

Board of Directors Resource Manual



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The Crowe Valley Conservation Authority Background Information

Conservation Authorities

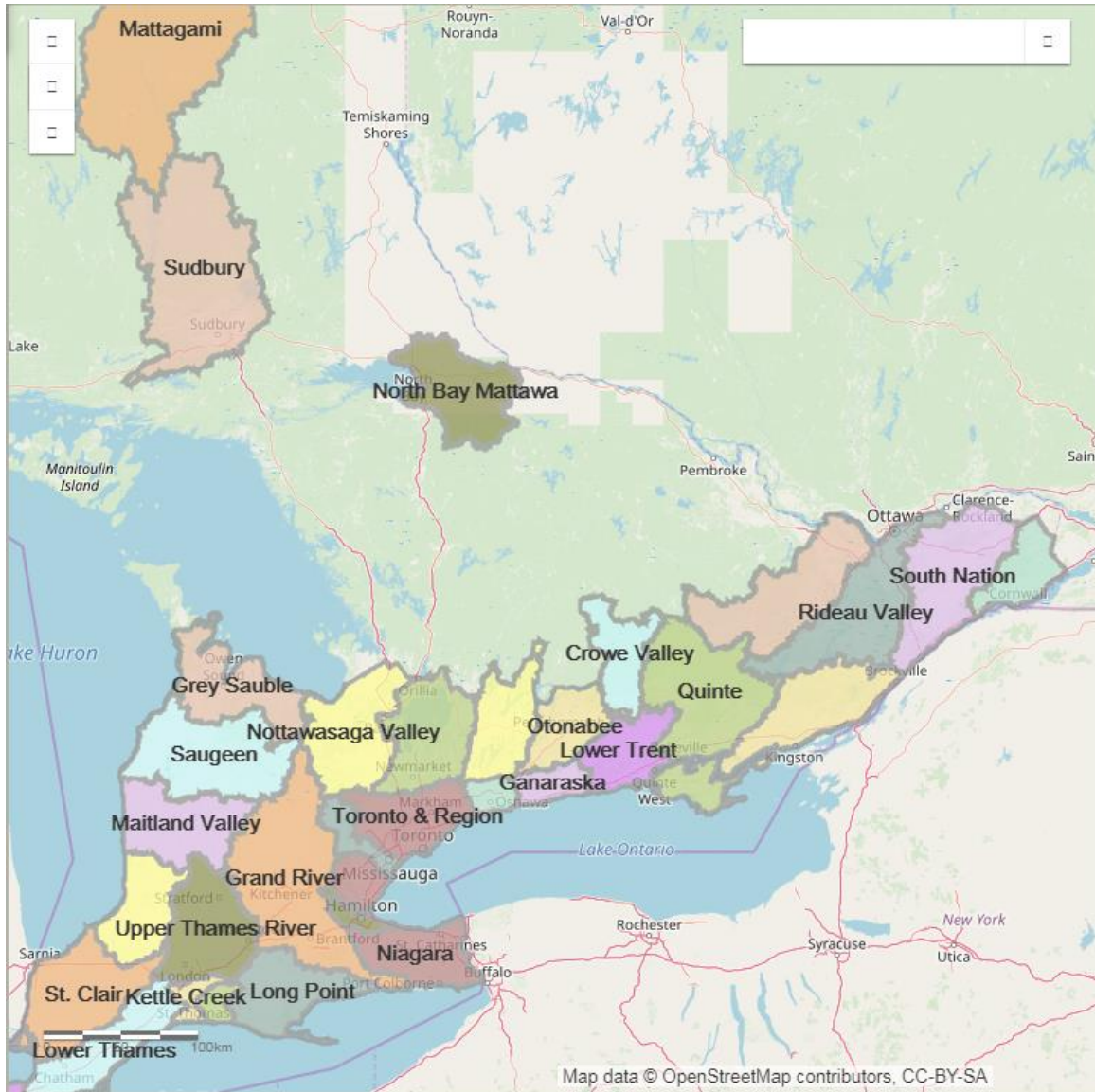
The formation of the Federation of Ontario Naturalists (FON) in 1931 was one of the most significant events to occur in the history of the conservation movement. The FON began by effectively lobbying the provincial government for binding environmental legislation. Then on April 25, 1941, the FON held a meeting at the Ontario Agricultural College in Guelph. Representatives from any organization active in conservation were invited to take part in what was dubbed the 'Guelph Conference'. The primary purpose of the meeting was to formulate a consistent program of conservation upon which corresponding policies could be based.

Ultimately in 1944, the Ontario Ministry of Planning and Development established a Conservation Branch to implement a conservation program that called for co-operation between municipalities and the provincial government. This led to the passing of the Conservation Authorities Act in 1946 and to the establishment of the first Conservation Authority in the same year.

The Ministry of Natural Resources and Forestry (MNRF) is a liaison between the Province of Ontario and Conservation Authorities. Before a Conservation Authority may begin a project or program, it must be approved by MNRF. MNRF also provides policy and technical assistance, representing the provincial concerns to Conservation Authorities.

There are now a total of 36 Conservation Authorities in Ontario (See Conservation Authorities of Ontario Map for locations). Since its inception, Conservation Authorities have become involved in a wide range of activities. Some of the programs include; Community Relations; Flood Control; Hydro Generation; Outdoor Recreation; Tourism; Waterfront Development; Water Quality Monitoring; Flood Plain Management; Etc.

Map of Ontario's Conservation Authorities



Conservation Authorities Mandate

Conservation Authorities were created in 1946 by an Act of the Provincial Legislature. As per Section 20 (1), “The objects of an authority are to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.” R.S.O. 1990, c. C.27, s. 20; 2017, c. 23, Sched. 4, s. 18. This object ensures Ontario’s water, land and natural habitats will be administered through programs that balance human environmental and economic needs.

Goals:

- To ensure that Ontario's rivers, lakes and streams are properly safeguarded, managed and restored.
- To protect, manage and restore Ontario's woodlands, wetlands and natural habitat.
- To develop and maintain programs that will protect life and property from natural hazards such as flooding and erosion.
- To provide opportunities for the public to enjoy, learn from and respect Ontario's natural environment.

The History of the Crowe Valley Conservation Authority

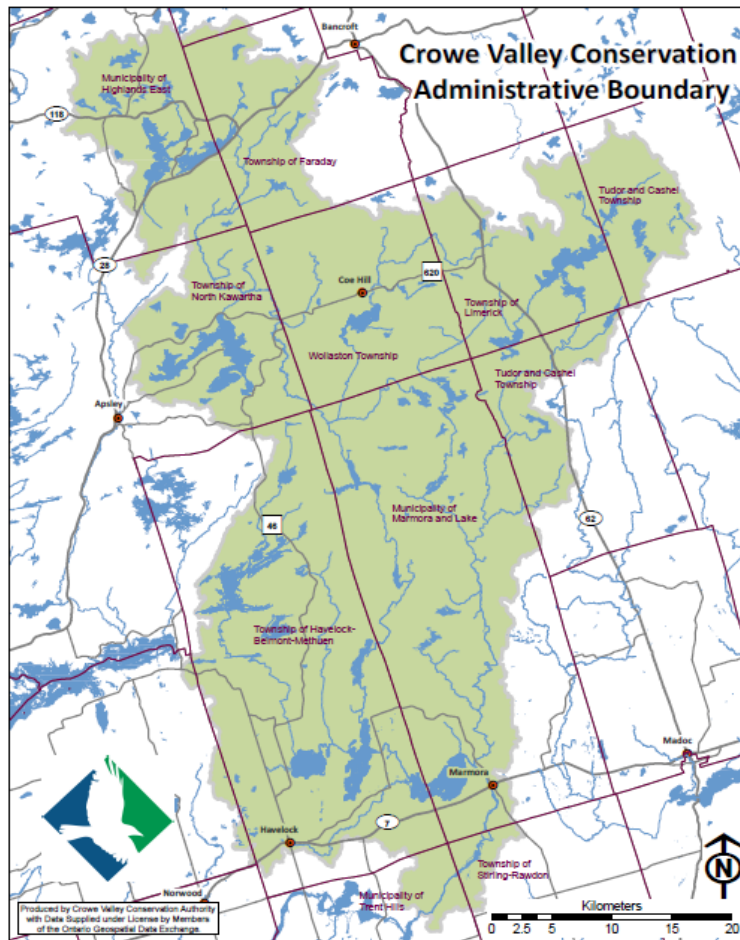
The Crowe Valley Conservation Authority was formed on November 6, 1958. Its purpose and goal remains the same as stated in Section 20 of *The Conservation Authorities Act*, with a primary focus on water management, source water protection, flood forecasting and warning, monitoring and conservation of land for public education and recreational usage.

Upon inception, the CVCA's office was located in Peterborough through a shared venture with the Otonabee Region Conservation Authority. Soon, it became apparent the CVCA's office needed to move to its own location, which the Authority did by locating to the home of the Secretary-Treasurer in Havelock. From there the office was relocated in the old post office building, (presently occupied by the Village of Havelock's Administrative Offices) to the basement of the town hall, and finally in 1979, to where it is presently situated in Marmora overlooking the Crowe River.

The Crowe Valley Conservation Authority's Administrative office was constructed in the latter part of 1952 for the Marmora Mining Company as a "Guest House". After the closing of the Marmoraton Mining Company in 1978, the building was sold to the Village of Marmora, who re-sold the building to the Crowe Valley Conservation Authority for \$75,000.00.

