uptake.

Definitions

Progress	Timeline
Not started	indicate project initiation date
In progress	anticipate completion date
Complete	date completed
Overdue	expected completion date and reasons for the delay
On Hold	other circumstances

Summary

The summary provided is intended to help track items requesting report updates to the Board and project updates. It is noted that items may be shifted to accommodate the number of agenda items, staff workload and board meeting schedules.

Recommended by:

Tracy Annett, General Manager

To: UTRCA Board of Directors
From: Mike Knox, Asset Management Specialist
Date: May 27, 2025
File Number: BoD-05-25-43
Agenda #: 8.3
Subject: Asset Management Program Updates

Recommendation

That this report is received for information.

Background

Implementing an asset management (AM) program is a critical step toward long-term efficiency and sustainability. Like other foundational initiatives, it demands careful coordination, ongoing evaluation, and seamless integration with existing systems. A well-structured AM program bridges the gap between strategic objectives and day-to-day operations, enabling more informed decision-making, optimizing resource utilization, and supporting sustainable, goal-aligned growth.

In 2024, the UTRCA completed its Natural Hazards Infrastructure Asset Management Plan and began aligning asset management efforts with its strategic goals for 2025. These efforts are essential to developing a scalable program that strengthens daily operations and long-term planning.

Discussion

Recognizing AM as a cornerstone of organizational outcomes, the adoption process is being carefully managed to align with staff workflows while minimizing disruption. For 2025, the AM work plan has identified the following three priority projects:

1. Enterprise Asset Management (EAM) Software Implementation
2. Building Asset Management Awareness (Asset Management Roadmap and Organizational Engagement)
3. Completion of Asset Management Plans for Flood Control and Flow Augmentation Dams

Enterprise Asset Management (EAM) Software Implementation

Staff are currently evaluating AM software to ensure the organization makes a sound investment that supports effective planning, decision-making, and long-term operations. The goal is to implement a centralized EAM solution that enhances asset tracking, facilitates condition and performance assessments, supports lifecycle management, and integrates with existing software to streamline operations.

As part of the evaluation process, several member municipalities and conservation authorities have been consulted to gather insights on software along with their implementation experiences.

The project remains on track; with software acquisition scheduled for 2025 with advisory services in place to ensure effective implementation and compliance.

Building Asset Management Awareness (Asset Management Roadmap and Organizational Engagement)

Asset management is not a one-time project or the responsibility of a single individual; it is an ongoing, organizational wide effort. To support this, staff have developed the UTRCA AM Roadmap: a modular, step-by-step guide that begins with foundational AM practices and aligns with current operations and strategies. As staff knowledge and organizational capacity grow, the roadmap expands to support more advanced processes. It also aligns with the *Federation of Canadian Municipalities – Asset Management Readiness Scale*, providing a framework to measure progress across key competencies.

Next steps include introducing core asset management principles across the organization through an interactive, collaborative process that builds staff understanding of AM's value and their role in its success. Priority is being given to staff responsible for managing the organization's most critical assets. This targeted approach supports deeper asset analysis and performance tracking, laying a strong foundation for future planning.

Natural Hazard Infrastructure - Asset Management Plan

The [Natural Hazard Infrastructure Plan](#) recommends that staff develop asset management plans for the flood control and low flow augmentation dams subclass. In collaboration with Water and Information Management unit staff, efforts are underway to coordinate tasks, establish timelines, and gather the necessary data specific to this asset subclass. Key tasks include building a detailed asset inventory, conducting condition assessments, developing maintenance plans, and supporting lifecycle management. These activities align with the recommendations found within the Natural Hazards Infrastructure Plan and will culminate in a financial strategy that ensures the long-term sustainability and performance of these critical infrastructure assets.

Collaboration

Management continues to recognize that staff are the cornerstone of the program's success and remain committed to supporting this at all levels within the organization. External interest holders from member municipalities have contributed to the scope of the asset management program, as well as collaborating to resolve previously incomplete data on jointly managed assets. Conservation Authorities with more advanced asset management maturity have shared valuable insights on green infrastructure (natural assets), helping to identify potential next steps for implementation. This collaboration underscores the critical importance of interoperability and reflects the UTRCA's commitment to effective communication, data sharing, and building a coordinated approach to sustainable asset management.

Summary

In summary, the UTRCA's asset management initiatives for 2025 are well underway, with clear priorities, collaborative engagement, and a structured approach guiding implementation. Continued focus on staff involvement, system integration, and inter-agency collaboration will be essential to building a resilient and sustainable asset management framework that supports long-term operational excellence.

Recommended by:

Mike Knox, Asset Management Specialist

Teresa Hollingsworth, Manager Community and Corporate Services

To: UTRCA Board of Directors
From: Jenna Allain, Manager, Environmental Planning and Regulations
Date: May 27, 2025
File Number: BoD-05-25-44
Agenda #: 8.4
Subject: Bill 5 and Bill 17 Environmental Registry Postings

Recommendation

THAT the Board of Directors receive the report for information.

Background

On April 17, 2025, the Ontario Government introduced new omnibus legislation: Bill 5, or the *Protect Ontario by Unleashing Our Economy Act*. The introduction of Bill 5 included several concurrent proposals which were posted to the Environmental Registry of Ontario to receive public and agency feedback. Some of the proposals include minor changes to previous legislation, while others are proposing more significant changes. Of particular interest to conservation authorities are the newly proposed *Special Economic Zones Act*, and the newly proposed *Species Conservation Act*.

