

Full Authority
24 September 2015
Agenda Item: 7

Marmora and Lake Recommendation – Quinte Proposal/Dissolution

Background

- CVCA staff have discovered Report CAO2015-10 Re: Crowe Valley Conservation Authority 2016 Budget was recently submitted to the Council of the Municipality of Marmora and Lake by Mr. Ron Chittick, CAO of M&L on the 9th of September for Council's consideration and discussion. The recommendations in the report are to be included on the agenda for a meeting scheduled for the 15th of September 2015

- The report included the following three recommendations:

“Recommendation:

That the Crowe Valley Conservation authority be advised, as follows:

1. That the Municipality of Marmora and Lake will not support the non-matching levy in 2016 (levy greater than \$116,741.00) until a Management Agreement with Quinte Conservation Authority is in place that includes the budget and business plan consistent with Quinte's 2013 Proposal and a commitment is made by the CVCA Board to implement the efficiencies and effectiveness measures set out in the plan.
 2. That if the CVCA does not proceed with a Management Agreement with Quinte Conservation, the Councils of Marmora and Lake and Havelock-Belmont-Methuen will ask CVCA to call a meeting to consider dissolution of the authority under Section 13.1 of the Conservation Authorities Act.
 3. That the Crowe Valley Conservation Authority Board be invited to a joint Havelock-Belmont-Methuen and Marmora and Lake Council meeting to discuss the 2013 Quinte Conservation Authority Proposal and that Eleanor McMahon, Parliamentary assistant to the Minister of Natural Resources and Forestry also be invited to attend.”
- The report also includes a copy of the 2013 Quinte Proposal.
 - Also in the agenda package is Mr. Chittick's Report CAO2015-11, Re: Discussion Paper, *Conservation Authorities Act*.
 - Comments in the report are to be forwarded to the Ministry of Natural Resources and Forestry as part of the Ministry's review of the *Conservation Authorities Act*.
 - CVCA staff attended the Marmora and Lake Council meeting on the 15th where 11 three of the above noted recommendations were adopted by Council as well as the comments to be submitted to the MNRF.

- In order to assist the Board with understanding the steps taken in the past three years to address prior concerns and issues, the following timeline of events leading up to the current position of Marmora and Lake and Havelock-Belmont-Methuen has been provided for the Board's consideration.
- Please note the 5 year Operating and Capital Plan was the precursor to Long Range Plan. In essence, the 5 year plan "morphed" into the 10 Year Long Range Plan as the review process gathered momentum.
- In addition, copies of the Budget Action Plan and the Quinte Proposal and the submitted comments from M&L to the MNRF have been attached for your future reference and discussion.
- Conservation Ontario is coordinating a response to the Discussion Paper and will finalize comments after the CO meeting on the 28th of September. The Discussion Paper is also included in the agenda package.
- Finally, for the Board's information, Section 13 of the Conservation Authorities Act outlining the dissolution process is as follows:

Dissolution of authority

13.1(1) An authority shall call a meeting of the members of the authority to consider the dissolution of the authority if, by resolution, the councils of two or more participating municipalities request the meeting.

Quorum

(2) Despite subsection 16(2), a quorum at a meeting called under this section consists of two-thirds of the members of the authority who were appointed by participating municipalities.

Members not entitled to vote

(3) Despite subsection 16 (1), members of the authority who were appointed by the Lieutenant Governor in Council before section 42 of Schedule M of the Savings and Restructuring Act, 1996 came into force are not entitled to vote at a meeting held under this section.

Notice of meeting

(4) The authority shall ensure that notice of the meeting is published in a newspaper having general circulation in each participating municipality at least 14 days before the meeting.

Public representations

(5) No vote shall be taken on a resolution requesting dissolution of the authority unless members of the public have been given an opportunity at the meeting to make representations on the issue.

Criteria for dissolution

- (6) The Lieutenant Governor in Council may dissolve the authority, on such terms and conditions as the Lieutenant Governor in Council considers appropriate, if,
- (a) the Minister receives a resolution requesting the dissolution passed by at least two-thirds of the members of the authority present and entitled to vote at a meeting held under this section and at which a quorum was present;
 - (b) the Minister is satisfied that acceptable provision has been made for future flood control and watershed interests and for the disposition of all assets and liabilities of the authority; and
 - (c) the Minister of the Environment is satisfied that acceptable provision has been made for future protection of drinking water sources

Authority continued by s.5,6 or 7

(7) If an authority continued by section 5,6 or 7 is dissolved under subsection (6), the Lieutenant Governor may, by proclamation, repeal that section on a day named in the proclamation.