



**NOTTAWASAGA VALLEY CONSERVATION AUTHORITY  
PUBLIC MEETING  
REGARDING THE TOWNSHIP OF ORO-MEDONTE  
REQUEST TO REDUCE CONSERVATION AUTHORITY JURISDICTION  
Friday June 12, 2009  
MINUTES**

**Location: Tiffin Centre for Conservation – John L. Jose Environmental Learning Centre**

<b><u>PRESENT:</u></b>	
<b>Chair:</b> Walter Benotto	Town of Shelburne
<b>Vice Chair:</b> Joan Sutherland	Town of New Tecumseth
<b><u>MEMBERS:</u></b>	
Rick Archdekin	Town of Wasaga Beach
Mary Brett	Township of Adjala-Tosorontio
Orville Brown	Township of Clearview
Rhonda Campbell-Moon	Township of Mulmur (attended in place of Gord Montgomery)
Chris Carrier	Town of Collingwood
Mel Coutanche	Township of Oro-Medonte
Reg Cowan	Township of Springwater
Tom Elliott	Township of Springwater
Sonny Foley	Town of Collingwood
Brian Mullin	Municipality of the Grey Highlands
Ron Henderson	Township of Essa
Ralph Hough	Township of Oro-Medonte
Garry Matthews	Township of Melancthon
Rick Milne	Town of New Tecumseth
Fred Nix	Town of Mono
Gerald Poisson	City of Barrie
Ron Simpson	Town of Bradford West Gwillimbury
Bill Van Berkel	Town of Innisfil
Robert Walker	Township of Clearview
Barry Ward	City of Barrie
Percy Way	Township of Amaranth
<b><u>REGRETS:</u></b>	
John McKean	Town of the Blue Mountains
Gord Montgomery	Township of Mulmur (R. Campbell-Moon attended)
Cal Patterson	Town of Wasaga Beach
Terry Dowdall	Township of Essa

**STAFF PRESENT:**

CAO/Secretary-Treasurer  
 Communications/Public Relations Assistant  
 Director of Land Operations & Stewardship Services  
 Manager of Stewardship Services  
 Director of Planning  
 Senior Environmental Officer  
 Director of Engineering and Technical Services

Wayne Wilson  
 Kim Garraway  
 Byron Wesson  
 Fred Dobbs  
 Chris Hibberd  
 Barb Perreault  
 Glenn Switzer

**RECORDER:** Susan Richards, Manager of Administration and Human Resources

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**GUESTS:**

Oro Medonte Council  
Mayor Harry Hughes  
Councillor Sandy Agnew  
Councillor Terry Allison  
Councillor Dwight Evans  
Councillor John Crawford

Robin Dunn, CAO Oro-Medonte  
Andria Leigh, Director Development Services, Oro-Medonte

Keith Graham, Springwater Township resident  
Tom Kurtz, Barrie resident

Residents of Oro-Medonte:

J. Bolton, P. Marshall, P. Thompson, J. Cameron, B. Cayley, D. Anderson, R. Smith

Oro-Moraine Association Members and residents of Oro-Medonte:

Pat Woodford, Chair  
P.S. Woodford, Member

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**CALL TO ORDER**

Chair Walter Benotto called the meeting to order at 9:00 a.m.

**ANNOUNCEMENTS**

Chair Benotto welcomed Township of Mulmur Councillor Rhonda Campbell Moon to the meeting. Councillor Campbell-Moon attended the meeting in place of Mulmur Mayor Gord Montgomery who sent his regrets.

**1. MOTION TO ADOPT AGENDA**

**RES.#1**      MOVED BY: Rick Archdekin      SECONDED BY: Reg Cowan  
**RESOLVED THAT:** The Agenda for the Public Meeting dated 12 June, 2009 be adopted.

**2. PECUNIARY INTEREST DECLARATION**

None declared.

**3. OPENING STATEMENT BY CHAIR WALTER BENOTTO**

Chair Benotto outlined the following procedure to be followed at this public meeting.

- The meeting will be recorded.
- 10 minutes will be allotted for each delegate to speak.
- Board members will be given one minute to ask questions of clarification and approximately the same time for a response from the delegate.

- Members of the public were invited to sign-in if they wished to speak and would be given three minutes. Wayne R. Wilson, CAO/Secretary-Treasurer will give warning when the time period has ended.
- Printed material should be left with Susan Richards, Manager of Administration and Human Resources/Recorder.

#### **4. PRESENTATION BY WAYNE R. WILSON, CAO/SECRETARY TREASURER**

##### **4.1 Statement of public notice by the CAO/Secretary Treasurer**

Mr. Wilson advised that notice of this public meeting was posted in the Orillia Today and Barrie Advance on May 14/09 and North Simcoe News on June 3/09. The notice was also posted on the NVCA webpage with further background information.

