



**Meeting Date:** March 24, 2021

**Submitted by:** James Hutson, Municipal Clerk

**Report No:** CLK-10-2021

**Subject:** Appointment of Council Representative to LTVCA Board of Directors

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**Recommendation:**

THAT Report CLK-10-2021 re: Appointment of Council Representative to LTVCA Board of Directors be received;

AND THAT Councillor \_\_\_\_\_ be appointed as the Municipality of Middlesex Centre representative to the LTVCA Board of Directors for the remaining duration of the 2018-2022 term of Council;

**Purpose:**

The purpose of this report is to request that Council appoint a representative to the Lower Thames Valley Conservation authority (LTVCA) Board of Directors in order to fulfill a vacancy created by the resignation of the representative for the Municipality of Middlesex Centre

**Background:**

The Municipal Clerk was issued correspondence in February of 2021 on behalf of the LTVCA Board of Directors advising that the citizen representative for the Municipality of Middlesex Centre has resigned from this role as they are no longer a resident of the municipality.

In accordance with the provisions of the *Conservation Authorities Act, R.S.O. 1990, c. C.27, s. 14 (3)* every member of an authority shall be a resident in a participating municipality in which the authority has jurisdiction. As a result of the recent resignation, a member must be appointed to the Board of Directors to represent the interests of the Municipality of Middlesex Centre.

The LTVCA meets on a bi-monthly basis and meetings are held virtually from 2:00 – 4:00 p.m. The mandate of the board and responsibilities of the board members are

outlined in the Terms of Reference provided by the Board Administrator and are attached as Appendix "A1"

### **Analysis:**

The *Conservation Authorities Act*, R.S.O. 1990 was recently amended in 2020 as part of the omnibus Bill 229 Legislation known as the *Protect, Support and Recover from COVID-19 Act, 2020*, S.O. 2020, c. 36. A portion of these amendments alter the membership composition and appointment criteria for representatives to a conservation authority board of directors. As a result of these changes, the following clause is now in effect:

14(1.1) When appointing members of an authority, the council of a participating municipality shall ensure that at least 70 per cent of its appointees are selected from among the members of the municipal council, subject to subsection (1.2).

And Subsection 2:

14(1.2) Upon application by a participating municipality, the Minister may grant permission to select less than 70 per cent of its appointees to an authority from among the members of the municipal council, subject to such conditions or restrictions as the Minister considers appropriate.

The recent resignation of the citizen representative for the Municipality of Middlesex Centre, coupled with the above noted changes to the Conservation Authorities Act, necessitates that a member of Council must be appointed to fill this vacancy, or that an application be submitted to the Minister for an exemption.

Staff are recommending that Council proceed to fill the vacancy by appointing one of its members to the Board. The 70% membership requirement ultimately means that in cases where one member is appointed to the board from a participating municipality, this member must be a representative from Council, unless an exemption is sought.

As the Municipality of Middlesex Centre is a stakeholder for five area Conservation Authorities, consideration for any request to be exempted from the 70% membership requirement could be considered for these five Conservation Authorities as a group, prior to the confirmation of board and committee appointments for the 2022-2026 term of Council. In the interim, by appointing a member to fill the current vacancy, the municipality can ensure its representative responsibilities are consistently fulfilled for the remainder of the current term of Council.

### **Financial Implications:**

There are no significant financial implications to this report. Representatives to area Conservation Authority Boards may submit mileage expenses when travelling to in-person board meetings.

**Strategic Plan:**

This matter aligns with following strategic priorities:

- Responsive Municipal Government

By filling the current vacancy on the LTVCA Board of Directors, the municipality and its elected representatives demonstrate a commitment to responding to Board responsibilities thereby ensuring representation for the community with respect to Conservation Authority matters.

**Attachments:**

A1 – Terms of Reference for the LTVCA Board of Directors