

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader – Civic Affairs

Date: November 16, 2022

Subject: Council Member Appointments to Boards and Inter-Municipal Committees

Recommendation

Approve the Council Member appointments to the following boards and committees for the 2022-2026 term of Council, all as presented at the November 29, 2022 Council meeting:

_____ and _____ be appointed to the Essex Region Conservation Authority Board of Directors;

_____ be appointed to the Lower Thames Valley Conservation Authority Board of Directors;

Mayor Bailey be appointed to the Union Water Supply System Joint Board of Management;

_____ be appointed to the Dog Pound Committee;

_____ and _____ be appointed to the Lakeshore-Tecumseh Inter-Municipal Committee;

_____ and _____ be nominated to the Essex-Lakeshore-Kingsville Energy Inc. Board of Directors;

_____ and _____ be nominated to the Essex County Library Board;

_____ be appointed as a representative of the Municipality of Lakeshore for the Francophone Association of Municipalities of Ontario; and

The Division Leader – Water Management be appointed to the Essex Region Conservation Authority Source Protection Committee, all as presented at the November 29, 2022 Council meeting.

Background

This report refers specifically to external or inter-municipal statutory boards and committees that require Lakeshore representation, or those that have requested participation by members of Council.

Appointments of Council members to Boards and/or Committees will be for a four-year term, expiring once the new Council has taken office in an election year.

Comments

Statutory Boards & Committees

1. Essex Region Conservation Authority

The Essex Region Conservation Authority (ERCA) is empowered through provincial legislation to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals. ERCA has jurisdiction in nine municipalities in the region.

The Board of Directors is comprised of 19 members. Lakeshore is required to make two appointments for representation, and must ensure that at least 70% of its appointees are Council members or apply to the Minister for permission to appoint less than this percent. Historically, Council has chosen to appoint two members of Council as representatives to ERCA.

The current remuneration is \$60 per meeting or \$125 for meetings over 5 hours. The Chair receives an honorarium of \$2,000 annually and the Vice-Chair receives an honorarium of \$1,000 annually. There are 8-10 meetings annually and the Chair and Vice-Chair act as ERCA representatives at various meetings and events.

2. Essex Region Conservation Authority Source Protection Committee

The Essex Region Source Protection Committee was created to develop a Source Protection Plan to protect municipal sources of drinking water in the Essex Region Source Protection Area, as required by the *Clean Water Act, 2006*, and Ontario Regulation 288/07.

The Committee consists of 15 members plus a Chair and is comprised as follows:

- 1/3 of the members must reflect the interests of the local municipalities;
- 1/3 of the members must reflect the interests of the local economy including agriculture, commerce, industry, and small business; and

- 1/3 of the members must reflect other interests including environmental, health and other public interests.

Due to the technical and ongoing nature of the Committee work, it is recommended that the Division Leader – Water Management continue to act as representative of the Municipality on the Committee for the 2022-2026 term. The remuneration is \$125 per meeting and 4-6 meetings are held annually.

3. Lower Thames Valley Conservation Authority

The Lower Thames Valley Conservation Authority (LTVCA) is empowered through provincial legislation to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals. LTVCA has jurisdiction in ten municipalities in the region, including a small portion of the eastern side of the Municipality of Lakeshore.

The Board of Directors is comprised of 12 members. Lakeshore is required to appoint one member to the Board of Directors, which may be a Council member or a citizen. Historically, Council has chosen to appoint a member of Council as representative to LTVCA.

The current remuneration is \$65 per meeting. There are 5-6 meetings annually and the member may also be called to sit on other internal committee meetings that meet quarterly.

4. Union Water Supply System Joint Board of Management/ Union Water Supply System Inc.

The Union Water Supply System is jointly owned by the Municipality of Lakeshore, Municipality of Leamington, the Town of Essex and the Town of Kingsville and is managed by a Joint Board of Management. The Board is in the midst of transition to a corporate body and will become Union Water Supply System Inc. However, until that transition occurs, the Board of Management must continue.

The Board consists of 12 members from each of the member municipalities. The Municipality of Lakeshore is required to appoint one member to the Board.

To facilitate the transition to a corporate body, an interim board is also required. In August 2022, Council passed the resolution #305-08-2022:

Approve and adopt the “Proposed Business Case Study for Restructuring Union Water Supply System (UWSS) into a Municipal Service Corporation” dated March 28, 2018 as presented at the August 9, 2022 Council meeting and as

further described in the “Union Water Supply System Restructuring Project Financial Presentation” presented at the August 9, 2022 Council Meeting to establish a municipal services corporation pursuant to section 203 of the *Municipal Act, 2001* and which shall be known as Union Water Supply System Inc.;

Authorize the Mayor to act as a first director for Lakeshore as a shareholder in the incorporation of the municipal services corporation;

Authorize and direct the Mayor and Treasurer, in consultation with Lakeshore legal counsel, to execute such agreements, documents and instruments as may be necessary or desirable including, but not limited to, a Unanimous Shareholder Agreement, a Water Services Agreement, an Asset Transfer Agreement, a Real Property Transfer Agreement, and a Municipal Access Agreement to restructure, establish and organize the municipal services corporation and arrange for the services to be continued in accordance with the Business Case.

As the Mayor has already been appointed as a first director, Administration recommends that the Mayor be appointed as the representative to the Interim Board to ensure consistency with the obligation to act as a first director for UWSS Inc.

Each member municipality sets the remuneration fee paid to its representatives. The Municipality of Lakeshore currently has an honorarium of \$1,500 annually.

Appointments Pursuant to Inter-Municipal Agreements/Incorporation

1. Dog Pound Committee

The Lakeshore Dog Pound is governed jointly by the Municipality of Lakeshore, Town of Essex, Town of LaSalle and Town of Tecumseh. The Dog Pound is operated by the Municipality of Lakeshore.