The Crowe Valley Conservation Authority has a watershed of approximately 2,006 square kilometers or 774.5 square miles. It encompasses all or parts of the municipalities: Havelock-Belmont-Methuen, Marmora & Lake Townships, Municipality of Trent Hills, Township of Faraday, Municipality of Highlands East, Township of Limerick, Township of Stirling-Rawdon, Tudor and Cashel Townships, Wollaston Township and the Township of North Kawartha. (See CVCA Administrative Boundary Map)

Crowe Valley Conservation Boundary Map



Since its founding, the Crowe Valley Conservation Authority (CVCA) has primarily been responsible for water control. The Crowe Valley Conservation Authority covers the area drained by the Crowe River and its tributaries, the North River and Beaver Creek. The CVCA operates and maintains a system of dams on the Crowe River and its tributaries for the purpose of releasing water during high periods, sustaining summer levels and drawing down the lakes to winter levels. Dams owned and operated by the CVCA are located at: Wollaston Lake, Belmont Lake, Allan Mills on the Crowe River, Marmora, Cashel Lake and Oak Lake. CVCA also owns a weir dam located at Crowe Bridge Conservation Area. Also located within the boundary of the Crowe Valley Conservation Authority are the following dams which are owned by the Ministry of Natural Resources and Forestry: Paudash Lake Dam, St. Ola/ Limerick Dam, Cordova Lake Dam, Round Lake Dam and Kasshabog Lake Dam. The CVCA has an operating agreement to make stop log adjustments at Cordova, Round and Kasshabog dams, which are owned by the Ministry of Natural Resources and Forestry. Paudash and St. Ola stop log adjustments are conducted by MNRF, but at the discretion of the CVCA. The CVCA also operates the Steenburg Lake Dam

which is owned by the Township of Limerick. As well, the weir at Lasswade Lake was constructed by the CVCA in 1989 but is not owned by the CVCA.

The Crowe Valley Conservation Authority also operates the Orilla Power Hydro Generation Station located at the dam in Marmora. The authority has operated the hydro station on their behalf since September of 1992.

Crowe Valley Conservation Authority also owns four Conservation Areas, Crowe Bridge Conservation Area, Callaghan's Rapids Conservation Area, The Gut Conservation Area and McGeachie Conservation Area. In addition, the CVCA owns the Agreement Forest, which was an MNR property given to the CVCA.

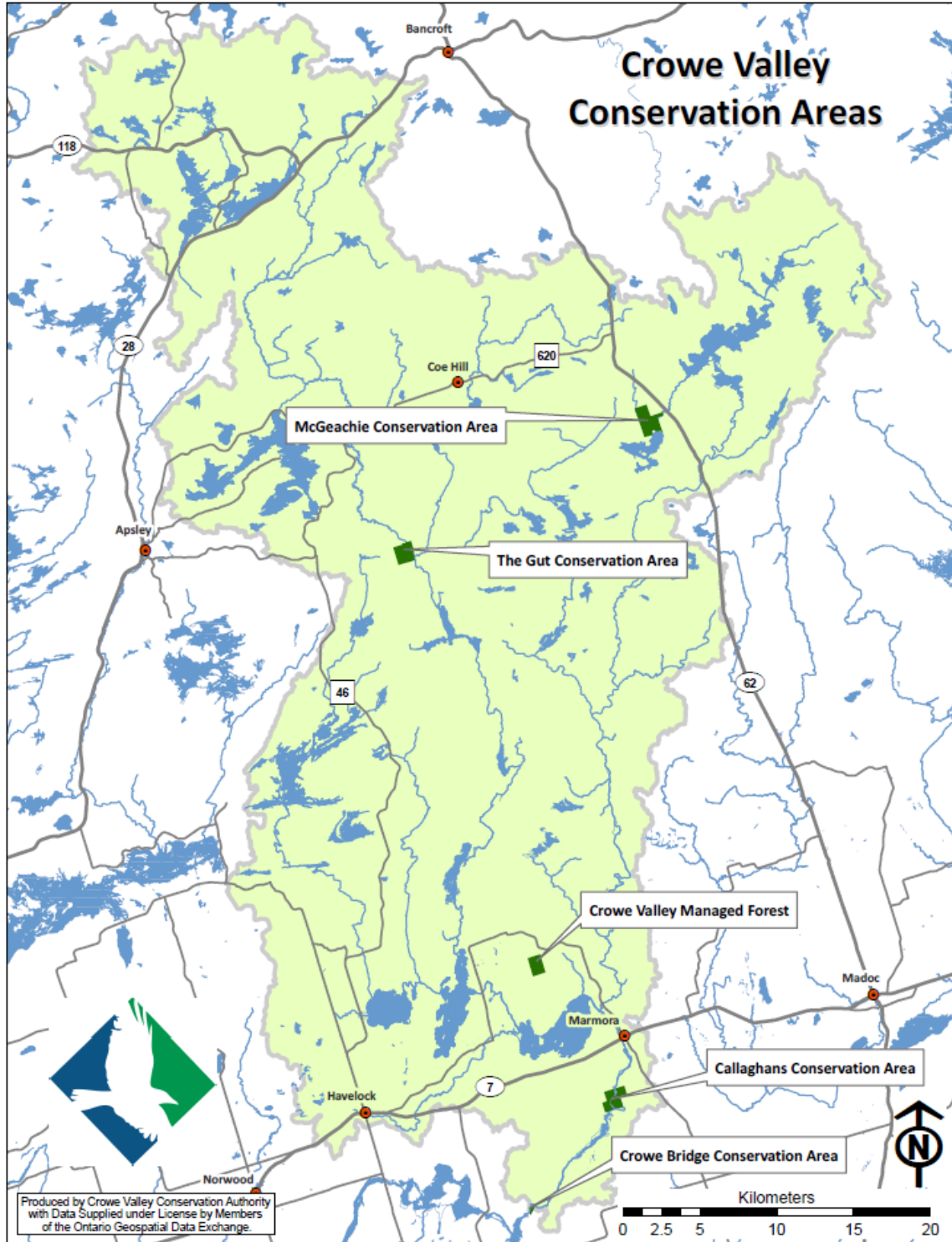
Crowe Bridge Conservation Area was purchased in 1965 and it is a 26 acre parcel of land located at the Southern portion of the watershed, approximately 24Km southeast of Havelock (See CVCA Conservation Area Map for location). Crowe Bridge is leased to the Municipality of Trent Hills.

Callaghan's Rapids Conservation Area was purchased by the Conservation Authority in 1974. Callaghan's Rapids is a 162 Hectare/ 400acre wood lot located 3 Km south of Marmora (See CVCA Conservation Area Map for location).

The Gut Conservation Area was purchased in 1976 and is approximately 400 acres of very rugged land located in the extreme northern corner of Marmora and Lake Township (See CVCA Conservation Area Map for location).

The McGeachie Conservation Area is approximately 500 acres of land located on Steenburg Lake in Limerick Township (See CVCA Conservation Area Map for location). The original property of approximately 330 acres was donated to the Conservation Authority in October of 1994 by Jack and Ethel McGeachie. A number of years later, Bob McGeachie's (Jack's brother) estate was donated by his nephew's Robert and Lloyd McGeachie. As well, a 20 acre parcel was donated by Mrs. Lee a few years later to bring the entire land holding to its current total.

The Authority also owns a 225 acre block of land in Marmora Township known as the Agreement forest, which was given to the authority by the Ministry of Natural Resources and Forestry in 1963.



Operations of the Crowe Valley Conservation Authority

Dam & Hydro Plant Operations

The Crowe Valley Conservation Authority operates the dams and weirs throughout the Crowe Valley watershed in order to minimize the effects of flooding and to maintain seasonal water levels primarily for recreational purposes, fish habitat and environmental issues. There are also two hydro plants in the watershed – one at Cordova Lake which is owned and operated by Algonquin Power Ltd. and one at the Marmora Dam which is operated by the Authority and owned by Orilla Power Ltd.

The primary dam operators for the CVCA are the Water Technician and Land Technician. The remaining dam operators are drawn from the remaining staff complement as required. Stop log manipulations comprise of logs placed in, out, jacked or replaced in the dam gains. There are over 200 logs in the CVCA network of dams and on any given day depending on weather conditions, many of this total could be taken out or placed into the dams.

The forecast must be done at least once a day, 365 days a year. Five CVCA staff members share on call duties for the Orilla Power hydro plant 24 hours a day, 365 days a year. In addition, the duty forecast work for the weekends is also currently shared with five staff. During a flood warning, the office is manned 24 hours per day until the flood event has subsided and hazardous conditions do not pose a serious threat to watershed residents or property.

Conservation Areas

The Crowe Valley Conservation Authority currently owns and maintains four conservation areas within the watershed; Crowe Bridge Conservation Area, The Gut Conservation Area, McGeachie Conservation Area and Callaghan's Rapids Conservation Area.

Crowe Bridge Conservation Area

Crowe Bridge Conservation Area (CBCA) is approximately 26 acres. Crowe Bridge



Conservation Area was purchased in 1965. It is located approximately 24 kilometers southeast of Havelock in Seymour Township. The park is located right on the Crowe River and has sections of rapids and small waterfalls with sections of limestone bottom. The road divides the park into two 13 acre sections. Originally, one side was a day-use facility the other as a campground. Over the years, a number of improvements and structural

additions were made.

The day use side of the conservation area offered mini-golf, swimming, picnicking and hiking. The campground side of the park had 50 secluded campsites. The campground side of the park was not operated during the 2006 season and the day use side was closed in 2007 due to escalating expenditures resulting in losses to the CVCA of approximately \$30,000 in the final year of operation. Ultimately, Crowe Bridge was leased to the Municipality of Trent Hills.



Recently, a safety assessment has been undertaken and will form the basis for future decisions regarding recreational activities at Crowe Bridge. As well, the CVCA will be reviewing the lease agreement with Trent Hills. The CVCA is hopeful another long term lease will be signed for the benefit of local residents and visitors to the area.

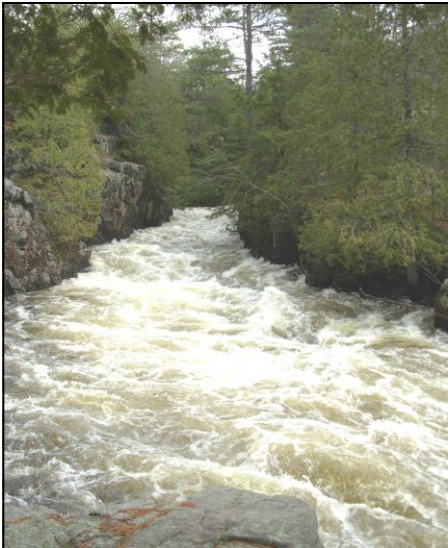
McGeachie Conservation Area

The McGeachie Conservation Area is 500 acres of land located on Steenburg Lake in the Limerick Township. The property was donated to the Conservation Authority in October of 1994 by Jack



and Ethal McGeachie. An additional 100 acres was later donated by Robert McGeachie. The property has a cottage on it that the authority rents out to the public, with the most rentals in the summer season.