The new *Special Economic Zones Act* is intended to quickly advance strategic projects through the approvals and permitting processes. The *Act* would enable the province to make regulations delineating zones in which “trusted proponents” or designated projects may not have to comply with existing legal requirements enacted by the Ontario Legislature (and by-laws made by municipalities) that otherwise apply to every individual and corporation. The details of the newly proposed *Special Economic Zones Act* are still vague, and it is unclear at this point, whether Section 28 permits would be required by Conservation Authorities if Special Economic Zones are identified within areas regulated by CAs.

Additionally, Bill 5 proposes interim changes to the *Endangered Species Act* of 2007 which is then to be repealed and replaced with the *Species Conservation Act, 2025* once proclaimed. These proposed changes remove the requirement for the province to prepare recovery strategies, management plans, and government response statements. Particularly notable are the proposed changes to the definition of “Habitat” in the *Endangered Species Act*, which is important, as it is used to identify the geographic area for species protection. The current definition is relatively broad, but the new proposed definition limits the scope, narrowing the geographic area for species protection. The province has suggested that these changes will allow critical projects to be approved more promptly and with greater certainty but reaffirmed their commitment to invest in species at risk conservation through the new Species Conservation Program.

Further to the changes introduced through Bill 5, on Monday, May 12th, the Province released Bill 17, or the *Protect Ontario by Building Faster and Smarter Act*, 2025. The Province has stated that, if passed, the new *Act* would remove barriers to building, so Ontario can get shovels in the ground faster for vital projects and protect Ontario workers during this time of increasing U.S. tariffs. The proposed package under Bill 17 includes the following legislative changes and related initiatives that are intended to fuel growth, create the conditions for investment, open new markets, and create good-paying jobs:

- Accelerating transit and provincial infrastructure development;
- Accelerating transit-oriented community projects;
- Enabling authorities to speed up transportation permitting; and
- Streamlining and standardizing municipal development processes and development charges framework.

Conservation Ontario has coordinated and submitted comments for the components of Bill 5 noted above on behalf of Ontario's 36 Conservation Authorities (see attached comment letters). Input was provided on these comments by UTRCA staff.

Recommended by:

Jenna Allain, Manager, Environmental Planning and Regulations
Tracy Annett, General Manager/Secretary-Treasurer



May 17, 2025

Via Email: specialeconomiczones@ontario.ca

Re: Conservation Ontario's comments on the "Special Economic Zones Act, 2025" (ERO#025-0391)

Bill 5, the *Protect Ontario by Unleashing our Economy Act, 2025* proposes to amend existing and enact new legislation, including the *Special Economic Zones Act, 2025*. Upon proclamation, the *Special Economic Zones Act* will provide regulation-making authorities to the Lieutenant Governor in Council (LGIC) and applicable Minister to make criteria for and to designate "special economic zones", "trusted proponents", and "designated projects".

Once established, designated projects undertaken by trusted proponents in special economic zones may receive exemptions or modifications to specified legislative or regulatory permitting, approvals, or other similar requirements. The proposed legislation may apply in any area of Ontario, and to any provincial Act, regulation or instrument, including municipal by-laws.

Conservation Ontario and the 36 Conservation Authorities (CAs) share the government's commitment to identify process improvements and provide timely approvals to support development priorities. We are committed to supporting a strong provincial economy, safe housing and critical infrastructure development, and safeguarding sources of municipal drinking water. CAs are dedicated to providing client service excellence for all development proponents.

Providing strong protections for people and property from risks related to natural hazards and existing and future sources of municipal drinking water are essential to support economic development and safe and prosperous communities. Conservation Ontario recommends that natural hazard permitting requirements under the *Conservation Authorities Act* and policies set out in the source protection plan under the *Clean Water Act* continue to apply in any designated special economic zones. The continued application of these regulations and policies will balance potential risks and further support safe and healthy communities.

Ontario's natural hazard regulatory framework is essential to protect housing, critical infrastructure, and the public from natural hazard impacts, including flooding and erosion. The success of Ontario's hazard management framework and the Conservation Authority

model is recognized for minimizing flood hazard risks to housing compared to other provinces, resulting in considerably lower insurable losses. This coordinated and hazard/risk-based framework is strongly supported by Ontario's Special Advisor on Flooding in their report "*An Independent Review of the 2019 Flood Events in Ontario*".

Conservation Authorities play a critical role in the protection of sources of municipal drinking water as Source Protection Authorities (SPAs) under the *Clean Water Act*. Lead SPAs are responsible for developing, updating and assisting in the coordination and implementation of the source protection plan(s) to protect existing and future sources of drinking water. All Source Protection Plans are approved by the Minister of Environment, Conservation and Parks.

The *Clean Water Act* appropriately establishes a high standard for the protection of drinking water quality and quantity and requires that in case of conflict between a provision of that Act and another Act or regulation, that the provision that provides the greatest protection to the quality and quantity of the water prevails. Maintaining this requirement under the *Clean Water Act* is necessary to ensure the strongest available legislative and regulatory protection is applied to safeguard drinking water quantity and quality. This multi-barrier approach to ensuring the safety of Ontario's drinking water was strongly supported by Commissioner O'Connor in the 2002 "*Report of the Walkerton Inquiry*".