##### **4.2 Background Report regarding the Township of Oro-Medonte request to reduce Conservation Authority Jurisdiction**

This meeting has been duly posted as part of the agenda package on the NVCA website. A backgrounder report was included in the agenda package. The meeting has been called today to receive comments/further information from Oro-Medonte Council and staff and members of the public.

Mr. Wilson outlined the sequence of events that has led to this public meeting and advised that there is no expectation for any decision to be made by the Board at this public meeting. Staff will work jointly with Oro-Medonte to develop a report after hearing public input today.

Mr. Wilson concluded the background and advised that he would be pleased to take any questions from the Board Members.

Mel Coutanche, member representing Oro-Medonte asked how much longer the NVCA would be receiving comments from members of the public. Wayne Wilson advised that any correspondence received between now and the August 28/09 NVCA Board meeting would be forwarded on to the Board Members for their information.

Questions of clarification were asked by the Board members.

**5. STATEMENT OF CORRESPONDENCE RECEIVED BY THE CAO/SECRETARY TREASURER**

Wayne Wilson, CAO/Secretary-Treasurer announced that the following correspondence had been received to date.

- 5.1 Article from the Orillia Packet & Times, appearing on May 30/09 re: Township wants answers, Oro-Medonte wants to know how conservation funds are being spent
  - Comments from Oro-Medonte Mayor Hughes
- 5.2 Article from the Orillia Packet & Times, appearing on June 2, 2009 re: Authority 'shocked' by mayor's remarks
  - Comments from Wayne Wilson, CAO/Secretary-Treasurer
- 5.3 Correspondence from the West Oro Ratepayers Association dated May 26/09
  - Sever the relationship with SSEA
- 5.4 Email dated May 27/09 from Jane McCulloch, summer resident in Oro-Medonte
  - In support of Option 1, maintaining the status quo for provision of environmental services to the community.
- 5.5 Correspondence from Connie Simo, President of the Bass Lake (Oro-Medonte) Ratepayers Association dated May 25/09.
  - In support of Option 1, maintaining the status quo for provision of environmental services to the community.
- 5.6 Correspondence from Mr. R. Madden resident in Oro-Station to Oro-Medonte Council dated May 28/09. Email from Mr. Madden to NVCA received June 1/09 and response from Wayne Wilson, CAO/Secretary-Treasurer
  - Supporting accountability to ensure diligence in conservation protection of the environment for future generations and reducing duplication of services.

Additional correspondence received (June 10/09) summary handout and orally presented by Wayne Wilson, CAO/Secretary-Treasurer

- a) Connie Simo, President Bass Lake Ratepayers Association
  - Email dated June 8/09 re: concerns regarding enforcement on Bass Lake
  - Copy of letter sent to A. Leigh, Director of Development Services, Oro-Medonte dated June 8/09 re: follow-up to May 25/09 letter.  
*Quote: "We don't believe that we are in the best position to determine which of the 5 or more options would produce the best result for taxpayers of Oro Medonte. We believe that is the role of council. We do expect that whatever option is chosen it will be based on an unbiased evaluation of the alternatives and we will experience an improvement in response to by-law infractions and continuation of the lake monitoring program at the recent level."*
  - Thank you to Dave Featherstone, NVCA Manager of Watershed Monitoring program for the Bass Lake Report Card

- b) Email from R. Maden dated June 8/09 re; duplication of services and need for a Memorandum of Understanding (MOU).
- c) Copy of letter sent to A. Leigh, Director of Development Services, Oro-Medonte dated June 5/09 from C. Jacobsen resident of Oro-Medonte re: follow-up of May 27/09 Oro-Medonte public meeting providing recommendation to resolve the challenges.  
*Quote: "After careful review of the information available from the Municipality, Nottawasaga Valley Conservation Authority, and Severn Sound Environmental Association, on which I was a Community Sustainability Advisory Committee member I have found no evidence of service duplication. I have several recommendations to resolve the current challenges and position Oro-Medonte as leading edge example of sustainability into the future".*
- d) Letter sent to Mayor Hughes and Council from Walter Benotto, NVCA Chair - dated June 4/09 re: it is critical to show how enforcement of Conservation Authority Regulations will occur.
- e) Email from P. Kaynes dated June 8/09 re: comments regarding the May 27/09 Oro-Medonte public meeting with request that Oro-Medonte undertake a comprehensive review of CA services through a Environmental Advisory Committee.  
*Quote: "based on the various presentations and comments made, I was left with the impression that Council was putting the cart before the horse (i.e. solutions were being proposed but it did not appear that the problem had been identified)"*
- f) Mayor Scott Warnock advising that he will be unable to attend the June 12/09 deputation.

