



Hearing Board Minutes

June 19, 2024

Kettle Creek Conservation Authority’s Board of Directors sat as a Hearing Board to review an application pursuant to Section 28 of the *Conservation Authorities Act* submitted by R.V. Anderson Associates Limited, on behalf of the Corporation of the City of St. Thomas, to undertake upgrades at the St. Thomas Water Pollution Control Plant (40359 Bush Line, St. Thomas) involving improvements to odour control and restoring the rated plant capacity.

Grant Jones, Chair of the Hearing Board, called the meeting to order at 10:03 a.m. on Wednesday, June 19, 2024. The Hearing was a hybrid meeting with some members attending virtually. All votes were recorded and are included in the Recorded Vote Registry.

Members Present:

Lori Baldwin-Sands (Vice Chair)	St. Thomas	In Person
Jim Herbert	St. Thomas	In Person
Grant Jones (Chair)	Southwold	In Person
Sharron McMillan	Thames Centre	In Person
Todd Noble	Central Elgin	In Person
John Strybosh	London	In Person
Sam Trosow	London	Virtual
John Wilson	Malahide	In Person

Members Absent:

Frank Berze	Middlesex Centre
Jerry Pribil	London

Staff Present:

Elizabeth VanHooren	General Manager/Secretary Treasurer	In Person
Betsy McClure	Stewardship Program Supervisor	In Person
Joe Gordon	Manager of Planning and Development	In Person
Marianne Levogiannis	Public Relations Supervisor	In Person
Jennifer Dow	Water Resources Supervisor	Virtual
Jessica Kirschner	Corporate Services Coordinator	Virtual
Jen Hogan	Resource Assistant	Virtual

Guests Present:

Kevin De Leebeeck	Director of Environmental and Infrastructure Services, City of St. Thomas	In Person
John Tyrrell	R.V. Anderson Associates	In Person
Grant Inglis	KCCA Lawyer	In Person

Hearing Board

a) H24-001 40359 Bush Line – St. Thomas Water Pollution Control Plan

HB1/2024

Moved by: Jim Herbert

Seconded: Lori Baldwin-Sands

That the Board of Directors sit as a Hearing Board in respect of an application under Section 28 of the *Conservation Authorities Act*.

Carried

The roll was called with eight members in attendance.

There were no declarations of pecuniary interest.

The Chair gave his opening remarks and reviewed the guidelines and process to be followed at the Hearing.

The following were present to represent the applicant:

- Kevin De Leebeeck, Director of Environmental and Infrastructure Services, City of St. Thomas
- John Tyrrell, R.V. Anderson Associates

Joe Gordon, Manager of Planning and Development presented the staff report.

Staff and representatives of the applicant responded to questions from the Board.

The Board moved to Closed Session to deliberate at 10:23 a.m.

HB2/2024

Moved by: Lori Baldwin-Sands

Seconded: Todd Noble

That the Hearing Board does now enter Closed Session to deliberate.

Carried

The Hearing Board rose from deliberation at 10:31 a.m.

HB3/2024

Moved by: Todd Noble

Seconded: Sharron McMillan

That the Hearing Board rise from Closed Session at 10:31 a.m.

Carried

The Chair advised the applicant of the following decision:

Decision

That the KCCA Hearing Board grant a Permit to the applicant for proposed development activity upon 40359 Bush Line, City of St. Thomas as described within their application of April 12, 2024, and attachments thereto, subject to the following conditions:

1. That the City of St. Thomas develop and provide a monitoring plan to KCCA for active erosion occurring along Kettle Creek and Mill Creek adjacent to the Aerated Storage Project to identify future triggers for potential enactment by the City of erosion control mitigation measures prior to impacts upon operations. The Monitoring Plan shall be prepared to the satisfaction of KCCA and be completed at least 60 days before the expiry of the permit.

2. That the Corporation of the City of St. Thomas sign a release and indemnity agreement to release and forever discharge the Kettle Creek Conservation Authority from any claim for loss, damage, injury or otherwise caused by or arising out of the operation and of the Aerated Storage Project and the ICIP Upgrades Project and any natural occurrences including but not limited to flooding hazards or erosion hazards.

Reason

Approval was based on the information contained in the report.

HB4/2024

Moved by: Jim Herbert

Seconded: Sharron McMillan

That the Board of Directors adjourn from sitting as a Hearing Board at 10:34 a.m.

Carried




Elizabeth VanHooren
General Manager/Secretary Treasurer

Grant Jones
Chair

Recorded Vote Registry HB1/2024 to HB3/2024

A=Absent Y=Yes N=No AB = Abstain

Board Member	HB1/2024	HB2/2024	HB3/2024	HB4/2024
Baldwin-Sands	Y	Y	Y	Y
Berze	A	A	A	A
Herbert	Y	Y	Y	Y
Jones	Y	Y	Y	Y
McMillan	Y	Y	Y	Y
Noble	Y	Y	Y	Y
Pribil	A	A	A	A
Strybosch	Y	Y	Y	Y
Trosow	Y	Y	Y	Y
Wilson	Y	Y	Y	Y
Result	Carried	Carried	Carried	Carried