Conservation Authority staff bring decades of specialized expertise balancing development pressures and finding local solutions to complex matters. Both Conservation Ontario and Ontario's 36 CAs welcome opportunities to strategically collaborate with provincial and municipal governments to ensure provincial development priorities are planned and implemented safely, supporting long-term economic prosperity and a healthy environment.

Thank you for the opportunity to review and provide comments on the "Special Economic Zones Act, 2025" (ERO#025-0391). We would be pleased to further discuss these comments at your convenience.

Sincerely,

Dave Barton

Dave Barton
Chair, Conservation Ontario

Angela Coleman

Angela Coleman
Chief Administrative Officer / General
Manager, Conservation Ontario

c.c. All CA CAOs/GMs

To: UTRCA Board of Directors
From: Tracy Annett, Teresa Hollingsworth
Date: May 27, 2025
File Number: BoD-05-25-45
Agenda #: 8.5
Subject: Strategic Plan Update

Recommendation

That the Board of Directors receive this report for information.

Background

In September of 2023 the UTRCA Board of Directors directed staff to engage a consultant to develop an updated strategic plan to define the Authority's values and direction. The Upper Thames River Conservation Authority obtained Platinum Leadership, London Ontario to develop an updated Strategic Plan to guide the organization for the next five years.

Discussion

Platinum Leadership has undertaken:

- A review of strategic objectives, programs, and services within the current operating environment;
- The inclusion of input from all staff and Board members through a series of 6 staff input sessions;
- The development of a Discovery Report compiling all of the staff input received. This report was provided to members of the UTRCA Board of Directors;
- A Governance Workshop held on November 21, 2024, with the Board of Directors and senior management team, utilizing the Discovery Report #1 to develop updated Vision, Mission and Values statements;
- A Strategic Planning Vision, Mission, and Values Board Workshop Report for review at the November 26, 2024 UTRCA Board Meeting.

In December 2024, the Board approved the vision, mission and values which were then incorporated into the Watershed Management Strategy.

Working with the members and staff of the Authority, the consultant will:

- Refine the internal and external challenges and opportunities that may impact future decision-making, through an environmental scan and a SWOT analysis to expand on work completed to date.

- Lead a comprehensive engagement effort designed to facilitate member municipality, partner and client input. This work will include interviews and surveys with member municipal staff, members of other environmental and partner organizations and Authority client groups. Any UTRCA members and staff that were unable to provide input previously will also be included.
- Prioritize strategic objectives and organizational goals, including long- and short-term goals and plans of action or approaches to meet these goals.
- Define metrics whereby the implementation of the plan can be evaluated.

Timeline

Phase 1 – October to December – Board and Employee engagement has occurred. Prior to the end of 2024 the focus was on Organizational Governance and the identification of Vision, Mission, and Values.

Phase 2 – February and March 2025 – Finalize survey and interview questions and develop comprehensive consultation contacts.

Phase 3- April and May 2025 - Interest holder engagement. This includes UTRCA outreach to Indigenous contacts.

Phase 4 – June through September – Engagement Summary Report to be completed that includes recommendations to inform priorities and goals. Using the Discovery and Engagement Summary Reports, the Management Team and senior staff work to develop operational planning of strategies, key actions, timelines, resources and project leads.

Phase 5 – September – Board of Directors receive Draft Strategic Plan.

Summary

Platinum Leadership continues to lead the UTRCA Strategic Planning effort through their comprehensive engagement efforts. Engagement includes interviews and surveys with UTRCA past and present board members, municipal staff, members of other environmental and partner organizations, Authority clients and Indigenous contacts. Feedback collected through these engagement efforts will inform the development of the UTRCA's strategic priorities and goals.

Recommended by:

Tracy Annett, General Manager

Teresa Hollingsworth, Manager of Community and Corporate Services

To: UTRCA Board of Directors
From: Christine Saracino, Supervisor of Finance and Accounting
Date: May 27, 2025
File Number: BoD-05-25-46
Agenda #: 9.1
Subject: Finance and Audit Committee - April 22nd Decisions

Recommendation

THAT the Board of Directors accepts the audited financial statements for 2024, as attached, on the recommendation of the Finance and Audit Committee.

AND FURTHER THAT the Board of Directors accepts the recommendation from the Finance and Audit Committee to appoint Seebach & Co. as the Authority's audit firm for the current fiscal year.

Background

The Finance and Audit Committee met on April 22nd to review and discuss the 2024 results. They identified two small text edits now incorporated in the statements provided for approval.

Of note in the statements, on page 4, are actual expenses showing a \$6.8M variance for the year. This is due primarily to three things;

- 1) Expenditures were lower than expected across many programs in the organization, but specifically,
- 2) Spending on many planned capital projects did not occur by the end of the year, both in the parks and with water and erosion control structures and,
- 3) The Environment Canada Nutrient program got off to a late start. Very few grants were issued by year end for that contract.

In addition, actual revenues are lower than budgeted. This is directly tied to the reduced expenses recorded, particularly in the Nutrient program. When we incur a cost for a grant or contract, we can then identify and record the revenue associated with it.

