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June 20, 2014

By Email

To: Chair Nina Bifolchi and members of the board of the Nottawasaga Conservation Authority

John Hix Conservation Admin. Centre, Tiffin Centre for Conservation

8195 8th Line, Utopia, On L0M 1T0

Dear chair and board members,

AWARE Simcoe understands that there is no process for an impartial investigation of in camera sessions by Conservation Authority boards – as there is for municipal councils, through the appointed closed meeting investigator. AWARE Simcoe considers this to be a significant legislative gap and will be raising the matter with the relevant provincial authorities.

We understand that in the absence of such a process, our only recourse is to make an official complaint to the board.

Please accept this as an official complaint by AWARE Simcoe regarding what we consider to have been an inappropriate in-camera discussion.

Please consider that you are accountable to the public in discharging your responsibilities as board members, and for that to happen, full transparency on policy issues is required.

On May 23, 2014 the NVCA board of directors passed a motion to move in-camera: *IN CAMERA (10:00 a.m. – 12:00 noon) RESOLVED THAT: This meeting of the Board of Directors No. 04-14 go “In-Camera” at \_\_\_\_\_\_ to address matters pertaining to: □ personal matters about an identifiable individual, including Authority staff; and THAT: the following staff be present: Sheryl Flannagan, Director of Corporate Services.*

The motion cites personal matters pertaining to an identifiable individual. It was clear from Mr. Gazda’s attendance that the subject matter was the Efficiency Audit report that he is working on. Discussion of such a policy document by elected and appointed officials should be in public. If there are related “personal matters,” those and only those should be kept separate and discussed in camera.

AWARE Simcoe’s concern is that in camera discussion can be used to keep the public in the dark as to the board’s policy objectives. And that by excluding the CAO and other senior staff, you may be making decisions without getting information and advice that will assist you.

Another issue of great concern is the following item in the terms of reference:

“- Conduct confidential interviews with key stakeholders and professional consultants. This list would include: NVCA Staff, NVCA Board members, landowners, consultants, applicants and developers and staff members of municipalities which interact with the NVCA.”

The list of key stakeholders includes developers but excludes the real key stakeholders, the NGOs, who help the NVCA fulfill their mandate. This startling omission skews the comments strongly in favour of those who will benefit from a weakened conservation authority. We are not saying that those who have economic interests at stake in NVCA decisions should not be part of the process. We are saying that they should not be the only ones to be given a voice. Those whose primary interests are environmental, conservation or public participation should be heard and at the table, because we are the strongest supporters of the authority’s mandate.

Our concern is that a conservation authority that’s less effective at standing up for the environment may be the real objective. Discussing the Efficiency Audit report behind closed doors does nothing to alleviate this concern.

AWARE Simcoe is requesting that the board discuss the Efficiency Audit in open session so that the public can be informed about your activities.

We have also submitted a Freedom of Information request to the NVCA to obtain the content of the closed session document and trust that you will honour it.

Yours truly,

Kate Harries

Vice-Chair, AWARE Simcoe

CC NVCA member municipalities

Conservation Ontario

Nottawasaga Steelheaders,

Brereton Naturalists,

Midland Penetang Naturalist Club

Midhurst Ratepayers Association

Blue Mountain Watershed Trust

Clearview Citizens Coalition

MPPs Anne Hoggarth, Jim Wilson, Julia Munro, Garfield Dunlop

Minister of Natural Resources