The cottage sleeps eight people comfortably and is equipped with most of the amenities for an extended stay. There is a dock and a canoe for use as well. A public beach is less than a 5-minute walk from the cottage. The McGeachie Conservation Area is a day-use park only – unless people are renting the cottage. The property is ideal for cross country skiing, hiking, biking and so much more with the addition of approximately 10 kms of trails in recent years.



The Gut Conservation Area

The Gut Conservation Area is located approximately 11 kilometers east of Apsley on Concession 1 in the extreme northern corner of Lake Township. This Conservation Area is 162 hectares of rugged terrain and many outcrops of Precambrian rocks interspersed with dense bush and a mixed hardwood forest. The Gut encompasses a prominent geological feature, locally known as the ‘Gut’, which is a large gorge through which the Crowe River flows for about 230 metres. The fissure that forms the gorge is over 30 metres high and varies from 5 metres to 10 metres in width. The property was previously owned by lumber companies who used the Crowe River to transport their logs to market. Some local residents remember the Pearce Lumber Co. (1850-1950) and the Armstrong Lumber Co. (1950-1976) as previous owners of the property. A fire in 1913 combined with the logging operations reduced the amount of big timber present on the site, but natural regeneration has returned the majority of the property to a lush forest once again. The Gut Conservation Area is open to the public as a day use park only.

In the fall of 2022, the CVCA worked with a number of stakeholders to make improvements to the access road, focussing on the last hill prior to entering the parking lot. It is hoped that the repairs to the road, which has included ditching, grading and additional material will ensure the access will be safe and reduce the possibility of damage to vehicles.

As well, the parking lot was expanded and graded to help reduce further damage to the road repairs by directing water into the newly formed ditch.

Callaghan's Rapids Conservation Area

Callaghan's Rapids Conservation Area was purchased by the Conservation Authority in 1974. Callaghan's Rapids is a 162 hectare/400acre wood lot located 3 km south of Marmora. The Conservation Area encompasses a section of rapids on the Crowe River. The property is almost



completely wooded with a mix of hardwoods and conifers and supports a diverse array of flora and fauna. The area is ideal for passive outdoor activities such as swimming, hiking and cross country skiing. The Conservation area is open to the public as a day use park only. However, the past few years the Conservation Authority has been faced with increasing problems at Callaghan's with illegal

camping, ATV use, garbage and vandalism. As a result the people who are committing these acts are making the area less enjoyable for others. CVCA staff can lay charges under Section 29 under the Conservation Authorities Act (see the attached act), however limited staff resources do not permit this activity.

The CVCA has been able to make substantial improvements to Callaghan's Rapids in 2022 through the efforts of a local volunteer and others who have assisted. The changes have included securing access to Callaghan's in order to reduce illegal activities, such as unauthorized ATV users on the property. It was this rampant use that has led to environmental degradation of a sensitive area and made it unsafe for passive recreational users of the area as there have been dangerous and/or threatening interactions.

The CVCA has been the fortunate recipient of donations to enable this work to take place and it is the intention of the CVCA to continue to make further improvements for the enjoyment of visitors to the area.

Source Water Protection

On behalf of its member municipalities, CVCA participates in a provincial program to protect drinking water from contamination and overuse, referred to as Drinking Water Source Protection. Legislation to protect our sources of drinking water, the *Clean Water Act*, was introduced in the Ontario legislature in December of 2005, and received Royal Assent on October 19, 2006. After the tragedy of Walkerton, ON in 2000, where E. coli contamination of municipal drinking water caused several deaths and made nearly half the town seriously ill, a subsequent Inquiry led to the recommendation of a 5 barrier approach to ensure drinking water is safe. The first of which is protecting it at its source – Drinking Water Source Protection. This first barrier is the most crucial and cost effective, as water that is cleaner when it is drawn to begin with requires less treatment to decontaminate water.

The Ministry of Environment, Conservation and Parks (MECP) leads the provincial program and provides technical guidance to participating municipalities and conservation authorities.

Crowe Valley is a partner in what is known as a source protection region, named the Trent Conservation Coalition (TCC). The largest in the province, the TCC source protection region is a collaborative partnership of five conservation authorities (Crowe Valley, Ganaraska Region, Kawartha, Lower Trent, and Otonabee Conservation Authorities). Regular meetings are held to plan and share resources in completing drinking water source protection initiatives. For general information on source water protection in the region, follow this link: <http://trentsourceprotection.on.ca/resources/educational-resources>

The TCC's Source Protection Committee, comprising of municipal and various sectoral representatives, acquired technical information and developed policies that led to the creation of two Source Protection Plans (SPP) for the region: the Trent SPP and Ganaraska SPP. The Trent SPP applies to Crowe Valley's jurisdiction. The Trent SPP was approved in October of 2014 and became effective on January 1st, 2015. Therefore, Crowe Valley is entering into its 4th year of implementation of the SPP policies. Municipalities, Conservation Authorities, Risk Management Officials and the MECP report on implementation of the Trent SPP policies annually. At the present nearly all of the Trent SPP policies are being effectively implemented across all municipalities.

Watershed Characterization Report:

In efforts to initiate specific activities aimed at protecting the sources of drinking water within a watershed, it is necessary to understand the physical, sociological, and economic characteristics of the watershed. The purpose of the watershed characterization report of the technical assessment is to achieve a sufficient understanding of these characteristics that contribute to the threat, vulnerability, and risk assessment phases.

These watershed reports include several chapters such as: watershed description, water quality, water quantity (water use), vulnerable areas, threats inventory, issues and concerns, data gaps, as well as an annotated bibliography and a series of about 40 maps. These reports contain the technical information and are the first step in the source water protection plan.

Water Budget

Water budget analysis is undertaken in a watershed to measure and characterize the contribution of each component of the hydrologic cycle/system (eg. precipitation, evapotranspiration, groundwater inflow and outflow, surface water outflow, change in storage, water withdrawals, etc.) A water budget provides information about how water flows onto, through, and below the surface of the ground. Water budgets can be used to:

- Set qualitative hydrological targets (water allocation, recharge rates, etc)
- Evaluate the implications of existing and proposed land/water uses
- Evaluate the cumulative effects of land and water uses.
- Provide a framework for site-scales (hydro geological evaluation or a sewage and water plan).
- Help in designing environmental monitoring programs
- Assist in setting target for water conservation
- Assist in establishing long term water supply plans.

The water budget encompasses all three sub-watershed systems in the Crowe Valley watershed.

Requests for proposals

Surface water intake studies were completed in summer of 2006. Dye tests were completed to estimate the time of travel and capture zones for the municipal surface water intake in Marmora. Applications for municipal grant proposals for surface water and groundwater were developed and submitted.

What we're doing now?

Croze Valley Conservation Authority includes is part of a team of technical staff which have gathered the scientific data and relevant information to aid in the development of policies. Fortunately, the implementation plan has been approved by the Province and is now in the implementation stage.



Provincial Groundwater Monitoring Network (PGMN)

Croze Valley Conservation Authority has been actively involved in the provincial groundwater monitoring network since 2000. Seven well sites monitor ambient groundwater level and quality data throughout the watershed. The collection of this data allows conservation authority staff to understand how land uses affect the groundwater and groundwater use. PGMN data is also used in source water protection planning and the calculation of water budget. Dedicated pumps have been installed in four of the seven sights for fall sampling of groundwater.

Through the PGMN, conservation authorities have an agreement with the Ministry of the Environment Conservation and Parks where CVCA is responsible for the field operations, maintaining field equipment, collecting water and data samples, chemical analysis of the fall samples and data analysis and reporting on a local level.



Provincial Water Quality Monitoring Network (PWQMN)

The Crowe Valley Conservation Authority has partnered with the Ministry of the Environment and Conservation and Parks (MECP) to participate in the Provincial Water Quality Monitoring Network (PWQMN). The PWQMN involves taking monthly surface water samples from May to November for chemical analysis. The samples are analyzed by the MOECP lab for parameters including, temperature, pH, conductivity, suspended solids, metals, nutrients, turbidity and temperature.

The Crowe Valley Conservation Authority has 5 sites throughout the watershed. MECP has an [interactive map](#) with locations of sample sites available for the public.

Flood Warning Plan

As part of the Authority's flood forecasting and warning system, the CVCA issues a yearly updated Flood Warning Plan. This is a manual with emergency contact information. The Flood Warning Plan outlines the Authority's role and the municipality's role in the event that a major flood should occur within the watershed. The flood warning plan gets distributed to the municipalities in the watershed, each board member, neighboring conservation authorities, MPPs, Ontario Provincial Police contacts, CVCA staff members, Ministry of Natural Resources and Forestry, Trent Severn Waterway and the Department of Fisheries and Oceans. The flood warning plan does not get distributed until after the annual meeting in February due to changes with Board members.

CVCA Watershed Regulation

In 2006, Ontario Regulation 159/06 was made under the Conservation Authorities Act. It is the CVCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulation was implemented and enforced by the Authority in 2007. Its purpose is to protect the public, property and the environment. This is accomplished by acquiring approval through permits for work that could negatively impact natural hazards.

Natural hazards are processes such as flooding and erosion that could be worsened if development (buildings and structures) and site alterations (i.e. filling, excavating and grading) are not conducted in a manner that accounts for potential impacts. The CVCA's review process under the regulation ensures that impacts related to natural hazards will be negated. However, the regulations are also permissive in nature and offer flexibility to the Authority in order to accommodate watershed residents' development proposals as much as possible while meeting the objectives of the regulation.

Erosion:

Erosion is the process that occurs when the land surface is worn away. The CVCA is primarily concerned with erosion along valleys, slopes next to waterbodies and the channels of watercourses.

If a structure is built at the top of a slope without consideration for slope stability, it is possible that the slope could erode over time and the structures may be damaged or lost. Through the permit process the CVCA makes sure that all structures are located outside of areas subject to erosion.