Both the federal-source funding is significantly lower than budgeted and the benefit-based levy as well. This latter situation is the result of London's "pay-as-you-go" system under which we invoice the city for their cost apportioning (levy) as it is required for the 100%-funded structures, Fanshawe Dam, and the Dykes.

In summary, we experienced a surplus in 2024 due to the parks (as planned), and a large land donation. If all capital projects had been completed as planned, we would have experienced a \$3.4M deficit as approved for the year.

Reserves

The result of all activities in 2024 directs us to review the accumulated surplus of the organization, in which reserves factor. Refer to page 10, note 6 where we see that accumulated surplus rose by \$2M but reserves fell by \$1M during 2024. Page 14 Schedule B identifies how reserves changed.

Flood Control Reserves are those held in accordance with each structure we operate and maintain. The 19 reserves in total experienced a net depletion of \$1,256,482 during 2024 and currently stand at \$2,225,727 total. These amounts, tracked by structure, are not available for general distribution among other programs as any amount in these reserves was levied or apportioned to specific municipalities for specific structures.

The General Operating Reserve is the balance of the long-term portfolio gains.

Defined purpose reserves increased overall to \$5,386,507 due to the surplus created by the parks. Those reserves are made up of:

Category 1 programs	\$411,155
Category 2 programs	\$56,602
Category 3 programs	(\$246,119)
Campground operations	\$4,524,230
Capital Asset Renewal	\$609,779
Land Transactions	\$30,859

Combined, the \$596K long-term portfolio gains and the category 1 program reserve of \$411K, provides for only \$1M of reserves with which to sustain mandatory operating programs currently budgeted at \$23M in 2025.

Meeting Decisions

Sandy Levin was elected as the 2025 Finance and Audit Committee Chair.

The Committee adjourned to closed session to hear a presentation from the UTRCA auditors. Upon rising, the following motion was passed:

Mover: Dean Trentowsky

Seconder: Mark Schadenberg

THAT the Finance and Audit Committee receives the draft audited statements including minor edits as discussed, recommends approval of the amended draft audited statements by the Board, and recommends the re-appointment of Seebach & Company as the UTRCA Auditor.

Carried.

Prepared by:

Michelle Viglianti, Administrative Assistant

Recommended by:

Christine Saracino, Supervisor, Finance and Accounting

Attachment: 2024 UTRCA Draft Financial Statements.

**UPPER THAMES RIVER
CONSERVATION AUTHORITY
FINANCIAL STATEMENTS
DECEMBER 31, 2024**

DRAFT

SEEBACH & COMPANY
Chartered Professional Accountants

MANAGEMENT'S RESPONSIBILITY FOR THE FINANCIAL STATEMENTS

The accompanying consolidated financial statements of Upper Thames River Conservation Authority (the "Authority") are the responsibility of the Authority's management and have been prepared in accordance with Canadian public sector accounting standards, established by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada, as described in Note 2 to the financial statements.

The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

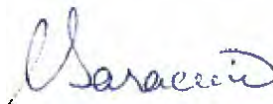
The Authority's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded from loss, transactions are properly authorized and recorded, and reliable information is available on a timely basis for preparation of the financial statements. These statements are monitored and evaluated by the Authority's management. The Board of Directors meets with management and the external auditor to review the financial statements and discuss and significant financial reporting or internal control matters prior to their approval.

The financial statements have been audited by Seebach & Company, independent external auditors appointed by the Authority. The accompanying Independent Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Authority's financial statements.

UPPER THAMES RIVER CONSERVATION AUTHORITY



Tracy Annett, MCIP, RPP
General Manager / Secretary-Treasurer



Christine Saracino, CPA, MBA
Supervisor, Finance and Accounting

May 27, 2025

INDEPENDENT AUDITOR'S REPORT

To the Members of Upper Thames River Conservation Authority

Opinion

We have audited the accompanying financial statements of Upper Thames River Conservation Authority ("the Authority"), which are comprised of the statement of financial position as at December 31, 2024 and the statements of operations, changes in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Authority as at December 31, 2024, and its financial performance and its cash flows for the year then ended in accordance with Canadian public sector accounting standards (PSAB).

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Authority in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with PSAB, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Authority or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Authority's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

INDEPENDENT AUDITOR'S REPORT (continued)

