

Minutes

Upper Thames River Conservation Authority (UTRCA)

Board of Directors Meeting

9:30am Tuesday, May 28, 2024 at 1424 Clarke Rd, London
(Hybrid Meeting)

Brian Petrie, UTRCA Board Chair, called the meeting to order at 9:30am.

Members Present:

Jim Craigmile

Peter Cuddy – Online

Skylar Franke

Tom Heeman – Online

Debbie Heffernan

Anna Hopkins

Sandy Levin

Hugh McDermid

Paul Mitchell

Harj Nijjar – Online

Brian Petrie – Chair

Mark Schadenberg

Dean Trentowsky

George Way

Scotty Zehr – Online

Regrets:

None

Solicitor: G. Inglis

Staff Present:

Jenna Allain

Tracy Annett

Emily Chandler

Tatianna Dafoe

Erin Dolmage

Erik Fink

Karlee Flear

Michael Funk

Eric Gaskin - Online

Huda Ghadhban

Brad Glasman

Kevin Gouweloos

Eleanor Heagy

Stefanie Pratt

Cathy Quinlan

Christine Saracino

Jess Schnaithmann - Online

Imtiaz Shah

Mark Shifflett

Sarbjit Singh

Jillian Smith

Chris Tasker

Brent Verscheure

Michelle Viglianti – Recorder

Brandon Williamson

Karen Winfield

1. Territorial Acknowledgement

The Chair read the territorial acknowledgement.

2. Modifications to the Agenda

Mover: Anna Hopkins

Seconder: Sandy Levin

THAT the Board of Directors add under Delegations, a delegation by Mike Wallace of LDI to speak to item 6.3 on the agenda, notwithstanding the policy.

Carried.

The Chair noted staff will be working on amendments to the Delegation policy within the Administrative By-Laws for delegations speaking to agenda items.

3. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

4. Delegations/Presentations

4.1. Mike Wallace of London Development Institute (LDI) Speaking to Agenda Item 6.3

Mike Wallace, Executive Director of the London Development Institute (LDI), spoke to the Board regarding agenda item 6.3. He reviewed LDI's role in the planning process and thanked staff for attending an LDI meeting to discuss the changes to Section 28 and engaging with the development community. He noted he would like to see the communications and engagement continuing in the future.

He voiced his support for the checklist process and appreciated the staff efforts to put them together. He recommended that the UTRCA consider a review of the checklists in one year to report on the results and any issues, and that both developers and consultants be included in the review.

There was discussion around the Fee Freeze and Mike Wallace noted they would not be opposed to paying higher fees as long as there would be value for the money.

Mike Wallace suggested that some work related to planning and regulations could be done by the City of London staff, freeing up UTRCA staff time to help smaller Municipalities who don't have in house expertise.

5. Administrative Business

5.1. Approval of Minutes of Previous Meeting: April 16, 2024

Mover: Sandy Levin

Seconder: Mark Schadenberg

THAT that the Upper Thames River Conservation Authority Board of Directors approve the Board of Directors' minutes dated April 16, 2024, including any closed session minutes, as amended on the Upper Thames River Conservation Authority web-site. Carried.

5.2. Business Arising from the Minutes

There was no business arising from the minutes.

5.3. Correspondence

There was no correspondence.

6. Reports – For Consideration

6.1. 2024/2025 and 2025-2026 Water and Erosion Control Infrastructure Projects

Skylar Franke joined the meeting at 9:55am.

Staff introduced the report and noted the project list for 2025 is not complete.

Staff noted the following updates to the report:

- Item 4 – The project estimate has increased from \$140,000 to \$205,000.
- Item 16 – The project scope is larger than expected and a contractor will be required. Staff will refine the estimate in the next week, prior to submission.
- Item 23 – There was a transcription error, the estimated total cost for 2024/2025 should be \$30,000.

The Board discussed the five million dollars available in Provincial funding from the Water and Erosion Control Infrastructure Program (WECI). The discussion highlighted the challenges Conservation Authorities face during years with many large projects making it more difficult for smaller projects to get funding, and years where there are fewer projects, where it can take several intakes for the five million to get distributed. Staff noted the Province will not allow any left over money to roll into future years or into already approved projects. They also noted the Ministry of Natural Resources and

Forestry (MNRF) have been very good at re-allocating funds and working within short time frames to ensure there is no surplus left.