Flooding:

The land next to a watercourse or water body that is anticipated to flood is called a floodplain. This area is determined through a study that accounts for weather, topography, soil types, etc. and determines how high the water will rise during a major storm and/or spring melt. CVCA protects people and property from the regulatory flood (a flood that has one percent chance of happening in any year) in part by making sure that all structures are outside of the floodplain and the floodplain is not decreased by filling. If filling takes place in the floodplain without excavating the same volume elsewhere in the vicinity, the water that used to flow in that area during flood conditions is displaced into areas that did not previously flood. Personal loss and property loss can result.

The areas covered by the regulation are limited to watercourses, shorelines, valleys (usually next to watercourses), wetlands and lands next to these features. If any work is planned in these areas, you can refer to the screening criteria that follow to determine if a permit is required.

A permit may be required if your project is:

- In the channel of a watercourse or in a waterbody.
- Within 30 m of the floodplain associated with a watercourse or waterbody.
- Within 15 m of the top of a bank of a watercourse or waterbody.
- In a wetland.
- Within 120 m of a Provincially Significant Wetland.
- Within 120 m of all other wetlands greater than 2 hectares.
- Within 30 m of all wetlands less than 2 hectares.

Permits are required for:

- Placing, removal or grading of fill material.
- Erecting structures including, but not limited to, buildings (both habitable and non-habitable), docks, decks and retaining walls.
- Altering a watercourse or waterbody including, but not limited to, culvert or bridge installation or repair, “clean out”, channelization and erosion control.

The public is encouraged to contact the Crowe Valley Conservation Authority for pre-consultation so the application you submit has all the required information and identifies all of the natural hazards on your project site. Generally applications are approved, but the Authority may attach certain conditions to your permit to make sure that the resulting work is safe for people and the environment.

The CVCA generally permits the following projects:

Grading and filling that does not negatively impact wetlands, floodplains and watercourses. Structures that are safe from flooding and erosion hazards. Alterations to watercourse and shorelines that do not aggravate flooding or erosion, negatively impacts fish habitat or degrade water quality.

Frequently Asked Questions

What is Conservation Ontario?

Conservation Ontario is a non-government organization representing the 36 Conservation Authorities at the provincial level. It is the umbrella organization assisting Ontario’s authorities meeting ongoing and future issues affecting the conservation authority movement.

What is a Conservation Authority?

Conservation authorities are local, community based environmental agencies. They represent municipalities that are in part or wholly situated in a shared watershed and work in partnership with others to manage their respective watersheds. The Conservation Authorities Act provides

the means by which the Province and Municipalities of Ontario could join together to form a conservation authority within a specific watershed (or sometimes a collection of smaller watersheds to create a region) to undertake programs of natural resources management. Today, conservation authorities operate in watersheds in which 90% of the provincial population resides.

Key areas of Authority activity include:

Environmental Protection - The Conservation authorities of Ontario protect local ecosystems and contribute to the quality of life in communities throughout the province.

Water Resource Managers - The Conservation Authorities are Ontario's community based environmental experts, who use integrated, ecological sound environmental practices to manage Ontario's water resources on a watershed basis, maintain secure supplies of clean water, protect communities from flooding and contribute to municipal planning processes (that protect water).

Lifelong Learning – The Conservation Authorities of Ontario create educational experiences in a natural environment that enriches the lives of peoples of all ages, by instilling an appreciation of our diverse natural heritage.

What is a watershed?

A watershed is an area of land that catches rain and snow which then drains or seeps into a marsh, river, lake, or groundwater. Homes, farms, cottages, forests, small towns, big cities, and more can make up watersheds.

Some cross municipal, provincial and even international borders. They come in all shapes and sizes and can vary from millions of acres, like the land that drains into the Great lakes, to a few small acres that drain into a pond.

What is Watershed Management?

Watershed management encompasses a broad spectrum as water quality and quantity issues are considered. Water managers in the conservation authority "business" must take into account upstream decisions and how it will affect downstream ecosystems and users for water quality and quantity. Watershed management at the CVCA must try to balance the needs of the environment with human requirements.

The Conservation Ontario model has received worldwide recognition over its 50 plus year history and the watershed is now recognized as one of the premier natural ecosystem units on which to manage resources.

What is Conservation Ontario's vision/mission?

Vision: The Conservation Authorities of Ontario have as their vision, watersheds where human needs are met in balance with the needs of natural environment.

Mission: The Conservation Authorities of Ontario have as their mission, to provide leadership through coordination of watershed planning, implementation of resources management programs and promotion of conservation awareness, in cooperation with others.

What do Conservation authorities do?

Conservation Ontario works on behalf of conservation authorities to do the following:

Raise awareness: Through local, regional and provincial media relations and speaking engagements, Conservation Ontario raises awareness of conservation authorities with key audiences at a watershed community and provincial level.

Build relationships with opinion leaders and decision makers through one-on-one contact, information resources and shared profile building, create opportunities to: become a "value-added" resource to key influencers and decision makers, cultivate "champions" – experts or authorities – who can provide third-party endorsement of conservation authorities and their roles in safeguarding Ontario's environment and natural heritage resources.

Influence decision making and the outcomes of decisions on conservation authorities. Conservation Ontario promotes conservation authorities' expertise in managing Ontario's environment and contributes to the quality of life that we enjoy. Lives and property are saved, limiting further exposure to hazards (thereby reducing the overall economic impact on the provincial taxpayer) attracting economic development to healthy communities and increasing tourism.

Other Information Resources:

Conservation Ontario Website:

<http://conservation-ontario.on.ca/>

Crowe Valley Conservation Authority Website:

www.crowevalley.com

For a list of all of the Conservation Authorities in Ontario:

<http://www.svca.on.ca/calinks.htm>

Ministry of Natural Resources and Forestry Website:

<https://www.ontario.ca/page/ministry-natural-resources-and-forestry>

Ministry of the Environment, Conservation and Parks Website:

<https://www.ontario.ca/page/ministry-environment-conservation-parks>

Crowe Valley

Conservation Authority

Administrative By-Law

No. 2018-01

Approval Date: 20 September 2018

Renewal Date: 2022 (or as necessary)

Preface

The Conservation Authorities Act, as amended by the Building Better Communities and Conserving Watersheds Act, 2017, provides direction for conservation authorities to make such by-laws as are required for its proper administration. Section 19.1 of the Act, sets out the requirements for by-laws. This Administrative By-law Model and Best Management Practices for Code of Conduct and Conflict of Interest are designed to ensure compliance with the requirements of Section 19.1.

Where municipal legislation conflicts with any part of this by-law (e.g. 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.

CONSERVATION AUTHORITY Best Management Practices (BMP) and Administrative By-Law Model

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I. Background

1. Amendments to the *Conservation Authorities Act*

The *Conservation Authorities Act*, as amended by the *Building Better Communities and Conserving Watersheds Act, 2017*, provides direction for conservation authorities to make such by-laws as are required for its proper administration. The new bylaws will replace administrative regulations created under the repealed Section 30 of the Act. Current administrative bylaws will cease to be in force upon the earlier of a) December 12, 2018 (one year after Section 19.1 came into force), or b) the day the regulation is revoked by the authority.

Section 19.1 of the Act, sets out the requirements for by-laws as follows:

By-laws

19.1 (1) An authority may make by-laws,

- (a) respecting the meetings to be held by the authority, including providing for the calling of the meetings and the procedures to be followed at meetings, specifying which meetings, if any, may be closed to the public;
- (b) prescribing the powers and duties of the secretary-treasurer;
- (c) designating and empowering officers to sign contracts, agreements and other documents on behalf of the authority;
- (d) delegating all or any of its powers to the executive committee except,
 - (i) the termination of the services of the 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;
- (e) providing for the composition of its executive committee and for the establishment of other committees that it considers advisable and respecting any other matters relating to its governance;
- (f) respecting the roles and responsibilities of the members of the authority and of its officers and senior staff;
- (g) requiring accountability and transparency in the administration of the authority including,
 - (i) providing for the retention of records specified in the by-laws and for making the records available to the public,
 - (ii) establishing a code of conduct for the members of the authority, and
 - (iii) adopting conflict of interest guidelines for the members of the authority;

- (h) respecting the management of the authority's financial affairs, including auditing and reporting on the authority's finances;
- (i) respecting the by-law review required under subsection (3) and providing for the frequency of the reviews; and
- (j) respecting such other matters as may be prescribed by regulation.

Conflict with other laws

(2) If a by-law made by an authority 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 the Act or regulation prevails.

Periodic review of by-laws

(3) At such regular intervals as may be determined by by-law, an authority shall undertake a review of all of its by-laws to ensure, amongst other things, that the by-laws are in compliance with any Act referred to in subsection (2) or any other relevant law.

By-laws available to public

(4) An authority shall make its by-laws available to the public in the manner it considers appropriate.

Transition

(5) An authority shall make such by-laws under this section as are required for its proper administration,

- (a) in the case of an authority that was established on or before the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of that day; and
- (b) in the case of an authority that is established after the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of the day the authority is established.

Same

(6) Despite the repeal of section 30 by section 28 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, a regulation that was made by an authority under that section continues in force after the repeal until the earlier of,

- (a) the day that is one year after the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force; and
- (b) the day the regulation is revoked by the authority.

Direction by Minister

(7) The Minister may give an authority a written direction to make or amend a by-law on any matter described in subsection (1), in accordance with the direction, within such period of time as may be specified in the direction.

Compliance

(8) The authority that receives a direction under subsection (7) shall comply with the direction within the time specified in the direction.

Regulation where failure to comply

(9) If an authority fails to adopt a by-law in accordance with the direction made under subsection (7), the Minister may make regulations in relation to the matters set out in the direction that are applicable in the area of jurisdiction of the authority.

Same

(10) Any regulation made by the Minister under subsection (9) prevails over any conflicting by-law that the authority may have adopted.

2. Purpose of Best Management Practices (BMP) and Administrative By-law Model

This document is intended to provide a model for an Administrative By-law and the Best Management Practices associated with the By-laws required under Section 19.1 of the *Conservation Authorities Act*. It is a guideline which can be used as the basis for such governing documents to be adopted by individual conservation authorities.