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Seebach & Company

Chartered Professional Accountants
Licensed Public Accountants

Clinton, Ontario
May 27, 2025

UPPER THAMES RIVER CONSERVATION AUTHORITY
STATEMENT OF OPERATIONS

For the year ended December 31	2024 Budget	2024 Actual	2023 Actual
Revenue			
Municipal general levy (pre-2024)	513,899	233,056	5,774,715
Dam and flood control levy (pre-2024)	105,570	143,673	1,985,259
General distribution levy	6,640,289	6,679,067	-
Benefit based levy	2,397,359	1,656,597	-
Conservation areas	4,776,982	4,927,916	4,568,863
Land and asset management	2,212,564	2,486,699	2,686,972
Fees for service	2,779,856	2,490,474	2,266,322
Provincial transfer payments			
Ministry of Natural Resources Section 39 grants	181,213	181,213	181,213
Other provincial grants	2,002,111	1,498,221	1,201,702
Donations	26,500	777,287	35,190
Federal program funding	2,680,709	1,456,762	312,438
Other	667,050	1,068,646	871,761
	<u>24,984,102</u>	<u>23,599,611</u>	<u>19,884,435</u>
Expenditures			
Campground operations	6,573,692	4,141,470	4,151,943
Water & information management	6,520,647	4,225,802	3,557,369
Lands, facilities and conservation areas	4,078,538	3,600,072	3,240,361
Integrated watershed management	4,035,306	2,882,203	2,608,089
Community partnerships	1,522,032	1,585,946	1,781,755
Source water protection	585,068	644,955	581,565
Environmental planning & regulations	2,728,035	2,674,684	2,536,525
Service cost centres	2,352,696	1,856,244	700,479
	<u>28,396,014</u>	<u>21,611,376</u>	<u>19,158,086</u>
Annual surplus (deficit)	(3,411,912)	1,988,235	726,349
Accumulated surplus, beginning of year	<u>47,396,766</u>	<u>47,396,766</u>	<u>46,670,417</u>
Accumulated surplus, end of year (note 6)	<u><u>\$ 43,984,854</u></u>	<u><u>\$ 49,385,001</u></u>	<u><u>\$ 47,396,766</u></u>

The accompanying notes are an integral part of this financial statement

UPPER THAMES RIVER CONSERVATION AUTHORITY
STATEMENT OF FINANCIAL POSITION

As at December 31	2024	2023
FINANCIAL ASSETS		
Cash	1,596,702	815,631
Accounts receivable	1,095,156	903,340
Investments (note 3)	17,499,800	15,502,627
	<u>20,191,658</u>	<u>17,221,598</u>
LIABILITIES		
Accounts payable and accrued liabilities	1,445,593	1,046,941
Deferred revenue	10,400,236	9,289,323
	<u>11,845,829</u>	<u>10,336,264</u>
NET FINANCIAL ASSETS	8,345,829	6,885,334
NON-FINANCIAL ASSETS		
Tangible capital assets, net (note 5, schedule C)	40,865,061	40,331,502
Prepaid expenses and deposits	151,269	158,626
Inventories	22,842	21,304
ACCUMULATED SURPLUS (note 6)	<u>\$ 49,385,001</u>	<u>\$ 47,396,766</u>

On behalf of the Board:

_____, Chair

_____, General Manager

_____, Supervisor of Finance

The accompanying notes are an integral part of this financial statement

**UPPER THAMES RIVER CONSERVATION AUTHORITY
STATEMENT OF CHANGE IN NET FINANCIAL ASSETS**

For the year ended December 31	2024	2023
Annual surplus (deficit)	1,988,235	726,349
Amortization of tangible capital assets	1,477,655	1,370,989
Net acquisition of tangible capital assets	(2,013,948)	(2,810,424)
Loss (gain) on sale of tangible capital assets	(31,316)	19,231
Proceeds on sale of tangible capital assets	34,050	63,313
Decrease (increase) in prepaid expenses and deposits	7,357	51,003
Decrease (increase) in inventories	(1,538)	(4,276)
Increase (decrease) in net financial assets	1,460,495	(583,815)
Opening balance	6,885,334	7,469,149
Closing balance	<u>\$ 8,345,829</u>	<u>\$ 6,885,334</u>

The accompanying notes are an integral part of this financial statement

UPPER THAMES RIVER CONSERVATION AUTHORITY
STATEMENT OF CASH FLOWS

For the year ended December 31	2024	2023
Operating activities		
Annual surplus (deficit)	1,988,235	726,349
Amortization expense not requiring cash outlay	1,477,655	1,370,989
Loss (gain) on sale of tangible capital assets	(31,316)	19,231
Decrease (increase) in accounts receivable	(191,816)	347,927
Increase (decrease) in accounts payable and accrued liabilities	398,652	150,696
Increase (decrease) in deferred revenue	1,110,913	44,496
Decrease (increase) in prepaid expenses and deposits	7,357	51,003
Decrease (increase) in inventories	(1,538)	(4,276)
Cash provided by (used for) operating activities	<u>4,758,142</u>	<u>2,706,415</u>
Capital activities		
Proceeds on sale of tangible capital assets	34,050	63,313
Net disposals (purchases) of tangible capital assets	(2,013,948)	(2,810,424)
Cash provided by (used for) capital activities	<u>(1,979,898)</u>	<u>(2,747,111)</u>
Investing activities		
Disposal (purchase) of investments, net	(1,997,173)	(556,617)
Cash provided by (used for) investing activities	<u>(1,997,173)</u>	<u>(556,617)</u>
Increase (decrease) in cash position	781,071	(597,313)
Cash (overdraft) beginning of year	815,631	1,412,944
Cash (overdraft) end of year	<u>\$ 1,596,702</u>	<u>\$ 815,631</u>

The accompanying notes are an integral part of this financial statement

UPPER THAMES RIVER CONSERVATION AUTHORITY

NOTES TO FINANCIAL STATEMENTS

For the year ended December 31, 2024

1. Description of the business

The Upper Thames River Conservation Authority (the "Authority") is established under the Conservation Authority Act of Ontario to further the conservation, restoration, development and management of natural resources, other than gas, oil, coal and minerals for the subwatersheds within its area of jurisdiction.

