



LOWER TRENT CONSERVATION

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Registered Charitable Organization No. 107646598RR0001

BOARD OF DIRECTORS

Board of Directors refers to the General Membership as set out in the Lower Trent Conservation Administrative By-Law No. 2023-01

REGULAR BOARD MEETING MINUTES

MEETING # 2023-09

DATE: November 9, 2023

TIME: 1:15 PM

LOCATION: Administration Office, 714 Murray Street, Trenton / Virtually

PRESENT:

REMOTE SITE (R)	ON SITE	
Jeff Wheeldon	Bob Mullin (Chair)	Eric Sandford
Lynda Reid	Gene Brahaney (Vice-Chair)	Jim Alyea
	Bobbi Wright	Rick English

ABSENT/REGRETS: Rhonda Bateman, Mike Ainsworth, and Sherry Hamilton

STAFF: Gage Comeau, Corinne Ross, Alexander Moroni (R), and Kelly Vandette

GUESTS: Kelly R. Sharpe, Jeff Harrison, Maureen Sharpe, Anthony Kooistra, Peter Archer, and Brian Crews

1. Meeting called to order by the Chair

The meeting was called to order by Chair Mullin at 1:15 p.m.

2. First Nations Acknowledgement

"This land is located on the traditional territories of the Anishnabek, Huron-Wendat, and Haudenosaunee (Iroquois) peoples. We acknowledge our shared responsibilities and obligations to preserve and protect the land, air and water. We are grateful to have the privilege to meet, explore, and connect here on these shared lands. In the spirit of friendship, peace and respect, we extend our thanks to all the generations that came before us and cared for these lands - for time immemorial."

3. Disclosure of pecuniary interests

Vice-Chair Brahaney declared a conflict of interest should there be any Board decision to be made

at this meeting regarding the legal case identified with Mr. Archer.

4. Approval of the Agenda

RES: G135/23

Moved by: Rick English

Seconded by: Eric Sandford

THAT the agenda be approved as presented.

Carried

5. Delegations

There were no delegations received for this meeting.

6. Public Input (3 minutes per speaker)

Mr. Brian Crews asked to speak to Board of Directors. He introduced himself and the number of roles/positions he holds locally and provincially. He spoke to an article just published in the Ontario Farmers newspaper regarding the Maizeing Acres legal case and where Chair Mullin was quoted. Mr. Crews read quotes and commented on how long the legal case has dragged on. He further questioned the Chair regarding the level of the Board's knowledge in receiving evidence provided by staff and experts in how decisions are made by the Board.

Chair Mullin responded to Mr. Crews with providing the process for Hearings held. Chair Mullin confirmed that staff provide information and opinion based on their expertise. The Board then decides to move forward or not.

Mr. Crews spoke to the Chair's quote that when every time LTC loses, it sets an example that the Authority does not have power or authority and asked Chair Mullin as to what does that mean exactly being LTC has various amounts of power and authority. Chair Mullin responded that LTC proceeds with the mindset that staff is correct in following the required rules to be successful in their case but if the Authority is not supported by the court system, the Authority recognizes the court's decision and has no choice but to follow.

7. Adoption of the Minutes:

a. Hearing Board Meeting Minutes and In-Camera Session of October 12, 2023

b. Board Meeting Minutes of October 12, 2023

RES: G136/23

Moved by: Eric Sandford

Seconded by: Jim Alyea

THAT the minutes of the Hearing Board, Hearing Board In-camera session and Regular Board Meeting held on October 12, 2023 be adopted.

Carried

8. Business arising from these minutes

There was no business arising from the October 12, 2023 minutes.

CORRESPONDENCE

9. Correspondence

- a. 2023-10-16 Letter from Minister Calandra, Ministry of Municipal Affairs and Housing
- b. 2023-10-16 Letter to Mayor Logel and Council of Township Alnwick-Haldimand re: 2024 Draft Budget
- c. 2023-10-18 Letter to Environmental Registry of Ontario, Permissions Modernization Team re: ERO 019-6928 – Streamlining environmental permissions for stormwater management

RES: G137/23

Moved by: Jim Alyea

Seconded by: Rick English

THAT the correspondence as provided in the agenda package be received as information.

Carried

STAFF REPORTS

10. Monthly Payments Issued

RES: G138/23

Moved by: Lynda Reid

Seconded by: Gene Brahaney

THAT the list of payments issued in the total amount of \$253,517.00 for the month of October 2023 be received as information.

Carried

11. Watershed Management, Planning and Regulations Reports

Gage Comeau, Manager, Watershed Management, Planning and Regulations provided an update regarding decision made by the court on October 30, 2023 for ENF-19-010 as it related to the public input received from Mr. Crews. The Court was not satisfied that LTC proved any of the offences beyond a reasonable doubt for 3 counts under development and 1 count under interference in a wetland.