The Administrative By-law Model and Best Management Practices for Code of Conduct and Conflict of Interest are designed to ensure compliance with the requirements of Section 19.1.

Some wording in the Administrative By-law Model is suggested, but not required. Other sections are recommended, but the final wording will be specific to individual authorities. Those sections are highlighted, with explanations included.

It is a goal of this Administrative By-law Model and Best Management Practices to ensure a high level of consistency among conservation authorities, with respect to governance. One way to increase this consistency, is for all conservation authorities to adopt Administrative By-laws and Best Management Practices that are based on a single model. Alternatively, individual authorities may develop and approve their own versions of these documents, as long as these versions are compliant with the *Act* and other relevant legislation. A checklist is included, in Section IV, to assist conservation authorities in ensuring that their Administrative By-law and Best Management Practices will comply with Section 19.1 of the *Act*.

3. Basis of Best Management Practices (BMP) and Administrative By-law Model

By-laws are considered a legal governing document. In the spirit of best management practices of transparency and accountability, the approach to the

language and layout of the Administrative By-law Model is to ensure it is understandable to the general public.

All existing conservation authority by-laws received by Conservation Ontario in July and August 2017 were reviewed during the preparation of the Administrative By-law template. The Conservation Ontario Working Group provided additional input in order to prepare that draft for review by all conservation authorities.

Where municipal legislation conflicts with any part of this by-law (e.g. *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.

Along with the issues identified by the Working Group the following resources were used as reference to research and analyze best management practices:

- Existing conservation authorities By-laws/Members Guidebooks/Policy and Procedures received by Conservation Ontario:
 - Sault Ste. Marie Conservation Authority
 - Toronto Region Conservation Authority
 - Upper Thames River Conservation Authority
 - Central Lake Ontario Conservation Authority
 - Essex Region Conservation Authority
 - Kawartha Region Conservation Authority
 - Hamilton Conservation Authority
 - Lower Thames Conservation Authority
 - Nottawasaga Conservation Authority
 - Saugeen Valley Conservation Authority
 - Catfish Creek Conservation Authority
 - Grand River Conservation Authority
- Provincial and other best management practices for board governance: *Ontario Not-for-Profit Corporations Act*, Ministry of Municipal Affairs, Association of Municipalities Ontario, Board of Health Governance Toolkit, other local boards under the Municipal Act, Ontario Ombudsman Municipal Meetings FAQ, Ontario Ombudsman investigations, British Columbia Integrity Office
- Not for Profit best management practices for board governance: First Reference Policy Pro, Board Governance Classics, *Canada Not-for-Profit Corporations Act*
- Ontario legislation:
 - *Conservation Authorities Act*;
 - *Municipal Act, Municipal Conflict of Interest Act*;
 - *Municipal Freedom of Information and Protection of Privacy Act*;
 - and
 - *Accessibility for Ontarians with Disabilities Act*.

4. Legal Review and Finalization of this Document

Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017* came into force on December 12, 2017. Each conservation authority will have until December of 2018 to have Section 19.1 compliant by-laws in place. Due to timing of the 2018 municipal elections (October 22, 2018), conservation authorities should plan on adopting their new By-laws in the late summer or fall of 2018, prior to a significant turnover in their membership.

The draft BMP and Administrative By-law Model was circulated to all 36 conservation authorities in November 2017 and amendments were made further to the comments received. It was presented to Conservation Ontario Council on December 11, 2017, and received endorsement in principle.

South Nation Conservation coordinated a legal review of the document in February 2018.

Ministry of Natural Resources and Forestry staff reviewed the document and sought feedback from the Ministry of Municipal Affairs and the Association of Municipalities of Ontario. The requested changes resulting from those discussions have been incorporated. A 'final' version of the BMP and Administrative By-law Model was forwarded to MNRF staff on March 7, 2018 and minor edits (e.g. wording changes, elimination of duplication) were undertaken at their request on April 5, 2018. This final version was brought to the April 16, 2018 Conservation Ontario Council meeting for endorsement. Beginning in April 2018, training and assistance will be available to individual conservation authorities so they can adopt their own version of the BMPs and Administrative By-law in 2018.

Any information provided in this document, including the Administrative By-law Model, is not intended to be a substitute for legal advice. Individual conservation authorities are recommended to obtain an independent legal review of their by-laws before final General Membership approval.

II. Administrative By-Law Model

Introduction

Crowe Valley Conservation Authority is a non-share corporation, established under Section 3 of the *Conservation Authorities Act*, with the objects to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, coal and minerals.

Under the Act, municipalities within a common watershed are enabled to petition the province to establish a conservation authority. The purpose of the Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario. The Authority is comprised of its Members, appointed as representatives by the following Participating Municipalities:

Municipality of Faraday
Township of Havelock-Belmont-Methuen
Municipality of Highlands East
Township of Limerick
Municipality of Marmora and Lake
Township of North Kawartha
Township of Stirling-Rawdon
Municipality of Trent Hills
Township of Tudor & Cashel
Township of Wollaston

Vision/Mission –

The Members of the Conservation Authority form the General Membership 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):

Powers of authorities

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

- (a) to study and investigate the watershed and to determine programs and services whereby the natural resources of the watershed may be conserved, restored, developed and managed;
- (b) for any purpose necessary to any project under consideration or undertaken by the authority, to enter into and upon any land 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 and to expropriate any land that it may require, and, subject to subsection (2), 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;

(m.1) to charge fees for services approved by the Minister;

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 21 (1) (m.1) of the Act is repealed. (See: 2017, c. 23, Sched. 4, s. 19 (3))

(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) to cause research to be done;

(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

“**Authority**” means the Crowe Valley Conservation Authority

“**Act**” means the *Conservation Authorities Act*, R.S.O. 1990, chapter C.27

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

“**Chief Administrative Officer**” means the General Manager or Chief Administrative Officer 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.

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

“**General Membership**” means all of the Members, collectively.

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

“**Majority**” means half of the votes plus one.

“**Members**” shall mean the members appointed to the Authority by the participating municipalities in the Authority’s area of jurisdiction.

“**Minister**” means the Minister responsible for administration of the Act.

“**Non-matching Levy**” means that portion of an Authority’s levy that meets the definition of non-matching levy as found in Ontario Regulation 139/96.

“**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 Chief Administrative Officer and the Secretary-Treasurer (or the CAO/Secretary-Treasurer, if applicable).

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

“**Pecuniary Interest**” includes the financial or material interests of a Member and the financial or material interests of a member of the Member’s immediate family.

“**Secretary-Treasurer**” means 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. If a first and second Vice-Chair are elected, they shall be called First Vice-Chair and Second Vice-Chair.

“Weighted Majority” means the votes of 51 per cent of those represented after the votes are weighted by the percentage that applies under Ontario Regulation 139/96 for Municipal Levies.

B. Governance

1. Members

a) Appointments

Participating Municipalities within the jurisdiction of the Crowe Valley Conservation Authority may appoint Members in accordance with Section 14 of the Act.

Appointed Members must reside in a Participating Municipality within the Authority’s area of jurisdiction and may include citizens as well as elected members of municipal councils.

Based on Section 2(2) of the Conservation Authorities Act, the Participating Municipalities (listed below) currently appoint the following number of members:

Municipality of Faraday	1 Member
Township of Havelock-Belmont-Methuen	1 Member
Municipality of Highlands East	1 Member
Township of Limerick	1 Member
Municipality of Marmora and Lake	1 Member
Township of North Kawartha	1 Member
Township of Stirling-Rawdon	1 Member
Municipality of Trent Hills	1 Member
Township of Tudor & Cashel	1 Member
Township of Wollaston	1 Member

The total number of members of the Authority, and the number of members that each participating municipality may appoint, shall be adjusted as required to ensure compliance with the Conservation Authorities Act, Section 2(2) if the municipalities that are participating municipalities change or the population of a participating municipality changes to the degree that it would affect membership allotment.

Collectively, the appointed Members comprise the Authority, and for the purposes of this by-law are also referred to as the General Membership.

b) 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 municipal council; such term beginning at the first meeting of the Authority following his or her appointment and ending immediately before the first meeting of the Authority following the appointment of his or her replacement. The 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 his or her 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 by advising the General Manager Officer/Secretary-Treasurer in writing prior to permitting voting privileges for any newly appointed member.

There are no provisions for alternates to participate as voting members on the Authority or any other committee of the Authority.

c) Powers of the General Membership

Subject to the Act and other applicable legislation, the General Membership 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 model, the powers of the General Membership 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 and/or Secretary-Treasurer;
- iii. Terminating the services of the General Manager and/or 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 and/or 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 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 expropriation 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, including the delegation of this responsibility to staff consistent with Ontario Regulation 159/06;
- xv. Holding hearings required for the purpose of reviewing permit applications, and advising every applicant of their right to appeal the decision to the Minister through the Mining and Lands Tribunal;

d) 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 administration is responsible for the day-to-day operations, the General Membership is responsible for matters of governance, ensuring compliance with applicable legislation, and ensuring appropriate policies are in place.

The Board of Directors must ensure the financial stability of the Crowe Valley Conservation Authority. While the General Manager/Secretary-Treasurer provides day-to-day leadership in fiscal affairs, the Board bears the ultimate responsibility for financial soundness. This includes approving an annual budget, receiving and approving reports on financial performance of the Crowe Valley Conservation Authority and ensuring policies are in place for financial soundness.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix 1) and Conflict of Interest Policy (Appendix 2), as adopted by the Authority.

Members are responsible for:

- i. Attending all meetings of the Authority;
- ii. Understanding the purpose, function and responsibilities of the authority;
- iii. Being familiar with the Authority's statutory and other legal obligations;
- iv. With the administration, setting strategic direction for the Authority.
- v. Supporting the goals and objectives of the Authority's programs and policies;
- vi. Keeping his/her respective municipality informed of Authority programs, projects and activities;
- vii. Being prepared to discuss issues at Authority meetings.

e) Applicable Legislation

In addition to the Act, 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*

If any part of the 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.

f) Relationship Between Members and Staff

The General Membership relies on the General Manager and/or Secretary-Treasurer to manage the operations of the organization, including all employees of

the Authority. The Board of Directors will also count on the General Manager/Secretary-Treasurer to inspire, lead and manage the Crowe Valley Conservation Authority. The Board will forge a strong partnership with the General Manager/Secretary-Treasurer, working cooperatively to achieve the goals of the Crowe Valley Conservation Authority. The Board regularly evaluates the General Manager/Secretary-Treasurer, measuring his/her performance against the Crowe Valley Conservation Authority's strategic plan and financial and human resources goals of the organization.