2. Significant accounting policies

The financial statements have been prepared by the management of the Authority in accordance with generally accepted accounting principles for organizations operating in the local government sector as recommended by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada.

Significant aspects of accounting policies adopted by the Authority are as follows:

a) Accrual basis of accounting

Revenues and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they are earned and measurable, and recognizes expenditures as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

b) Investments

Investments are recorded at cost unless there is a reduction in market value that is determined to be other than temporary, at which time they would be written down to market.

c) Tangible capital assets

Tangible capital assets are recorded at historical cost. Historical cost includes the costs directly related to the acquisition, design, construction, development, improvement or betterment of tangible capital assets. Cost includes overheads directly attributable to construction and development.

The cost, less estimated residual value, of the tangible capital assets, except land, are amortized on a straight-line basis over the estimated useful lives as follows:

Category	Useful Life
Land	not applicable
Land improvements	10 - 30 years
Buildings	15 - 50 years
Infrastructure	15 - 50 years
Furniture and fixtures	5 - 10 years
Vehicles	5 - 15 years
Flood control structures	20 - 80 years
Information technology	3 - 20 years

Amortization is charged in the year of acquisition and in the year of disposal. Construction in progress is not amortized until the asset is available for productive use.

(i) Contributions of tangible capital assets

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and also are recorded as revenue.

(ii) Natural resources

Natural resources that have not been purchased are not recognized as assets in the financial statements.

2. Significant accounting policies (continued)

d) Contributed capital assets

Contributed capital assets are recognized as assets and revenue, or deferred revenue, at fair value at the time they are received.

e) Contaminated sites

Under PS 3260, contaminated sites are defined as the result of contamination being introduced in air, soil, water or sediment of a chemical, organic, or radioactive material or live organism that exceeds an environmental standard. This standard relates to sites that are not in productive use and sites in productive use where an unexpected event resulted in contamination.

f) Deferred revenue

Revenue restricted by legislation, regulation or agreement and not available for Authority purposes is reported as deferred revenue on the statement of financial position. The revenue is reported on the statement of financial activities in the year in which it is used for the specified purpose.

g) Revenue recognition

Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized in revenue when received or receivable if the amount can be reasonably estimated and collection is reasonably assured.

h) Government transfers

Government transfer payments are recognized as revenue in the financial statements in the year in which the payment is authorized and the events giving rise to the transfer occur, performance criteria are met, and a reasonable estimate of the amount can be made. Funding that is stipulated to be used for specific purposes is only recognized as revenue in the fiscal year that the related expenses are incurred or services performed. If funding is received for which the related expenses have not yet been incurred or services performed, these amounts are recorded as a liability at year end. To the extent that stipulations by the transferor give rise to an obligation that meet the definition of a liability, government transfers are recognized as revenue as the liability is extinguished.

i) Accumulated surplus and reserves

Appropriations are made from operations and accumulated surplus to reserves for future expenditures and contingencies for such amounts as required by various cost sharing arrangements, provincial restrictions and are deemed appropriate, and upon approval of the Board of Directors.

j) Use of estimates

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, the reported amounts of revenues and expenditures during the period, and the accompanying notes. Key components of the financial statements requiring management to make estimates include the amortization rates for tangible capital assets and the establishment of certain accruals. Due to the inherent uncertainty in making estimates, actual results could differ from those estimates.

3. Investments

Investments are comprised of the following:

	2024	2024	2023	2023
	Cost	Market Value	Cost	Market Value
Fixed income	\$ 10,779,304	\$ 11,028,049	\$ 9,029,498	\$ 8,871,079
Equity investments	<u>6,720,496</u>	<u>8,020,381</u>	<u>6,473,129</u>	<u>6,940,999</u>
	<u>\$ 17,499,800</u>	<u>\$ 19,048,430</u>	<u>\$ 15,502,627</u>	<u>\$ 15,812,078</u>

Fixed income investments consist of term deposits and guaranteed investment certificates with maturities ranging from January 10, 2025 to October 20, 2031. Interest rates on the investments range from 1.1% to 5.26%. Fixed income and equity investments are recorded on the statement of financial position at cost.

4. Other liabilities

The Authority is the lead agency in the source water protection fund, whereby funds are received by the Authority for the other parties to the arrangement. Each party is entitled to its pro-rata share of funding which is for the purpose of source water protection.

5. Tangible capital assets

For additional information, see the Schedule of Tangible Capital Assets information on the tangible capital assets of the Authority by major class, as well as for accumulated amortization of the assets controlled.

6. Accumulated surplus

The accumulated surplus consists of individual fund surplus/(deficit) amounts and reserve and reserve funds as follows:

	2024	2023
Surplus		
Invested in tangible assets	\$ 40,865,061	\$ 40,331,502
Unrestricted net assets surplus (deficit)	<u>228,420</u>	<u>(2,259,093)</u>
	41,093,481	38,072,409
Reserves set aside for specific purposes of the Authority		
Operating and/or capital reserves (Schedule B)	2,308,147	3,595,446
Reserve funds set aside for specific purposes by the Authority		
Restricted reserves (Schedule B)	<u>5,983,373</u>	<u>5,728,911</u>
	<u>\$ 49,385,001</u>	<u>\$ 47,396,766</u>

For additional information, see the Schedule of Continuity of Reserves and Reserve Funds.