- a. Summary of Permits for Period October 2 – October 26, 2023
- b. Planning and Regulations
- c. Flood Forecasting and Warning (FFW) and Ontario Low Water Response (OLWR)

RES: G139/23

Moved by: Rick English

Seconded by: Bobbi Wright

THAT the Watershed Management, Planning and Regulations Reports be received as information.

Carried

12. Bay of Quinte Remedial Action Plan Program

- a. October 2023 Newsletter

RES: G140/23

Moved by: Bobbi Wright

Seconded by: Eric Sandford

THAT the October 2023 Bay of Quinte Remedial Action Plan Newsletter be received as information.

Carried

13. Provincial Offences Officer Appointment

Alexander Moroni, Enforcement and Regulations Officer, took the oath to be sworn in by the Board of Directors.

RES: G141/23

Moved by: Jim Alyea

Seconded by: Bobbi Wright

THAT Alexander MORONI be appointed as a Provincial Offences Officer for the purpose of enforcing regulations made pursuant to Sections 28 and 29 of the *Conservation Authorities Act* and the *Trespass to Property Act* within the area of jurisdiction for Lower Trent Conservation, effective during his employment with Lower Trent Conservation.

Carried

14. Revisions to the 'Volunteer for Conservation Program Plan'

Corinne Ross, Communications Specialist highlighted the new initiative for Conservation Lands Trails Stewardship volunteers.

RES: G142/23

Moved by: Bobbi Wright

Seconded by: Lynda Reid

THAT the proposed revisions to the '*Volunteers for Conservation Program Plan*' document be adopted.

Carried

15. Revisions to the 'Accessibility Policy and Accessible Customer Service Plan'

RES: G143/23

Moved by: Jim Alyea

Seconded by: Lynda Reid

THAT the proposed revisions to the '*Accessibility Policy and Accessible Customer Service Plan*' document be adopted.

Carried

16. 2024 LTC Fee Policy and Schedules

Director Alyea commented on the development charges being frozen and noted that if reductions in fees, it will impact budgets across municipalities and result in further downloading costs to taxpayers.

RES: G144/23

Moved by: Eric Sandford

Seconded by: Jim Alyea

THAT the 2024 Lower Trent Conservation Fee Policy and Schedules be adopted and effective January 1, 2024, except for Schedule 1 Planning and Regulation fees which will be effective on the date that the Minister rescinds the current fee freeze.

Carried

17. 2024 Budget (Draft) Consultation

RES: G145/23

Moved by: Gene Brahaney

Seconded by: Jim Alyea

THAT the 2024 Budget (Draft) consultation comments be received as information.

Carried

18. 2024 Budget Discussion

Kelly Vandette, Manager, Corporate Services shared Rhonda Bateman’s comments below that were prepared for the meeting:

I have reviewed the necessity for the addition of 2.25 staff positions several times. The most important thing to understand is without these positions the level of service for both planning and regulations and conservation lands will suffer.

In planning and regulations, we have staff working overtime everyday because of the increased workload. The large increase in enquiries have added to the already burdened staff members.

Staff are reaching the point of burn-out. We cannot maintain this level of staffing and continue to operate within the parameters of the delivery dates that are mandated. We will lose good people because they can work elsewhere and potentially with those CAs with large bank accounts and plenty of staff. Violation and enforcement files take a tremendous amount of time to ensure legal conformity and documentation. These files continue to rise with increased complaint numbers.

I want the best for our staff but we are struggling to maintain our current load.

The Conservation Lands staff have managed to remove almost 230 hazard trees above the annual average of 48. They have removed 278 tree to date and have not completed tree removal for this year. Most of these trees were removed by staff member saving a minimum of \$90,000 closer to \$110K for removal by vendors. There have been a couple of trees that required professional removal for health and safety reasons but the vast majority have been completed by staff.

Hazard Trees	# of trees	# of trees 2023	Above average	Average Savings @ \$400	Total Savings @ \$400
2019	46				
2020	60				
2021	64				
2022	23				
2023		278	229.75	\$91,900	\$111,200
Average 2019-2022	48.25				

MOUs have been passed by 5 of our 7 municipalities and the budget appears to be affecting the signing of the last two MOUs. The Category 2 MOUs should not be in jeopardy as the municipalities

have to deliver two of these programs under the Clean Water Act and the other is the inspection of municipal infrastructure – which is again a mandatory program for those affected municipalities. I have not heard any qualms with this program.