Each member municipality is required to appoint one representative to the Committee. The representative from the Municipality of Lakeshore acts as Chair of the Committee because Lakeshore is the dog pound administrator.

2. Essex-Lakeshore-Kingsville (E.L.K.) Energy Inc.

The Town of Essex holds 100% of the shares in E.L.K. Energy Inc which provides power to residents and businesses in the communities of Essex, Harrow, Belle River, Comber, Kingsville, and Cottam.

The Board of Directors is comprised as follows:

- Mayor and Deputy Mayor of the Town of Essex;
- 2 members at large who are E.L.K. customers in the Town of Essex;
- 2 members at large from either the Town of Kingsville and/or Municipality of Lakeshore to represent E.L.K. customers outside the Town of Essex.

Kingsville and Lakeshore shall jointly nominate a cumulative total of 4 residents from either of Kingsville and/or Lakeshore.

Historically, Council Members have served as the appointed representatives of the Municipality of Lakeshore. Should Council wish to nominate community members instead, Council may direct Administration to advertise for nominees.

The remuneration for Board members is \$204 per month regardless of the number of meetings. The Board generally meets once per month.

3. Lakeshore-Tecumseh Inter-Municipal Committee

The Lakeshore-Tecumseh Inter-Municipal Committee was created in 2020 with the purpose of facilitating dialogue between the councils of the Municipality of Lakeshore and the Town of Tecumseh, encouraging the ongoing sharing of information between elected officials and municipal staff and to provide a forum in which to review and comment on a range of topics of mutual interest.

The Committee is comprised as follows:

- 2 Council members from the Municipality of Lakeshore
- 2 Council members from the Town of Tecumseh

The meeting location alternates between the two municipalities and the Clerk of the hosting municipality acts as the clerk of the meeting. Members of Administration from both municipalities may attend and provide administrative support or expert advice.

Organizations Which Have Requested Municipal Participation

1. Essex County Library Board

The Essex County Library Board provides library services throughout Essex County. The Board consists of 7 members appointed for the term of Council as follows:

- i. Following each municipal election, each local municipality in Essex County shall forward to the County Clerk, the name of at least one nominee from their municipality to serve as a representative on the Essex County Library Board;

- ii. If the nominee submitted by the local municipality is a member of County Council, the name of a second nominee shall also be submitted by the local municipality;
- iii. The Essex County Striking Committee shall review the names of the nominees received and make final recommendations for the Essex County Library Board appointees to County Council for approval;
- iv. The number of County Councillors appointed to the Library Board shall not exceed 4, in accordance with the *Public Libraries Act*.

Mayor Bailey and Deputy Mayor Walstedt are members of the Essex County Council by virtue of their positions. Should Council wish to nominate the Mayor or Deputy Mayor as representative of the Essex County Library Board, Council must also nominate a second nominee.

The second nominee may be another member of Council (except for the Deputy Mayor or alternate member of County Council) or a lay member from the Municipality of Lakeshore. To facilitate each municipality receiving applications for potential lay appointees to represent their municipality, the County of Essex advertised to receive applications from interested members of the public to serve for this term on the Library Board. One application was submitted by a resident of Lakeshore.

Should Council wish to proceed with a lay person as nominee to the Board, Administration will present the application to Council in closed session at the December 13, 2022 Council meeting.

The current remuneration for the Board is \$110 per meeting.

2. Association française des municipalités de l'Ontario (AFMO)

AFMO is an organization that provides French-speaking elected municipal officers and directors a public forum and relevant services in French, and acts as a French representative and advisor to ministries and organizations in Ontario.

While there is no requirement for Lakeshore to participate in the organization, the Municipality of Lakeshore has chosen to do so. At the March 5, 2019 meeting, Council passed resolution #137-03-2019:

That Councillor Santarossa be a representative and the Town become a member of the Francophone Association of Municipalities of Ontario for the term of this Council and take the money for membership from last year's surplus.

Administration recommends that Council appoint a French-speaking member of Council to act as a representative of the Municipality and report back to Council on activities.

3. Multi-Municipal Wind Turbine Working Group

At the February 15, 2022 meeting, Council passed the resolution #67-02-2022:

Direct Administration to prepare a report regarding membership in the Multi-Municipal Wind Turbine Working Group; and

Send Councillor Linda McKinlay to attend an upcoming meeting.

The group is formed of some Ontario municipalities (voluntary representation) that states that its mandate is to share, discuss and advocate best practices and other means to address mutual concerns regarding proposals to locate and install industrial/commercial wind generation facilities to all relevant Government Ministries and Agencies. The terms of reference for the MMWTFG are attached. The Group is supported by the Municipality of Arran-Elderslie Administration.

The Working Group is comprised of Municipality's that wish to participate. Municipalities may have more than 1 representative but each member municipality only has 1 vote.

At this time, Council has not indicated whether it wishes for Lakeshore to be represented in the Working Group. Should Council wish for Lakeshore to become a member municipality a resolution will be required and Council will need to appoint a representative to the Working Group by resolution.

Financial Impacts

Statutory boards and committees, as well as the Essex County Library Board and E.L.K. Energy Inc., provide remuneration as listed in the description of each committee above. The annual remuneration for the Union Water Supply System is paid by the Municipality of Lakeshore.

Remuneration by external organizations must be included as part of the annual reporting requirement for Council compensation.

Attachments

Attachment 1 – Terms of Reference for the Multi-Municipal Wind Turbine Working Group

Report Approval Details

Document Title:	Council Member Appointments to Boards and Committees.docx
Attachments:	
Final Approval Date:	Nov 24, 2022

This report and all of its attachments were approved and signed as outlined below:

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Approved by Justin Rousseau and Truper McBride