7. Pension plan agreements

The Authority makes contributions to a multi-employer pension plan on behalf of members of its staff. The plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay. The amount contributed for 2024 was \$1,012,416 (2023 : \$883,208) for current services and is included as an expenditure on the statement of operations.

The contributions to the Ontario Municipal Employers Retirement System ("OMERS"), a multi-employer defined benefit pension plan, are expensed when contributions are due. Any pension surpluses or deficits are a joint responsibility of Ontario municipal organizations and their employees. As a result, the Authority does not recognize any share of the OMERS pension surplus or deficit.

8. Financial instrument risk management

Credit risk

The Authority is exposed to credit risk through its cash, trade and other receivables, and short-term investments. There is the possibility of non-collection of its trade and other receivables. The majority of the Authority's receivables are from users and government entities. For trade and other receivables, the Authority measures impairment based on how long the amounts have been outstanding. For amounts outstanding considered doubtful or uncollectible, an impairment allowance is setup.

Liquidity risk

Liquidity risk is the risk that the Authority will not be able to meet its financial obligations as they fall due. The Authority has a planning and a budgeting process in place to help determine the funds required to support the Authority's normal operating requirements on an ongoing basis. The Authority ensures that there are sufficient funds to meet its short-term requirements, taking into account its anticipated cash flows from operations and its holdings of cash and cash equivalents.

Market risk

Market risk is the risk that changes in market prices, such as foreign exchange rates or interest rates will affect the Authority's income or the value of its holdings of financial instruments. The objective of market risk management is to control market risk exposures within acceptable parameters while optimizing return on investments.

Interest rate risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Authority is exposed to interest rate risk arising from the possibility that changes in interest rates will affect the variable rate of temporary borrowings and long-term liabilities and the value of fixed rate long-term liabilities.

There has been no significant changes from the previous year in the exposure to risk or policies, procedures and methods used to measure risks.

9. Segmented information

The UTRCA's programs and services have been divided into three categories as of 2024, consistent with Section 21 of the Conservation Authorities Act and as required by Mandatory Programs and Services Regulation O.Reg. 686/21:

- Category 1 - Mandatory programs and services defined in regulation that may be funded with municipal levy.
- Category 2 - Programs and services delivered at the request of a municipality, with funding under agreement with the benefiting municipality.
- Category 3 - Other programs and services that the Authority determines are advisable to implement within our watershed jurisdiction. These programs and services are funded through cost apportionment agreements with participating municipalities and self-generated funding sources such as user fees, grants from governments and other agencies, donations, etc.

The Category 1 mandatory programs and services include:

- Planning and regulations
 - Regulations and enforcement under the CA Act (Prohibited Activities, Exemptions and Permits)
 - Planning activities
- Water management
 - Flood forecasting and warning
 - Infrastructure operations and maintenance
 - Mapping, studies, and information management
 - Climate change risk and mitigation
 - Low water response
 - Natural hazards outreach programs
- Land management
 - Land management, risk, enforcement
 - Lands strategy implementation (strategy completed in 2024)
 - Public access on UTRCA lands for passive recreation
 - Natural heritage conservation on UTRCA lands
- Provincial water monitoring
- Drinking water source protection
- Watershed strategy implementation (strategy completed in 2024)
- Essential corporate costs

For additional information, see the schedule of operations by category.

10. Budget amounts

Under Canadian public sector accounting standards, budget amounts are to be reported on the statement of operations for comparative purposes. The 2024 budget amounts for the Upper Thames River Conservation Authority approved by the Membership are unaudited and have been restated to conform to the basis of presentation of the revenues and expenditures on the consolidated statement of activities.

UPPER THAMES RIVER CONSERVATION AUTHORITY
Schedule A - Service Cost Centres

For the year ended December 31	2024 Budget	2024 Actual	2023 Actual
Recoveries from mission cost centres	<u>3,401,700</u>	<u>2,860,287</u>	<u>4,476,340</u>
Expenditures			
Occupancy	1,314,851	846,388	819,266
Information systems	1,069,764	862,855	865,405
Administration	970,938	940,585	787,508
Finance & human resources	957,766	924,298	1,275,019
Long-term investment	43,000	47,400	43,569
Marketing and communications	368,983	407,231	667,189
Vehicles and equipment	1,029,094	687,774	718,863
	<u>5,754,396</u>	<u>4,716,531</u>	<u>5,176,819</u>
	<u>(\$ 2,352,696)</u>	<u>(\$ 1,856,244)</u>	<u>(\$ 700,479)</u>

UPPER THAMES RIVER CONSERVATION AUTHORITY
Schedule B - Continuity of Reserves and Reserve Funds
For the Year Ended December 31, 2024