2. Officers

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

Chair

- Is a Member of the Authority;
- Presides at all meetings of the General Membership (and Executive Committee if applicable);
- Calls special meetings if necessary;
- Acts as a public spokesperson on behalf of the General Membership;
- Serves as signing officer for the Authority;
- Ensures relevant information and policies are brought to the Authority's attention;
- Keeps the General Membership apprised of significant issues in a timely fashion;
- Performs other duties when directed to do so by resolution of the Authority.
- Provides direction to the General Manager/Secretary-Treasurer with respect to setting agendas for Board meetings, as required;
- Provides direction and support, as may be required, to the General Manager/ Secretary-Treasurer to ensure policies, programs, and projects adopted by the Authority and/or prescribed by legislation are implemented;

Vice-Chair(s)

- Is/are a Member(s) of the Authority;
- Attends all meetings of the Authority (and Executive Committee if applicable);
- Carries out assignments as requested by the Chair;
- 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 his/her duties;
- Serves as a signing officer for the Authority.

General Manager/Secretary-Treasurer

Responsibilities of the General Manager/Secretary-Treasurer as assigned by the Authority include, but are not limited to the following:

- Is an employee of the Authority;
- Attends all meetings of the General Membership (and Executive Committee if applicable) or designates an acting CAO if not available;

- Works in close collaboration with the Chair and Vice-Chair(s) and keeps them apprised of relevant information and significant issues in a timely fashion;
- Develops a strategic plan for approval by the General Membership and Implements short and long-range goals and objectives;
- Is responsible for the management of the operations of the Authority, including all staff and programs of the Authority;
- Ensures resolutions of the Authority are implemented in a timely fashion;
- 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;
- Serves as a signing officer for the Authority.
- Fulfills the requirements of the Secretary-Treasurer as defined in the Act;
- Attends all meetings of the General Membership (and Executive Committee, if applicable);
- Is the custodian of the Corporate Seal;
- Serves as a signing officer for the Authority.

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 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. 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.

5. Election of Chair and Vice-Chairs

The election of the Chair and one or more Vice-Chairs shall be held in accordance with the Authority's Procedures for Election of Officers (Appendix 3).

6. Appointment of Auditor

The General Membership, at its Annual Meeting, shall appoint an auditor for the coming year in accordance with Section 38 of the Act.

7. Appointment of Financial Institution

The General Membership shall appoint a financial institution to act as the Authority's banker by Resolution.

8. Appointment of Solicitor

The General Membership, at its Annual Meeting, shall appoint a solicitor to act as the Authority's legal counsel by Resolution.

9. Financial Statements and Report of the Auditor

The General Membership shall receive and approve the Audited Financial Statements and Report of the Auditor annually for the previous fiscal year which is based on the calendar year.

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.

10. Borrowing Resolution

If required, the Authority shall establish a borrowing resolution by March 31 of each year and such resolution shall be in force until it is superseded by another borrowing resolution.

11. Levy Notice

The 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 signing officers of the Authority, as follows:

The signing officers for the Crowe Valley Conservation Authority be one of the General Manager/Secretary-Treasurer and Administrative Assistant/Recording Secretary and one of the Authority Chair or Vice-Chair.

Payments incidental to all works, services, or goods purchased by the Authority will be signed or authorized by any one of either the General Manager/Secretary-Treasurer and Administrative Assistant/Recording Secretary and one of either the Chair or Vice-Chair.

The General Manager/Secretary-Treasurer is empowered to authorize transfer of funds between the authority bank accounts.

The General Manager/Secretary-Treasurer may sign documents on behalf of the Authority which create obligations within approved spending authorizations as set out in the Purchasing Policy and, as necessary, may sign agreements and documents for the ongoing operations of the Authority.

All deeds, land transfers, assignments, contracts, and obligations entered into by the Authority not specified above, will be signed by one of the Chair or Vice-Chair and one of the General Manager/Secretary-Treasurer or Manager, Corporate Services.

The borrowing of funds necessary for the approved projects and programs of the Authority may be arranged, pursuant to the borrowing resolution, by one of the Chair or Vice-Chair and one of the General Manager/Secretary-Treasurer or Manager, Corporate Services.

Signing authority may be delegated to staff by the General Manager/Secretary-Treasurer for purchases within approved budgets and/or as set out in the Purchasing Policy of the Authority.

Signing authority that was authorized by any previous Administration Regulation or By-law is superseded by this by-law.

13. Executive Committee

The Authority may appoint an executive committee at the first meeting of the General Membership 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 General Membership 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 General Membership, 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.

15. Remuneration of Members

The Authority may 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.

A single per diem will be paid for attendance at more than one meeting if they occur consecutively on the same day.

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 approved by Resolution of the General Membership from time to time. Requests for such reimbursements shall be submitted within a timely fashion and shall be consistent with Canada Revenue Agency guidelines.

If no quorum is present at a General Meeting, or any other meeting of the Authority, the per diem and travel expenses shall be paid to those in attendance.

The per diem rate and travel allowances will be reviewed at least every four years, or at the request of the Authority.

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 General Membership from time-to-time.

17. Records Available to Public

Records of the Authority shall be made available to the public, subject to requirements of the *Municipal Freedom of Information and Protection of Personal Privacy Act* (MFIPPA).

The Authority shall designate a either a Member, a committee of Members or the General Manager/Secretary-Treasurer to act as head of the Authority for the purposes of MFIPPA.

18. By-law Review

In accordance with the Act, these by-laws shall be reviewed by the Authority every four years or earlier if required to ensure the by-laws are in compliance with the Act and any other relevant law. The General Membership shall review the by-laws on a regular basis 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 Members shall respect and adhere to all applicable by-laws and policies (for example, the Code of Conduct and Conflict of Interest). The Authority may take reasonable measures to enforce its by-laws and policies, including the enforcement mechanisms under the *Municipal Conflict of Interest Act*.

- an investigation will be conducted regarding the alleged breach;
- an opportunity will be provided to the affected member to respond to the allegation;
- the findings of the investigation and the affected member's response will be communicated to the General Membership in a closed meeting;
- the appointing municipality shall be notified of the outcome of the investigation

21. Indemnification of Members, Officers and Employees

The Authority undertakes and agrees to indemnify and save harmless its Members, 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.

1. Rules of Procedure

In all matters of procedure not specifically dealt with under the Act and this By-law, the current edition of Bourinot's Rules of Order shall be binding.

The Authority may choose to conduct its business as a committee of the whole.

2. Notice of Meeting

The General Membership shall approve a schedule for regular meetings in advance. The Secretary-Treasurer shall send Notice of regular meetings to all Members at least seven calendar days in advance of a meeting. Notice of all regular or special meetings of the General Membership or its committees shall be made available to the public as soon as possible after its delivery to General Membership.

Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.

All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the Secretary-Treasurer 14 days in advance of the meeting where it is to be dealt with.

The chair may, at his/her pleasure, 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. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Authority and the Chair will not refuse.

The Chair or the Secretary-Treasurer may, by notice in writing or email delivered to the members so as to be received by them at least 24 hours before the hour appointed for the meeting, postpone or cancel any meeting of an Advisory Board or other committee until the next scheduled date for the specific Advisory Board or committee affected.

The Chair or the Secretary-Treasurer may, if it appears that a storm or like occurrence will prevent the members from attending a meeting, postpone that meeting by advising as many members as can be reached. Postponement shall not be for any longer than the next regularly scheduled meeting date.

3. Meetings Open to Public

All meetings of the General Membership and Executive Committee, if applicable, shall be open to the public.

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 and the subject matter meets the criteria for a closed meeting as defined in this by-law.

4. Agenda for Meetings

Authority staff, under the supervision of the Secretary-Treasurer, shall prepare an agenda for all regular meetings of the Authority that shall include, but not necessarily be limited to, the following headings:

- Disclosure of pecuniary interests
- Approval of the Agenda
- Delegations
- Adoption of the Minutes
- Business arising from the minutes
- Correspondence
- Staff Reports
- Other Business
- In-camera Session (as required)

The agenda for special meetings of the Authority shall be prepared as directed by the Chair.

Agendas for meetings shall be forwarded to all Members at least seven calendar days in advance of the meeting. Such agendas shall be made available to the public on the Authority's website at the same time, unless the meeting is closed to the public in accordance with this by-law. Such agendas shall also be available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

5. Quorum

At any meeting of the General Membership, 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. At any Executive Committee (if applicable), advisory board or committee meeting, a quorum consists of one-half of the Members of the Executive Committee (if applicable), advisory board or committee.

If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum, or shall recess until quorum arrives, and the recording secretary shall record the names of the Members present and absent.

If during an Authority or Advisory Board or Committee meeting a quorum is lost, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law.

Where the number of Members who are disabled from participating in a meeting due to the declaration of a conflict of 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.

6. Order of Business

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.

No Member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the Members present.

7. Debate

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 rise 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) Where a motion is presented, it 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 5 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 or dispose of a 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 take a vote, to adjourn, or to extend the hour of closing the proceedings;
- j) When a motion is under consideration, only one amendment is permitted at a time.

8. Matters of Precedence

The following matters shall have precedence over the usual order of business:

- a) a point of order;
- b) matter of privilege;
- c) a matter of clarification;

- d) a motion to suspend a rule of procedure or to request compliance with the rules of procedure;
- e) a motion that the question be put to a vote;
- f) a motion to adjourn.

9. Members' Attendance

The Authority shall provide a listing of Members' attendance at scheduled meetings of the Authority to the Participating Municipalities at least annually.

Upon a Member's vacancy due to death, incapacity or resignation occurring in any office of the Authority, the Authority shall request the municipality that was represented by that Member appoint a Member replacement.

