

To: Mono Town Council  
Sept 30, 2014

Re: Nottawasaga Valley Conservation Authority

From: Fred Nix

Notes based on Full Authority Meetings #8-14 (Aug 22 18/14), #9-14 (Sept 5/14) & #10-14 (Sept 26/14)

1. Efficiency Audit

To re-cap:

- I. At the Feb 28/14 Board meeting, the Board voted to hire Tom Gazda to conduct an Efficiency Audit for approx \$45,000. I along with two other Board members voted in opposition.
- II. At the May 23/14 Board meeting, Tom Gazda presented his preliminary findings. This session was held in-camera and some Board members (myself included) were nervous about this procedure. We, however, were in a difficult position to argue against the motion to go in-camera as no advance material about the audit had been provided to Board members (as best as I can remember this is the first time in my almost 23 years on the Board that members have been treated this way). While Board members were given copies of the presentation made on May 23, 2014, to this day the Consultant's report has not been released to Board members. The Chair, Nini Bifolchi, has stated that any Board member may read the report but only in her presence. A sanitized summary of the report is now on the NVCA web site, but it is a very condensed version of the original.
- III. In my report to Council on the May 23, 2014 Board meeting, I stated that, after the fact, it was my opinion "most of what was discussed was not properly something that should have been discussed in-camera."
- IV. At the June 27/14 Board meeting, there was a motion in the agenda that the Board "approve the 26 Project Review Recommendations." Again, most of the June meeting was held in-camera and again Board members were not provided material in advance of the meeting. Nine Board members, myself included, voted against the motion to accept the agenda because of some motions included with the agenda (16 voted for the motion). When the time came to go in-camera, ten of us (myself included) voted against the motion. In my report to Mono Council on the June 27<sup>th</sup> meeting, I explained my reasons for voting no as follows: "we as Board members were going to be asked to "approve" all 26 of the recommendations (a) prior to any public discussion of the report and recommendations, (b) prior to being able to report back to our respective municipal councils for their views on where we were (apparently) heading and (c) without the ability to agree with one or more recommendations but disagree with others." As it turned out, the motion to approve all 26 recommendations, plus two other motions, were not voted on as the meeting ran out of time.
- V. At the July 18/14 Board meeting, again virtually the entire meeting was held in-camera. I can say that this time as much of the discussion was about identifiable individuals, the reasons for going in-camera were valid. My only objection to the meeting that this was the third meeting in a row where Board members were not provided material in advance of the meeting.

- VI. At the August 22/14 Board meeting, the motion to adopt the agenda was delayed pending a lengthy discussion about the recommendations coming from the Efficiency Audit. A motion was put on the floor to defer the recommendations until a more in-depth report had been received from the consultant. I, along with nine others voted in favour of the motion however 16 voted against it so the motion was lost. The motions in the published agenda included one to “approve in principle” the 26 recommendations from Phase 1 of the audit and to “approve for completion in 2014” the 15 recommendations coming from Phase 2 of the audit. (Phase 2 dealt largely with HR issues.) Just prior to the agenda item wherein the Efficiency Audit recommendations would be discussed, a motion was put on the floor to defer the recommendations until the October Board meeting (thereby giving some of us a chance to confer with our respective Councils). I, along with nine others voted in favour of the motion but it, too, was lost.
- VII. The August Board meeting was tumultuous but the final result was that some of the published motions in the agenda were toned down considerably. The main one (to “approve in principle”) was changed to read that the Board “receive” the 26 recommendations and that the recommendations “come back in a report . . . outlining details of implementation for board direction.” My guess as to why some of us were able to stop and/or slow down the stampede is that this August meeting was held in public, there was a large contingent of the public in attendance (and protestors in front of the building) and the press was in attendance with TV cameras rolling.
- VIII. At the August Board meeting Tom Gazda was awarded two more sole source contracts totalling approx. \$35,000. While this violates our purchasing policy, I was informed that the Board has the authority to over-ride this policy.
- IX. One of the main points of disagreement between those leading the stampede and those (myself included) arguing for more caution is the nature of the research that went into the report (that is not public, that has not been read by most Board members and that has not been given to staff). Those supporting the implementation of the 26 recommendations as fast as possible keep referring to the findings as “fact based.” While I am not at liberty to discuss aspects of the methodology (because it was discussed in-camera), I can point to the terms of reference for the study as these are in the public domain. The Efficiency Audit relies on two main techniques: an opinion survey and some benchmarking of the NVCA with a group of other conservation authorities. Both techniques can produce informative findings. But both have drawbacks and, even taken together, are often not enough evidence for strong recommendations. At best they can lead to recommendations to look into some subjects and do further research to determine if changes at the NVCA are warranted.
- X. On August 25/14, three days after the Board meeting, it was announced what the NVCA’s CAO, Wayne Wilson, was no longer with the NVCA. Is this connected to the Efficiency Audit? I am not in a position to say (although could do so in-camera).
- XI. On September 5/14 the NVCA held a special Board meeting (I could not attend) and at that meeting, the following motion was passed: “ the NVCA Board of Directors approve the NVCA entering into a staffing contract with D. Gayle Wood for a 6 month Interim CAO position to take effect on October 6, 2014 with the direction provided in-camera and authorize the Chair to sign the letter of contract employment.” Gayle is the recently retired CAO of Lake Simcoe Region Conservation Authority.
- XII. On Sept 25/14 a “retirement” party was held for Wayne Wilson at Donaleigh’s Irish Pub in Barrie. Two (one being myself) Board members out of 26 made an appearance.

XIII. What are the impacts on the NVCA? I do not have a firm answer to this question but I have concerns. I will be back to Mono Council on this issue in future reports.

2. Minesing Wetlands

The Nature Conservancy of Canada has acquired another 85 acres within the Minesing Wetlands and will be turning this property over to the NVCA. While I do not have precise numbers, these 85 acres will bring the NVCA's total holdings close to 10,000 acres

3. Tiffin Tornado damage

The Tornado that hit the NVCA's Tiffin property (this is where the head office is located) on June 17, 2014 did considerable damage. To date the Insurance company has approved \$233,396 in expenditures and a further \$10,954 has been submitted to the Insurance company and we are waiting for approval. There is an additional approx. \$95,000 in damage expenditures that is under review.

4. Source Water Protection

Under the Clean Water Act, Part IV enforcement responsibilities were transferred from the Towns of Collingwood, New Tecumseth, Shelburne and Mono to Mr. Ryan Post of the NVCA. A formal agreement has yet to be executed.

5. Financial

The un-audited financial statement to August 31, 2014 indicates that the NVCA has spent 67.1% of its approved budget and that revenues to date are at 68.7% of the budget. Planning revenues (the most variable component of the NVCA budget) are looking very healthy – Plan of Subdivision revenues alone are already \$72 thousand more than budgeted. In addition there is over half a million dollars from planning fees that has been paid but has not yet been recognized (it is recognized as/when work is completed).