## **6. DELEGATIONS:**

### **6.1 Mr. Keith Graham resident of Springwater Township**

Mr. Graham advised the Board of Directors of a complaint he had made in 2003 regarding infilling in a very sensitive area of Oro-Medonte and the lack of assistance he received from the NVCA.

Barb Perreault, Senior Environmental Officer provided a history of the events. Officer Perreault advised that further to Mr. Graham's comments to 2003 involvement, a complaint was received and an NVCA Environmental Officer inspected the site 2 days later. It was determined that the NVCA could take no legal action as the filling activity was not subject to NVCA regulations in place at the time.

Further to this, Officer Perreault gave a chronological account of the events up to May 9/09. On May 9/09 a call was received from Councillor Sandy Agnew, Oro-Medonte and a further site visit was conducted. NVCA staff worked closely with Oro-Medonte staff and the Ministry of the Environment to address the concerns including coordinating the use of the Oro-Medonte Fill By-Law and NVCA regulations.

Mr. Graham did not comment on the subject matter of Oro-Medonte's request to reduce Conservation Authority jurisdiction.

## **6.2 Robin Dunn, CAO Oro Medonte**

Mr. Dunn provided an overview of the status of the request to reduce Conservation Authority Jurisdiction in the Township of Oro-Medonte, in particular the Severn Sound Portion.

In June 2003 an agreement to expand Conservation Authority Services to the Severn Sound Portion of Oro-Medonte was entered. All parties, the Township of Oro-Medonte, the NVCA and the Severn Sound Environmental Association (SSEA), were clear on the intent to ensure no duplication and streamline funding for one enhanced set of programs and services provided by the NVCA and SSEA.

Mr. Dunn advised that it was his understanding the NVCA provided confirmation that a Memorandum of Understanding (MOU) would be completed with SSEA in order to clarify roles and responsibilities and that to date no MOU has been executed. In addition he stated that the NVCA has not provided any accountability for the services provided to Oro-Medonte.

Mr. Dunn went over the actions that have been taken to date including the appeal to the Mining and Lands Commissioner and the mediation meeting. As a result of the mediation, the NVCA and Oro-Medonte agreed to hold 2 public meetings to obtain public input and to work together to prepare a joint staff report to be presented to the NVCA Board of Directors with recommendation.

### **Questions and Answers of Clarification**

- Past NVCA Chair Fred Nix, representative from the Township of Mono asked Mr. Dunn if he had a copy of the letter that stated the NVCA would enter into an MOU with SSEA. Mr. Dunn advised that he would forward a copy of the correspondence to Mr. Wilson.
- Mr. Chris Carrier, Mayor of Collingwood advised Mr. Dunn that as he was the NVCA Chair at the time of the expanded service to Oro-Medonte, he recalled that an independent study did recommend that the NVCA take over the responsibility of regulatory roles in the expanded boundaries. Mayor Carrier advised that when talking about duplication of services, the correspondence provided to Oro-Medonte by the NVCA provided as much detail as possible. When reading accountability statements made by Mayor Hughes, on how the NVCA is being unaccountable and duplicating services of the SSEA, Mayor Carrier noted that significant NVCA staff time has been expended describing the accountability of services in Oro-Medonte.

- Councillor Barry Ward, representative from the City of Barrie said he has seen no evidence of duplication of services. He asked Mr. Dunn if he had an MOU (memorandum of agreement) prepared and if Severn Sound Environmental Association provided a list of services. Mr. Dunn responded that a list of services had been provided.
- Councillor Mary Brett, representative from the Township of Adjala-Tosorontio asked if consideration had been given for SSEA becoming a Conservation Authority in order to ensure adequate protection of the environment through the Conservation Authority's Act.

Mr. Dunn advised that the regulatory regime would have to be reviewed and that more information would be required in order for Council to make a decision. Mr. Hough, NVCA representative of Oro-Medonte advised that as a board member of the SSEA for many years, this issue was discussed and at the time lack of funding from the province and the federal government did not permit the SSEA to proceed.

Further questions of clarification were asked by the Board members regarding the roles of the NVCA and SSEA.

### **6.3 Mayor Harry Hughes, Township of Oro-Medonte**

Mayor Hughes circulated a handout including the NVCA/Oro-Medonte Mining and Lands Commissioners meditation resolution.

Mayor Hughes provided an overview of the reasons why Oro-Medonte has requested to reduce NVCA jurisdiction in the Severn Sound portion of Oro-Medonte. Mayor Hughes offered the following comments:

- Oro-Medonte Council values the work of environmental agencies. The Severn Sound portion makes up half of Oro-Medonte.
- Funding two environmental agencies has seen a substantial increase in cost since 2002.
- Oro-Medonte Council has heard complaints from residents regarding NVCA customer service.
- In the area of enforcement, the NVCA has 2 environmental officers to serve 18 municipalities. It became evident that the township would have to hire their own enforcement officers.
- NVCA needs to tell us (Oro-Medonte) specifically how the \$100,000 of tax money is being spent.