If a Member is unable to attend any meeting and wishes to bring any additional information or opinion pertaining to an agenda item to the General Membership, the Member shall address in writing or email to the Chair or Secretary-Treasurer such correspondence prior to the start of the meeting. The correspondence shall be read aloud by the Secretary-Treasurer without comment or explanations.

Should a Member be absent from three (3) consecutive meetings or five (5) meetings in a year, the General Manager/Secretary-Treasurer, under direction of the Authority, will consult with the Member and perspective municipality regarding the absence.

10. Electronic Participation

There are no provisions for participating in Board meetings via conference call or other telecommunications unless the meeting itself is established as a teleconference meeting.

Discussions held by electronic means (e.g., video conferencing, conference call, E-mail polls) may be used to provide direction to the General Manager/Secretary-Treasurer, in special cases to address time-sensitive matters, when an in-person meeting is not feasible.

When the Authority has provided direction via electronic means, the General Manager/Secretary-Treasurer, or designate, will confirm the direction provided in writing.

When the Authority has provided direction via electronic means, the matter will be discussed at the next Authority meeting, and a resolution passed to ratify the decision.

An official meeting of the Authority may be held through electronic means, if a time-sensitive decision is required and an in-person meeting is not practical.

Members may participate in a meeting that is open to the public by telephonic or other electronic means that permits all participants to communicate adequately with each other during the meeting. A Member participating in a meeting electronically shall not be counted in determining quorum.

A Member shall not participate electronically in a meeting that is closed to the public.

11. Delegations

Any person or organization who wishes to address the Authority may make a request in writing or email to the Secretary-Treasurer. The request should include a brief statement of the issue or matter involved and indicate the name of the proposed speaker(s). If such request is received 14 calendar days in advance of a scheduled meeting, the delegation shall be listed on the published agenda.

Any person or organization requesting an opportunity to address the Authority, but not having made a written request to do so in the timelines specified above, may appear before the meeting if approved by the Chair or the majority of Members present, or shall be listed on the published agenda for the following meeting.

Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to one (1) speaker for not more than 10 minutes.

Members of the public are to submit a written request to the General Manager/ Secretary-Treasurer at least 7 business days prior to the scheduled Authority meeting, should they wish to address or ask questions about items on the agenda, and must indicate the business to be discussed, number of delegates, and other pertinent information.

Generally, no more than three (3) delegations will be heard at a meeting; in the event of an extraordinary number of delegations, the Chair may call a Special Meeting.

Members of the public in attendance at a meeting will be provided an opportunity to speak on any matter of their choosing. The speaker will be limited to one topic and presentations are not to exceed 5 minutes in length.

12. Annual Meeting

The Authority shall designate one meeting of the General Membership each year as the annual meeting. It will be scheduled before the 1st day of March and will generally be the first meeting of the Authority in the calendar year. The Annual Meeting shall include the following items on the agenda, in addition to the normal course of business:

- a) the introduction of new members;

- b) the election of a Chair and Vice-Chair;
- c) the Financial Statements and Auditor's Report for the Prior Year
- d) consideration of the proposed budget and levies
- e) appointment of a solicitor, external auditor, financial institution, Signing Officers, and representation on Conservation Ontario.

13. Meetings with Closed "In Camera" Sessions

Every meeting of the General Membership, Executive Committee and Advisory Boards, if applicable, shall be open to the public as per Section 15(3) of the Act, subject to the exceptions set out below.

Meetings may be closed to the public if the subject matter being considered relates to:

- a) The security of the property of the Authority;
- b) Personal matters about an identifiable individual, including employees of the Authority;
- c) A proposed or pending acquisition or disposition of land by the Authority;
- d) Labour relations or employee negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority;
- f) Advice that is subject to solicitor-client privilege;
- g) A matter in respect of which the General Membership, Executive Committee, Advisory Board or committee or other body may hold a closed meeting under another act;
- h) information explicitly supplied in confidence to the Authority 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 Authority, 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 Authority 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 Authority.

The Authority shall close a meeting if the subject matter relates to the consideration of a request under MFIPPA, and the Authority is the head of an institution for the purposes of MFIPPA.

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. Once matters have been dealt with in a closed meeting, the General Membership shall reconvene in an open session.

The General Membership shall not vote during a meeting that is closed to the public, unless:

- a) the meeting meets the criteria outlined in this by-law 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.

Any materials presented to the General Membership 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.

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.

14. Voting

In accordance with Section 16 of the Act:

- a) each Member, including the Chair is entitled to one vote, and
- b) a majority vote of the Members present at any meeting is required upon all matters coming before the meeting.

If any Member who is qualified to vote abstains from voting, they shall be deemed to have voted neither in favour nor opposed to the question, which will not alter the number of votes required for a majority.

On a tie vote, the motion is lost.

Interrelated motions shall be voted on in the order specified in Bourinot's Rules of Order

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.

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

At the meeting of the Authority at which the Non-Matching Levy is to be approved, the Secretary-Treasurer shall conduct the vote to approve of Non-Matching Levy

by a Weighted Majority of the Members present and eligible to vote, in accordance with Ontario Regulation 139/96.

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.

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

There are no provisions for proxy voting for any meetings of the Authority.

15. Notice of Motion

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 not less than fourteen 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.

Recommendations included in reports of advisory boards or committees that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Recommendations included in staff reports that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate advisory board or committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of a majority of the members of the Authority present.

16. Motion to Reconsider

If a motion is made to reconsider a previous motion, a two-thirds majority vote shall be required in order for reconsideration to take place. If a motion to reconsider is passed, the original motion shall then be placed on the agenda at a future meeting to be debated and voted upon, and the result of that vote, based on a simple majority, shall supersede.

17. Duties of the Meeting Chair

It shall be the duty of the Chair, with respect to any meetings over which he/she presides, 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) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Members;

- c) 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;
- d) Announce the results of the vote on any motions so presented;
- e) Adjourn the meeting when business is concluded.

18. Conduct of Members

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).

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.

19. Expulsion from Meeting

The Chair shall have the power to expel from a meeting any member of the Authority or other person who is guilty of improper conduct at such meeting and, in the case of the exclusion of a member of the Authority, the reasons for such exclusion shall be entered in the minutes.

In the case of an apology being made by the offender, Member may, by vote of the Authority, be permitted to retake their seat.

19. Minutes of Meetings

The Secretary-Treasurer shall undertake to have a recording secretary in attendance at meetings of the Authority, the Executive Committee and each advisory board or committee. The recording secretary shall make a record in the form of minutes of the meeting proceedings and in particular shall record all motions considered at the meeting.

If a recording secretary is not present in a closed session, the Secretary-Treasurer shall take notes of any direction provided, for endorsement by the Chair and Vice-Chair.

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

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 or no later than 30 days after the meeting.

Minutes will be reviewed and approved, with or without amendments, at the next meeting.

After the minutes have been approved by resolution, original copies shall be signed by the Secretary-Treasurer and copies of all non-confidential minutes shall be posted on the Authority's website. Such minutes 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.

All matters arising out of Authority meetings, and supporting technical reports, shall form part of the public record and shall be available for public review immediately upon request. Exceptions to the foregoing include matters discussed in closed sessions.

21. Hearing Board Meetings

- a) Subject to the Conservation Authorities Act, the Hearing Board is empowered and instructed to conduct Hearings for regulations passed pursuant to Section 28(1) of the Conservation Authorities Act.
- b) The Hearing Board shall consist of all members of the Authority, and meetings of the Hearing Board shall be scheduled, as required, at the call of the Chair.
- c) Unless provided for under the Crowe Valley Conservation Authority's Hearing Guidelines, the regulations, policies, and procedures governing the Authority shall be observed in Hearing Board meetings, as far as they are applicable, and the words Hearing Board shall be substituted for the word Authority, where such is applicable.

D. Approval of By-law and Revocation of Previous By-law(s)

The Governance and Administrative Policies & Procedures, approved by the Crowe Valley Conservation Authority on 26 February 2015, Full Authority Motion G34/15 is hereby repealed;

By-law number 2018-01 shall come into force on the 20th day of September, 2018.

Introduced on 21 June 2018
Date

Approved on 20 September 2018
FA Motion G84/18 Date

Signed: Catherine Redden
Chair

Date

Tim Pidduck
General Manager/Secretary-Treasurer

Date

E. Appendices to the Administrative By-law

Appendix 1 - Code of Conduct

1. Background

The Crowe Valley Conservation Authority demands a high level of integrity and ethical conduct from its General Membership. 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.

2. General

All Members, whether municipal councillors or appointed representatives of a municipality, 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 his/her 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 General Membership, 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.

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, except compensation authorized by law.

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 are confidential.

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 General Membership they will continue to be bound by MFIPPA requirements.

Particular care should be exercised in protecting information such as the following:

- 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. Information provided in confidence from an Aboriginal community, or a record that if released could reasonably be expected to prejudice the conduct of relations between an Aboriginal community and the Authority;
- v. Sources of complaints where the identity of the complainant is given in confidence;
- vi. Items under negotiation;
- vii. Schedules of prices in tenders or requests for proposals;
- viii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions;
- ix. Information deemed to be "personal information" under MFIPPA.

The list above is provided for example and is not exhaustive.

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 his/her 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, 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 borrow money from 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 a paid agent before the Authority, the Executive Committee or an advisory board or committee of the Authority, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

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 discrimination and of personal and sexual harassment. 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, religious beliefs, colour, gender, physical or mental disabilities, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. 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

Should a Member breach the Code of Conduct, they shall advise the Chair and Vice-Chair, with a copy to the Secretary Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Code of Conduct, the said breach shall be communicated to the Chair, with a copy to the Secretary-Treasurer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Code of Conduct, the said breach shall be communicated to the Vice-Chair, with a copy to the Secretary-Treasurer, in writing.

Should a member of the public or a municipality allege that a Member has breached the Code of Conduct, the party making the allegation will be directed to follow the notification procedure outlined above.

Any breach, or alleged breach, of the Code of Conduct shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

13. Complaints

If a Member has questions or issues surrounding reports, projects, operational concerns or complaints, such questions should be directed through the General Manager/Secretary-Treasurer.

If a Member is approached by the public with inquiries/complaints regarding operational matters, the Member is encouraged to contact the General Manager/Secretary-Treasurer who, in turn, can contact the individual for review/resolution.

