

# Minutes Upper Thames River Conservation Authority Board of Directors Meeting Tuesday, October 26, 2021

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Virtual Meeting Due to COVID-19 Pandemic

Alan Dale, UTRCA Board Chair, called the meeting to order at 9:31am.

## Members Present:

M.Blosh	P.Mitchell
A.Dale – Chair	A.Murray
A.Hopkins	B.Petrie
S.Levin	J.Reffle
M.Lupton	J.Salter
N.Manning	M.Schadenberg
H.McDermid	A.Westman

Regrets: T.Jackson

Solicitor: G. Inglis

## Staff:

J.Allain	A.Miller
T.Annett	C.Ramsey
D.Charles	C.Saracino
B.Glasman	A.Shivas
C.Harrington	S.Singh
T.Hollingsworth	C.Tasker
J.Howley	B.Verscheure
B.Mackie	M.Viglianti - Recorder

## 1. Approval of Agenda

The Chair confirmed the mover and seconder were willing to let their names stand.

Mover: A.Murray

Secunder: B.Petrie

THAT the Board of Directors approve the agenda as posted.

Carried.

## 2. Declaration of Conflicts of Interest

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

## 3. Minutes of the Previous Meeting – September 28, 2021

The Chair confirmed the mover and seconder were willing to let their names stand.

Mover: J.Reffle

Secunder: J.Salter

THAT the UTRCA Board of Directors approve the Board of Directors' minutes dated September 28, 2021, including any closed session minutes, as posted on the Members' web-site.

Carried.

## 4. Business Arising from the Minutes

There was no business arising from the minutes.

## 5. Delegations

There were no delegations.

## 6. Business for Approval

### 6.1. 2022 Draft Budget Approval

(Report attached)

The Chair confirmed the mover and seconder were willing to let their names stand.

Board members discussed the draft budget and asked questions to staff regarding the compensation review, logistics of presentations to Municipalities and balancing revenues and expenses.

It was suggested that it be communicated clearly to Municipalities the time frame being used to set CPI percentages. It was emphasized that the time frame used will influence the percent CPI, which may result in variances amongst municipalities.

An amendment to the motion to approve the recommendation was put on the floor, moved by S.Levin and seconded by P.Mitchell. The amendment proposed the Board of Directors approve the UTRCA 2022 Draft Budget with a 3.1% increase in the operating levy for discussion with member municipalities, noting it would require a reduction of \$200,000 in the levy shown in the budget presented in the agenda.

The Board discussed the amendment. Concerns were raised on the long term implications of running an even higher deficit, pulling from reserves to balance the budget, the lack of financial support from the Federal and Provincial government, and the unpredictability of alternative funding sources. Some felt the 6.6% increase proposed in the draft budget presented in the agenda was justifiable due to the majority of the increase being caused by uncontrollable externalities.

Other felt the 3.1% increase was a more justifiable increase given the reduction in contract revenue, good returns on investments, the unpredictability of inflation and the 6.6% increase including funding for changes that won't come into effect until 2024.

The vote was called on the amendment. The vote was a tie and the motion was lost.

Mover: M.Schadenberg

Secunder: A.Westman

THAT the Board of Directors approve the recommendation as presented in the report.  
Carried.

A point of order was raised during the vote on the motion above, asking if the vote was a weighted vote. The Chair ruled it was not a weighted vote, the recommendation on the floor was giving direction to staff on continued budget development and not to approve a budget.

## 6.2. Provincial Offences Act Designation (Report attached)

The Chair confirmed the mover and seconder were willing to let their names stand.

Mover: M.Blosh

Secunder: A.Hopkins

THAT the Board of Directors approve the recommendation as presented in the report.  
Carried.

### 6.3. Hearing Procedure Updates

(Report attached)

The Chair confirmed the mover and seconder were willing to let their names stand.

The Board shared concerns over section 3.3 Attendance of Hearing Committee Members, feeling there needed to be a quorum requirement in place to prevent a situation where a meeting could continue with only one committee member present to pass a decision.

Mover: P.Mitchell

Secunder: S.Levin

THAT the Board of Directors approve the recommendation with the following addition to page 4, section 33 of the Hearing Guidelines: The meeting must maintain quorum, once quorum is lost the meeting shall be adjourned until the meeting can be re-constituted with a quorum in place.

Carried.

The Chair called for a five minute break at 11:03am. The meeting was re-convened at 11:09am.

### 6.4. UTRCA COVID-19 Interim Vaccination Policy

(Report attached)

The Chair confirmed the mover and seconder were willing to let their names stand.

Members voiced and discussed concerns on pressuring staff to get the vaccine at this time, the disciplinary action up to termination outlined in the proposed interim vaccine policy, and the potential legal liability. Upon the request of the Board, UTRCA solicitor G.Inglis provided comments on the legal concerns of the Board and the overall uncertainty around the outcomes of the cases currently making their ways through the Courts.

Staff confirmed that given the interim nature of the policy, any part of the policy would be open for review depending on how the rest of the pandemic and legal cases unfold.

Staff confirmed the Board members were not included in the interim Policy at this time since there are no plans for in person Board meetings to resume in the near future and a lack of viable recourse for violation of the policy.

Mover: M.Lupton

Seconder: N.Manning

THAT the Board of Directors approve the recommendation as presented in the report.  
Carried.

#### 6.5. Fivolous and Vexatious Complaints and Requests Policy (Report attached)

The Chair confirmed the mover and seconder were willing to let their names stand.

Mover: H.McDermid

Seconder: P.Mitchell

THAT the Board of Directors approve the recommendation as presented in the report.  
Carried.

### 7. Business for Information

#### 7.1. Administration and Enforcement - Section 28 Status Report (Report attached)

The Chair confirmed the mover and seconder were willing to let their names stand.

Mover: B.Petrie

Seconder: A.Murray

THAT the Board of Directors receives the report as presented.  
Carried.

#### 7.2. Conservation Authorities Act Phase 1 Regulations Update (Report attached)

The Chair confirmed the mover and seconder were willing to let their names stand.

Mover: J.Salter

Seconder: J.Reffle

THAT the Board of Directors receives the report as presented.

Carried.

7.3. 2022 Rental House Rates  
(Report attached)

The Chair confirmed the mover and seconder were willing to let their names stand.

Staff noted an update would be provided at the November meeting in closed session regarding litigation concerning the Authority.

Mover: A.Westman

Secunder: M.Schadenberg

THAT the Board of Directors receives the report as presented.

Carried.

8. October 2021 For Your Information Report

The October FYI was presented for the member's information.

9. Other Business (Including Chair and General Manager's Concluding Remarks)

The transition plan will be presented to the Board at the November meeting so it can be submitted to the Province by the end of the year.

10. Closed Session – In Camera

The Chair confirmed the mover and seconder were willing to let their names stand.

Mover: A.Hopkins

Secunder: M.Blosh

THAT the Board of Directors adjourn to Closed Session – In Camera, in accordance with Section C.13 of the UTRCA Administrative By-Law, to discuss a proposed or pending acquisition of disposition of land by the Authority.

Carried.

10.1. A Proposed or Pending Acquisition or Disposition of Land by the Authority

Mover: S.Levin

Seconded by: A.Westman

THAT the Board of Directors rise and report progress.

Carried.

Mover: N.Manning

Secunder: M.Lupton

THAT staff be instructed to proceed in accordance with direction issued in closed session.

Carried.

11. Adjournment

The Chair confirmed the mover was willing to let their name stand. There being no further business, the meeting was adjourned at 12:22 pm on a motion by H.McDermid.



Tracy Annett, General Manager

Att.