The Category 3 programs are watershed wide and affect all of our municipalities. These programs, if not funded by our larger municipalities will be lost. The smaller municipalities do not have the funding available to pick up the slack. These effects are wide ranging.

We pride ourselves on our science-based knowledge and our dedication in using science as the basis for our decision making. To withdraw our monitoring program will cause us to reverse the great work that the Board has championed since the expansion of the program in 2018. We are responsible to understand the watershed science, especially in regard to water quality and keep our local municipalities aware of issues. Withdrawal of the monitoring program will decrease our ability to access funding opportunities for water quality projects. It will degrade our standing as local leaders in knowledge based science. We would not participate in the Watershed Report Card program – we will have no data and will have no idea on local trends or issues in water quality.

Monitoring has no reserves or surplus funding associated with the program from which to draw upon and the program will be removed.

Children’s education programs are our most visible and public perceived valuable asset. If one municipality withdraws, students from those municipalities cannot participate in the larger programs. That will affect our future volunteer base as well. We have high school students from QW participating in volunteer work in CA Lands stewardship program and they are volunteers at the Children’s water festival. Do we want the water festival to be lost? Do we want to exclude classrooms full of children based on where they live?

The other obvious result of failure to sign the MOUs would be the laying off of staff. Until the final budget is voted upon the effects are not yet known. There may be an opportunity to reallocate staff but termination will result if the funding is not there to sustain the program.

RES: G146/23

Moved by: Jim Alyea

Seconded by: Bobbi Wright

THAT the Lower Trent Conservation Board of Directors move to in-camera session regarding a position under the Administrative By-law 2023-01, Section C(13)(k) and Section 239(2)(k) of the Municipal Act.

Carried

Staff and guests were asked to leave the meeting for Board deliberation.

Time 1:35 pm

RES: G147/23

Moved by: Jim Alyea

Seconded by: Bobbi Wright

THAT the Lower Trent Conservation Board of Directors move out of in-camera session.

Carried

Time 2:15 pm

Staff returned to the Board meeting.

The Board moved into further discussion regarding the 2024 Draft Budget and MOUs.

Kelly Vandette asked if the Board wished to give further direction to staff with regards to the budget. She shared the following possible options Rhonda provided for them to consider:

- The Youth Education program can proceed for one final year without municipal financial input, that portion of the budget can come out of existing reserves. However, the program must be funded by the municipalities beginning in 2025 or the program ends.
- There may be enough funding remaining in the stewardship funding to delay the initiation of that MOU as well. That would be dependent on the auditor allowing the carry-over of the plant sale and other stewardship income. There may have to be a board resolution to ensure that.
- Keep in mind, these are stop gap measures that will need to be addressed within the next six months – the funding model is not sustainable. There will be no money to run these programs after 2024.

RES: G148/23

Moved by: Jim Alyea

Seconded by: Rick English

THAT the 2024 Budget Draft be deferred and brought back to the December 14, 2023 LTC Board of Directors meeting.

Carried

19. CAO's Report

RES: G149/23

Moved by: Bobbi Wright

Seconded by: Eric Sandford.

THAT the CAO's Report be received as information.

Carried

OTHER BUSINESS

20. Members Inquiries/Other Business

There were no members inquiries or other business for this meeting.

Director English commented that on social media, there were negative comments received with regards to the logs at Warkworth Dam being removed to early being the warmer weather extended the fall seasonal colours. He asked LTC staff to look at the timing and perhaps forecast weather conditions before removing. Kelly Vandette responded that she will relay the message

to staff to come back with a possible solution for scheduling and taking in to account weather forecasting for removal of the logs.

Director Alyea asked Gage Comeau to elaborate on the legal cases LTC is dealing with as noted in his report provided in the agenda package.

Gage Comeau spoke to the legal cases identified in the agenda package. With regards to ENF-19-010, Gage commented that he was not at court that day; however, he was able to share the results of the court decision.

Director Wright asked for a copy of the CAO's 2024 Budget notes. Kelly stated that the CAO's prepared speech will be included in the minutes.

Director Reid asked for a copy of apportionment to members for category 1 and the MOU's.

Director Sandford stated that he will be out of town for the December 14, 2023 Board meeting; however, he will try to attend if he can via TEAMS.

Director Wright commented on the 2024 budget process and that the subcommittee agreed that cutting the budget now will end up paying for in the long run, especially with regards to staff.

21. Adjournment

There being no further business, the meeting was adjourned.

RES: G150/23

Moved by: Rick English
THAT the meeting be adjourned.

Seconded by: Bobbi Wright

Carried

Time 3:10 p.m.



Bob Mullin, Chair



Kelly Vandette, Manager, Corporate Services
for; Rhonda Bateman, CAO/ST