	Balance, beginning of year	Appropriations To (From) Reserves	Balance, end of year
Restricted reserves			
Flood control	3,482,209	(1,256,482)	2,225,727
Donor designated memorial forests	46,039	(3,660)	42,379
Harrington Grist Mill	36,339	3,702	40,041
Land disposition/acquisition reserve	30,859	(30,859)	-
	<u>3,595,446</u>	<u>(1,287,299)</u>	<u>2,308,147</u>
Operating and/or capital reserves			
Capital building, fleet and equipment replacement	851,493	(851,493)	-
General operating reserves	584,927	11,939	596,866
Defined purpose reserves	4,292,491	1,094,016	5,386,507
	<u>5,728,911</u>	<u>254,462</u>	<u>5,983,373</u>
	<u><u>\$ 9,324,357</u></u>	<u><u>(1,032,837)</u></u>	<u><u>\$ 8,291,520</u></u>

UPPER THAMES RIVER CONSERVATION AUTHORITY
Schedule C - Tangible Capital Assets
For the Year Ended December 31, 2024

	Land	Land Improvements	Buildings	Infrastructure	Furniture and Fixtures	Vehicles	Flood Control Structures	Information Technology Equipment	Construction in Progress	TOTAL Net Book Value 2024	TOTAL Net Book Value 2023
Cost											
Balance, beginning of year	15,025,902	3,198,635	16,753,375	7,894,031	792,803	2,407,340	23,241,725	867,430	112,783	70,294,024	67,718,816
Add: Additions during the year	1,021,758	64,406	92,384	79,549	38,291	260,664	328,882	119,851	8,163	2,013,948	2,810,424
Less: Disposals during the year						(88,983)				(88,983)	(235,216)
Other: WIP transfers							103,963		(103,963)	-	-
Balance, end of year	<u>16,047,660</u>	<u>3,263,041</u>	<u>16,845,759</u>	<u>7,973,580</u>	<u>831,094</u>	<u>2,579,021</u>	<u>23,674,570</u>	<u>987,281</u>	<u>16,983</u>	<u>72,218,989</u>	<u>70,294,024</u>
Accumulated Amortization											
Balance, beginning of year		1,394,856	5,345,738	7,003,817	702,382	1,606,767	13,255,313	653,649		29,962,522	28,744,205
Add: Amortization during the year		101,989	355,855	32,857	19,542	173,975	731,598	61,839		1,477,655	1,370,989
Less: Accumulated amortization on disposals						(86,249)				(86,249)	(152,672)
Balance, end of year	<u>-</u>	<u>1,496,845</u>	<u>5,701,593</u>	<u>7,036,674</u>	<u>721,924</u>	<u>1,694,493</u>	<u>13,986,911</u>	<u>715,488</u>	<u>-</u>	<u>31,353,928</u>	<u>29,962,522</u>
Net Book Value of Tangible Capital Assets	<u>16,047,660</u>	<u>1,766,196</u>	<u>11,144,166</u>	<u>936,906</u>	<u>109,170</u>	<u>884,528</u>	<u>9,687,659</u>	<u>271,793</u>	<u>16,983</u>	<u>\$ 40,865,061</u>	<u>\$ 40,331,502</u>

UPPER THAMES RIVER CONSERVATION AUTHORITY
Schedule D - Operations by Category

For the year ended December 31	Category 1 YTD Actual	Category 2 YTD Actual	Category 3 YTD Actual	Campgrounds YTD Actual	Total YTD Actual
Revenues					
Municipal Levy + Cost Apportionments	7,721,351	-	623,512	-	8,344,863
Municipal Levy amortized from deferrals	256,751	-	72,067	38,712	367,530
Provincial Transfer Payment - CA Act	181,213	-	-	-	181,213
Provincial Transfer Payment - Clean Water Act	644,955	-	-	-	644,955
Municipal Contracts	90,496	1,229,832	204,988	286,670	1,811,986
Provincial Contracts	652,740	-	200,527	-	853,267
Federal Grants and Contracts	682,749	5,353	752,603	16,057	1,456,762
Land Management Agreements	442,033	(65,728)	715,694	218,780	1,310,779
User Fees	815,535	-	914,060	4,968,427	6,698,022
Donations and Other	811,494	-	131,103	76,127	1,018,724
Investment Revenue	911,510	-	-	-	911,510
	<u>13,210,827</u>	<u>1,169,457</u>	<u>3,614,554</u>	<u>5,604,773</u>	<u>23,599,611</u>
Expenditures					
Wages and Benefits	9,383,768	691,109	2,084,430	2,018,811	14,178,118
Property Related	807,157	58,096	366,977	844,361	2,076,591
Technical and Consulting Services	722,306	28,515	242,869	190,366	1,184,056
Computers and Communications	431,042	20,968	34,401	23,180	509,591
Insurance and Risk Management	371,434	1,870	16,054	94,677	484,035
Supplies	411,716	54,025	337,153	344,403	1,147,297
Travel and Other Personnel Expenses	126,468	22,394	20,251	63,927	233,040
Fleet Related	160,746	-	-	4,580	165,326
Banking Fees	18,345	-	-	-	18,345
Other Expenses	861	-	136,461	-	137,322
Depreciation Expenses	1,306,655	2,734	21,026	147,240	1,477,655
Allocated Costs	(1,205,630)	233,145	561,632	410,853	-
	<u>12,534,868</u>	<u>1,112,856</u>	<u>3,821,254</u>	<u>4,142,398</u>	<u>21,611,376</u>
Annual surplus (deficit) from operations	<u>675,959</u>	<u>56,601</u>	<u>(206,700)</u>	<u>1,462,375</u>	<u>1,988,235</u>