The Members agreed on amended wording for the second half of the staff recommendation as seen below.

Mover: Sandy Levin

Seconder: Paul Mitchell

The UTRCA Board of Directors approves the 2024/25 & 2025/26 WECl Projects for application to MNRF. AND delegates staff to make changes to the projects list as necessary and report to the board at a subsequent meeting.

Carried.

6.2. Natural Hazard Policies Update

The Chair asked if Board members or anyone watching the meeting know of people who should be involved with the Natural Hazard Policy consultation, to please have them contact staff.

Mover: Sandy Levin

Seconder: Jim Craigmile

THAT the Board directs staff to begin municipal and public engagement including but not limited to London Development Institute on draft natural hazards policies beginning in the summer of 2024.

Carried.

6.3. Technical Checklists and Guidelines to Support Planning and Regulation Review Processes

Staff noted they were very supportive of the suggestion from Mike Wallace to review the checklists in a year with stakeholders and the Board.

Board members voiced concerns over the suggestion from Mike Wallace during his delegation presentation that the Authority delegate legislative authority to the City of London to free UTRCA staff time for other Municipalities. It was clarified that Conservation Authorities currently have no ability to delegate legislative authority, and given the nature of upstream and downstream considerations to be made that cross Municipal boundaries, staff were also uncomfortable with the idea of delegating legislative authority to a Municipality. They noted further that there are still ways to improve timelines, specifically with the City of London.

Board members voiced their support and excitement over the technical checklists.

Board members agreed on two additions to the staff recommendation, as seen in the motion below.

Mover: Sandy Levin

Secunder: Dean Trentowsky

THAT the Board of Directors endorses the use of the technical checklists and guideline documents for services provided by staff within the Environmental Planning and Regulations Unit.

AND THAT the Board approve staff review and revisions to the checklists on an as needed basis in response to policy changes and public feedback, including but not limited to the LDI.

AND THAT staff report annually to the board on updates.

Carried.

6.4. Section 28 Compliance and Enforcement Procedural Manual

Staff provided a presentation on the manual.

Members suggested including a reference to the legislation that requires the UTRCA to protect privacy in section 2.1 of the manual.

Members complimented and congratulated staff on the manual.

Members suggested a report back to the Board every five years to check whether any modifications are needed. Staff noted they plan to track complaints in addition to tracking formal violations.

Mover: Anna Hopkins

Secunder: Mark Schadenberg

THAT the Board of Directors endorses the use of the Section 28 Compliance and Enforcement Procedural Manual for use by UTRCA's Land Use Regulations staff.

Carried.

6.5. Draft Lands Strategy Consultation

A Board member suggested flagging any obvious potential properties for disposition and to start the disposition process ahead of the completion of the lands strategy to help the Board and staff with the 2025 budget. Staff noted that while some properties have been identified, they need to be run through the land strategy first, and felt more comfortable having the consultation done before starting any disposition processes.

Potential parcels for disposition should be identified and presented at the September meeting.

A member felt that it was important to ensure that revenue generated through land sales be used for acquiring additional land and not used for operational expenses.

Mover: Hugh McDermid

Seconder: Debbie Heffernan

THAT the Board direct staff to begin municipal and public consultation on the UTRCA's Draft Lands Strategy, beginning in the summer of 2024.

Carried.

6.6. Provincial Offences Act Officer Designation for Eric Fink and Kevin Gouweloos

Staff confirmed both Eric Fink and Kevin Gouweloos had completed all required training.

Mover: Mark Schadenberg

Seconder: George Way

THAT the Board of Directors designate Eric Fink as a Provincial Offences Act Officer pursuant to Section 29 of the *Conservation Authorities Act* for the purpose of enforcing the Trespass to Property Act and Ontario Regulation 688/21 on Upper Thames River Conservation Authority (UTRCA) property, as a requirement of the position of Assistant Superintendent.