Appendix 2 - Conflict of Interest

1. *Municipal Conflict of Interest Act*

The Authority Members commit themselves and the Authority to ethical, businesslike, and lawful conduct when acting as the General Membership. The Authority is bound by the *Municipal Conflict of Interest Act*. This appendix to the by-law is intended to assist Members in understanding their obligations. Members are required to review the *Municipal Conflict of Interest Act* on a regular basis.

2. *Disclosure of Pecuniary Interest*

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 Authority, Executive Committee, Advisory Board or committee 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 pecuniary 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.

3. *Chair's Conflict of Interest or Pecuniary Interest*

Where the Chair of a meeting discloses a conflict of interest with respect to a matter under consideration at a meeting, another Member shall be appointed to chair that portion of the meeting by Resolution.

4. *Closed Meetings*

Where a meeting is not open to the public, a Member who has declared a conflict of interest shall leave the meeting for the part of the meeting during which the matter is under consideration.

5. *Member Absent*

Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Authority, Executive Committee, Advisory Board or Committee, as the case may be, attended by them after the particular meeting.

6. *Disclosure Recorded in Minutes*

The recording secretary shall record in reasonable detail the particulars of any disclosure of conflict of interest or pecuniary interest made by Members and whether the Member withdrew from the discussion of the matter. Such record shall appear in the minutes/notes of that particular meeting of the General Membership, Executive Committee, advisory board or committee, as the case may be.

7. Breach of Conflict of Interest Policy

Should a Member breach the Conflict of Interest Policy, they shall advise the Chair and Vice-Chair, with a copy to the Secretary Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Conflict of Interest Policy, the said breach shall be communicated to the Chair, with a copy to the Secretary Treasurer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Conflict of Interest Policy, the said breach shall be communicated the Vice-Chair, with a copy to the Secretary-Treasurer, in writing.

Should a member of the public or a municipality allege that a Member has breached the Conflict of Interest Policy, the party making the allegation will be directed to follow the notification procedure outlined above.

Any breach, or alleged breach, of the Conflict of Interest Policy shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in the Authority's Administrative By-law.

Appendix 3 - Procedure for Election of Officers

1. *Voting*

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

2. *Acting Chair*

The General Membership 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 employees 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 as follows:

- a) The elections shall be conducted in the following order:
 - i. Election of the Chair, who shall be a Member of the Authority
 - ii. Election of one or more Vice-chairs, who shall be Members of 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 drawn by the Acting Chair or designate.

The Acting Chair for the election shall hand over control of the meeting to the newly elected Chair following election of the Chair.

TERMS OF REFERENCE

For the Crowe Valley Conservation Authority's

Executive Committee

Approved by the Crowe Valley Conservation Authority *Board*

June 18, 2015

PREPARED BY:

Crowe Valley Conservation

***c/o Crowe Valley Conservation Authority, 70 Hughes Lane, P.O. Box 416,
Marmora, ON K0K 2M0***

Crowe Valley Conservation Authority

Executive Committee

Terms of Reference

June 18, 2015

1.0 Preamble

The Crowe Valley Conservation Authority (CVCA) Board has created the Executive Committee (hereafter “the Committee”) for the 2015 fiscal year. During this time, the CVCA Board has authorized the Committee to perform the following:

- 1) engage in preliminary budget discussions with the CVCA General Manager and Administrative Assistant.
- 2) conduct a performance review of the General Manager.

Once these subject matters are examined, they will be summarized with recommendations for the review and discussion of the greater Crowe Valley Conservation Authority Board.

2.0 Executive Committee Role

- 2.1 The Committee is to act only in an advisory capacity to the Crowe Valley Conservation Authority Board as per Section 1.0
- 2.2 The Committee will provide a forum for information exchange, an avenue by which upcoming budgetary issues can be brought to the attention of the Board

and a means through which the Committee can solicit input and feedback on its proposed approaches and recommendations.

- 2.3 During the budget planning phase, Committee members will facilitate the development/review of the proposed draft budget.
- 2.4 The Committee is encouraged to be proactive and bring recommendations forward to the Board.
- 2.5 The Committee representatives will be responsible for reporting back to the CVCA Board.

3.0 Executive Committee Composition

- 3.1 Three members will sit on the Committee: the CVCA Chair, the CVCA vice Chair and one Board member at large.
- 3.2 The General Manager is appointed to the Committee to act solely in an advisory capacity to ensure appropriate support for specific discussions.
- 3.3 The CVCA Board will request a volunteer for the member at large to participate on the Committee.
- 3.4 If the Committee deems it necessary, it shall seek information from other Board Members, staff or consultants as required to assist the committee to arrive at a decision for recommendation to the Board.

4.0 Rules of Procedure

- 4.1 The CVCA Board Chair will also serve as the Committee Chair.
- 4.2 Meeting dates, times, location and frequency will be at the call of the Chair.
- 4.3 The Committee will meet two times per year at a minimum or at the call of the Chair.
- 4.4 The Committee may establish from time to time guidelines in respect to the use of teleconferencing under exceptional circumstances.
- 4.5 In the absence of the Chair, the vice Chair will assume the role of the Chair for the proceedings of the meeting.
- 4.6 Email notice of all committee meetings shall be sent to each member of the committee.
- 4.7 The Committee shall strive to make decisions by consensus among the members.
- 4.8 Quorum shall be attained with two of the three members present.
- 4.9 References to formal rules of procedure, where necessary, will be in accordance with Bourinot's Rules of Order.
- 4.10 Minutes will be recorded and circulated to the CVCA Board for approval.
- 4.11 The Committee members shall be governed at all times by the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

5.0 Support Services

- 5.1 Conservation Authority staff shall provide administrative, technical and procedural support to the Committee. This includes preparing agendas and minutes of each meeting.

- 5.2 The role of recording secretary will be carried out by the CVCA Administrative Assistant.

- 5.3 The CVCA shall provide meeting space for the Committee as required.

Crowe Valley Conservation Authority Personal Health Care Spending Account Policy

Effective 1 January 2018, Crowe Valley Conservation Authority's health benefit program experienced changes that reduced the amount of coverage for CVCA employees from 100% to 80% for some health and dental benefits through Sunlife group benefit program. Due to these changes, during the 2018 budget deliberations, the CVCA Board approved staff recommendations to implement a Personal Health Care Spending Account (PHCSA) for CVCA full time employees to help offset the additional costs employees will incur due to the changes made from Sunlife group benefit plan.

Who is Covered?

The CVCA Personal Health Care Spending Account will cover additional expenses for health care and dental care incurred by CVCA employees and their dependents registered under the Sunlife Group Benefits Program.

What is covered?

The remaining amount left after Sunlife has paid the employee for their health or dental claim.

Only health care, dental care services and/or supplies will be reimbursed to CVCA employees after the employee has been reimbursed by Sunlife under the group benefit plan.

How will it work?

1. CVCA will allocate a predetermined amount of funds to each employee's Personal Health Care Spending Account (PHCSA), which will be dependent on approval of the funds in the annual CVCA budget.
2. To utilize funds in the employee's PHCSA, receipts for the dental/health care will be submitted to the Administrative Assistant and the amount not covered by Sunlife will be eligible for reimbursement.
3. Items not covered under the Sunlife plan will not be eligible for this program (ie. over the counter medication).
4. Once approval from the General Manager has been granted, a cheque will be provided to the employee for the claim amount.

5. Cheques will be issued semi-annually, in June and December unless otherwise authorized by the General Manager.
6. Claim amounts will not exceed the total amount in the employee's PHCSA.
7. The CVCA Administrative Assistant will keep detailed records of each employee's PHCSA balance available.

Personal Health Care Spending Account Carry Over

CVCA employees will be permitted to carry forward any unused funds to the next year in their PHCSA. Employees may carry forward unused balances for 2 years. The PHCSA will not exceed a maximum amount of three years of contributions.

General Information

The CVCA Personal Health Care Spending Accounts will be made available to Full Time Employees who are eligible for group benefits through the Sunlife group benefit program. The PHCSA is not redeemable in cash and will not be cashed out to employees at any time. If an employee decides to resign from the CVCA or if they are terminated, any remaining amount in the PHCSA will not be paid as part of their compensation package and the employee forfeits any outstanding claims not submitted prior to the termination date.

Conservation Authorities Act & Regulations

The Conservation Authorities Act was recently reviewed with several changes being made to the act. Use this link to access the updated version on the [Conservation Authorities Act](#).

In addition, Bill 23 has been recently passed by the Provincial government and additional details and the impacts on the CVCA will be updated as information becomes available.

CVCA Ontario Regulation 159/06 – Conservation Authorities Act Regulations 28) Regulations of Development, Interference with Wetlands and Alterations to Shorelines & Watercourses

Use this link to access [Regulation 159/06](#).

CVCA Ontario Regulation 103 – Conservation Areas

Link: <https://www.ontario.ca/laws/regulation/900103>

CVCA Watershed Ontario Regulation 159/06 Policy Manual

This document is intended to provide Crowe Valley Conservation Authority (CVCA) with a working Regulations Policy and Procedures Manual for the purposes of administering CVCA's "Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation (Reg. 159/06). This policy will also assist Crowe Valley Conservation Authority in fulfilling its watershed management objectives.

This manual has been written to compliment The Provincial Flood Planning Policy Statement and Implementation Guidelines and define the criteria against which CVCA administers its regulatory responsibilities under Ontario Regulation 159/06. It is intended to provide guidance and direction to CVCA staff that receive, review and evaluate applications against the policies contained within this document. The Manual also provides information to the development community who can utilize these policies in preparing proposals for approval. Municipalities and community stakeholders can also use this Manual to coordinate their own administration or interests and can be confident that matters of stated Provincial interest have been accurately interpreted and are being applied appropriately.

This document is intended to be read in its entirety and all relevant policies are to be applied to each situation. While specific policies sometimes refer to other policies for ease of use, these cross-references emphasize the need for reading this document as a comprehensive and integrated suite of policies. It should be noted that this document does not address the approval requirements for other potentially affected agencies.

The [Regulations Policy and Procedures Manual](#) can be found on CVCA website.