- The decision of Oro-Medonte council to appeal the NVCA levy to the Mining and Land Commissioner was unanimous.
- Mayor Hughes reviewed the mediation process held with the Mining and Lands Commissioner criticizing the NVCA for not providing written correspondence in advance of the meeting.

Mayor Hughes went on to site a number of concerns regarding NVCA services and the way the mediation and public meeting process had proceeded and the confidentiality of the documents reviewed at the mediation session. He concluded that this meeting is not about dollars rather the maximum value for dollars spent.

#### **Questions and Answers of Clarification**

- Mayor Hughes stated that at the arbitration meeting the NVCA requested the change in boundaries back to the original boundary before the change in June 2003. Chair Walter Benotto and Board member Chris Carrier clarified that it was Oro-Medonte who made the request to redraw the boundaries. The NVCA requested that Oro-Medonte bring their request back to the NVCA Board of Directors for discussion.
- Mr. Wilson, CAO/Secretary Treasurer noted that a large mediation package was provided from Oro-Medonte to the mediator and was kept confidential and not released for public information. The NVCA received the package at 3:00 p.m. the day before the mediation was to take place. What was posted on the NVCA web site was the mediation resolution, which Mr. Pascoe, Mediator with the Mining and Lands Commissioner and the NVCA Solicitor confirmed was not a confidential document.

Further discussion ensued with Mayor Hughes and Wayne Wilson regarding the confidentiality of the resolution.

- Past Chair Fred Nix questioned Mayor Hughes on his budget statements. Past Chair Nix challenged the numbers Oro-Medonte staff put out at the Oro-Medonte public meeting which indicated an average rate increase of 14% each year on the levy portion of the NVCA. The annual average budget increase for the NVCA according to his calculation has been 4.5%. When checking the SSEA strategic plan and their projected budget it indicates a annual increase of 24.4%. Past Chair Nix posed the question "does the Mayor consider an increase of 4.5% out of control?"

Mayor Hughes advised that Deputy Mayor Hough provided the numbers for the levy increase. Questions regarding the numbers should be directed to Deputy Mayor Hough.

*Further discussion ensued regarding a number of incidents and enforcement allegations. Mayor Brian Mullin, Municipality of Grey Highlands raised the question that this public meeting is turning into a debate and that the members of the public should be invited to speak at this time.*

**7. PUBLIC PRESENTATIONS:**

Speakers will be required to sign in at the beginning of the meeting.

- 7.1 Mr. Smith, a resident on Bass Lake was concerned with a wetland being filled. He concluded that he feels the residents should rely on Council and Public representatives to ensure we have champions of the environment.
- 7.2 Jim Woodford, Member of the Oro-Moraine Association spoke in support of the good work the NVCA does in particular the Oro-Moraine Report Card. Mr. Woodford was not in favour of Oro-Medonte's proposal to reduce Conservation Authority Jurisdiction.
- 7.3 Pat Woodford, Chair of the Oro-Moraine Association spoke in support of the NVCA and encouraged residents to read the Oro-Moraine Report Card.

**8. QUESTIONS AND ANSWERS OF CLARIFICATION**

Mr. Sandy Agnew, Councillor and NVCA representative for Oro-Medonte advised that the decision to appeal the NVCA budget to the Mining and Lands Commissioner was unanimous is true; however, there was never any discussion at Council to move or change the NVCA jurisdiction boundaries at Oro-Medonte Council. Mr. Agnew would not have supported that proposal.

Wayne Wilson, CAO/ Secretary-Treasurer confirmed that it is critical that NVCA and Oro-Medonte staff work together in order enforce regulated areas both through the CA Planning Regulations and the Municipal Fill By-Law in order to protect the environment.

**9. FINAL STATEMENT BY THE CHAIR**

Chair Walter Benotto thanked all in attendance for their participation and advised that the NVCA will consider all of the matters before making a decision. A joint report from NVCA and Oro-Medonte staff is scheduled to be presented at the August 28/09 NVCA Board of Directors meeting.

**ADJOURN**

**RES.#3** MOVED BY: Robert Walker SECONDED BY: Orville Brown  
**RESOLVED THAT:** This meeting adjourn at 11:20 a.m. to meet again at the call of the Chair.

\_\_\_\_\_  
Chair Walter Benotto

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Wayne R. Wilson, CAO/Secretary Treasurer

Dated this day of , 2009