AND,

THAT the Board of Directors designate Kevin Gouweloos as a Provincial Offences Act Officer pursuant to Section 29 of the *Conservation Authorities Act* for the purpose of enforcing the Trespass to Property Act and Ontario Regulation 688/21 on Upper Thames River Conservation Authority (UTRCA) property, as a requirement of the position of Land Management Technician.

Carried.

7. Reports – In-Camera

There were no in-camera reports.

8. Reports – For Information

8.1. Administration and Enforcement – Section 28 Status Report

Staff will provide the London representatives with a breakdown of the six major permits in progress to show how many are Municipal versus private.

Mover: Hugh McDermid

Seconder: Paul Mitchell

THAT the Board of Directors receive the report for information.

Carried.

8.2. Project Status Update

Mover: Scotty Zehr

Seconder: Harj Nijjar

THAT the Board of Directors receive the report for information.

Carried.

8.3. Hazard Mapping Update

The members discussed the Dingman creek mapping update project. Staff noted they are expecting the results from the city's consultants by the end of 2024. There was a suggestion that a mechanism be developed for City and Authority staff to jointly communicate with the land owners. The importance of improved communication between the City and UTRCA staff was discussed.

There was discussion around the City of London Planning and Environment Committee (PEC) report that contained inaccurate information regarding the UTRCA and the streamlining initiative Request For Proposal (RFP). It was noted that there was a willingness on all sides to move forward from the incident in consultation with partners.

Mover: Hugh McDermid

Seconder: George Way

THAT the Board of Directors receives the report for information.

Carried.

Anna Hopkins left the meeting at 11:45am.

8.4. First Trimester 2024 Financial Update

Mover: Paul Michell

Secunder: Hugh McDermid

THAT the Board of Directors receives the report for information.

Carried.

8.5. Thames River Current – May Edition

The May edition of the Thames River Current was presented for the member's information.

Mover: Scotty Zehr

Secunder: Skylar Franke

THAT the Board of Directors receives the report for information.

Carried.

9. Reports – Committees

9.1. Finance and Audit Committee

Sandy Levin, Chair of the Finance and Audit Committee, provided an overview of the 2023 Audit, noting it was a clean audit.

He highlighted the operating surplus and noted the Finance and Audit Committee is working with staff to develop a Reserves Policy and Budgeting Policy.

He concluded by noting that the Category 1 budget for 2025 will present challenges.

Peter Cuddy left the meeting at 11:49am.

Mover: Jim Craigmile

Secunder: Debbie Heffernan

THAT the Board of Directors accepts the audited financial statements for 2023, 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.

Carried.

9.2. Hearing Committee – April 25, 2024 Decisions

Mover: Mark Schadenberg

Secunder: Hugh McDermid

THAT the Board of Directors receives the report for information.

Carried.

10. Conservation Award – Kayla Berger Stewardship Award

The Chair and General Manager presented Will Lyons with the Kayla Berger Stewardship award for his seventeen years of selfless dedication to Species at Risk and nature in general. Since 2007, his efforts with the UTRCA Species at Risk program have made a significant contribution to the recovery of multiple reptiles within the watershed. In addition to his long-term work with wildlife in the field, his ability to connect with and educate community members, assisting with the training of staff members, and providing expertise to local nature groups, he has had far reaching impacts within the Upper Thames River watershed and beyond. Through this award, the UTRCA wanted to recognize his long-term volunteer efforts, passion for wildlife and selfless dedication to the environment.

Skylar Franke left the meeting at 11:57am.

11. Notices of Motion for June 25, 2024

There were no notices of motion.

12. Chair's Comments

The Chair thanked members for the good discussions and noted the amount of progress being made by the staff and Board.

He noted the Planning and Environment Committee (PEC) report from the City of London was hurtful, especially to staff. It was understood that meetings have been scheduled with the City to move forward.

13. Member's Comments

There were no comments from the members

14. General Manager's Comments

The General Manager noted the progress being made on a number of projects.

The General Manager encouraged the Board members to engage when opportunities to do so are presented, and to share the information when the strategies are circulated for consultation.

15. Adjournment

There being no further business, the meeting was adjourned at 12:18 pm on a motion by Hugh McDermid.

Tracy Annett, General Manager
/mv