



MINUTES



ANNUAL MEETING

Thursday, February 16, 2012

Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area

DIRECTORS PRESENT

Ute Stumpf, Jim Ginn, Dave Frayne, Bill Siemon, Paul Hodgins, Mike Tam, Don Shipway,
Janisse Zimmerman

DIRECTORS ABSENT

Lorie Scott

OTHERS PRESENT

Ben Forrest, Exeter TA
Bob Montgomery, CKNX Radio
Bill Dowson, Municipality of Bluewater

STAFF PRESENT

Andrew Bicknell, Bev Brown, Cathie Brown, Geoff Cade, Brian Horner, Tracey McPherson,
Kate Monk, Judith Parker, Tom Prout, Alec Scott

CALL TO ORDER

Chair Jim Ginn called the meeting to order at 10:10 a.m. and welcomed everyone in attendance.

ADOPTION OF AGENDA

MOTION #BD 01/12

**Moved by Dave Frayne
Seconded by Ute Stumpf**

**“RESOLVED, THAT the agenda for the February 16, 2012 Ausable Bayfield
Conservation Authority Annual Meeting be approved.”**

Carried.

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest at this meeting or from the previous meeting.

ADOPTION OF MINUTES**MOTION #BD 02/12****Moved by Paul Hodgins
Seconded by Bill Siemon**

“RESOLVED, THAT the minutes of the Board of Directors meeting held on December 15, 2011 and the motions therein be approved as circulated.”

Carried.

BUSINESS OUT OF THE MINUTES2012 Proposed Project & General Levy Vote

Chairman Ginn asked whether this item should be deferred until later in the meeting with anticipation that one director may still be enroute to the meeting. By consensus the directors agreed.

ELECTIONS

Chair Ginn asked for a motion to appoint a Chairperson for the Elections.

MOTION #BD 03/12**Moved by Bill Siemon
Seconded by Don Shipway**

“RESOLVED, THAT Tom Prout be appointed as chairperson for the election proceedings.”

Carried.

Jim Ginn departed from the Chair and Tom Prout outlined the election procedures prior to conducting the elections.

Appointment of Scrutineers**MOTION #BD 04/12****Moved by Dave Frayne
Seconded by Bill Siemon**

“RESOLVED, THAT Geoff Cade and Andrew Bicknell be appointed as scrutineers.”

Carried.

The positions of Chair and Vice Chair were declared vacant.

Election of Chair

Nominations were called for the position of Chair for 2012.

Paul Hodgins nominated Dave Frayne for Chair. Mr. Prout called for nominations two more times.

MOTION #BD 05/12

**Moved by Don Shipway
Seconded by Janisse Zimmerman**

“RESOLVED, THAT nominations for the position of Chair of the Ausable Bayfield Conservation Authority be closed.”

Carried.

Dave Frayne accepted his nomination and Mr. Prout declared Dave Frayne , representative for the Municipality of South Huron and Perth South as Chair of the Ausable Bayfield Conservation Authority for 2012.

Election of Vice Chair

Nominations were called for the position of Vice Chair for 2012.

Bill Siemon nominated Paul Hodgins as Vice Chair. Mr. Prout called for nominations two more times.

MOTION #BD 06/12

**Moved by Mike Tam
Seconded by Jim Ginn**

“RESOLVED, THAT nominations for the position of Vice Chair of the Ausable Bayfield Conservation Authority be closed.”

Carried.

Paul Hodgins accepted his nomination. Mr. Prout declared Paul Hodgins representative for the Township of Lucan Biddulph as Vice Chair of the Ausable Bayfield Conservation Authority for 2012.

Dave Frayne assumed the Chair and thanked the directors for their support.

APPOINTMENTS

Appointment of Auditor

MOTION #BD 07/12

**Moved by Jim Ginn
Seconded by Janisse Zimmerman**

“RESOLVED, THAT the firm of MacNeill Edmunson be appointed as the Ausable Bayfield Conservation Authority Auditor for 2012.”

Carried.

Appointment of Solicitors

MOTION #BD 08/12

**Moved by Don Shipway
Seconded by Paul Hodgins**

“RESOLVED, THAT the firms of Little, Masson & Reid, Exeter and Little, Inglis, Price & Ewer, London and Raymond & McLean, Exeter be the Ausable Bayfield Conservation Authority solicitors for 2012.”

Carried.

Appointment of Financial Institution

MOTION #BD 09/12

Moved by Jim Ginn

Seconded by Bill Siemon

“RESOLVED, THAT the Bank of Montreal, Exeter Branch be appointed as the Ausable Bayfield Conservation Authority’s financial institution for 2012.”

Carried.

PROGRAM REPORTS

1. (a) Development Review

Andrew Bicknell, Regulations Coordinator presented the Development Review report pursuant to Ontario Regulation 147/06 Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Through the application process, proposed developments within regulated areas are protected from flooding and erosion hazards. Staff granted permission for nine *Applications for Permission* and three *Minor Works Permits*.

1. (b) Violation/Appeals Update

Geoff Cade, Supervisor of Water & Planning reported that the violation in the Municipality of Bluewater has had one court appearance and the matter was adjourned until April 3, 2012.

MOTION #BD 10/12

Moved by Janisse Zimmerman

Seconded by Ute Stumpf

“RESOLVED, THAT the Board of Directors affirm the approval of applications as presented in Program Report # 1 - Development Review.”

Carried.

2. Mosquito Control Study for Parkhill Ontario, 2011

Tom Prout presented the study report prepared by Angela Van Niekerk, ABCA Wetlands Specialist in response to the high mosquito population concerns in the Parkhill area. The Municipality of North Middlesex is applying for a grant to undertake remedial measures and an abatement program is being explored.

MOTION #BD 11/12

Moved by Ute Stumpf

Seconded by Paul Hodgins

“RESOLVED, THAT the *Mosquito Control Study for Parkhill, Ontario, 2011* prepared by the Ausable Bayfield Conservation Authority be received as presented.”

Carried.

2. Internal Web Mapping Updates

Tracey McPherson, GIS/CAD Information Systems Specialist gave an update on the ABCA’s internal web mapping application. The GeoPortal gives staff access to five separate sites that link to various databases and files as a valuable tool in undertaking day-to-day activities. Upgrades to the components of the GeoPortal application are needed and there is an opportunity to partner with two other conservation authorities and split the costs. A quote has been received for undertaking the upgrades and it is recommended to hire Alpha-Z Systems at a maximum cost of \$7,000 plus HST.

MOTION #BD 12/12

**Moved by Bill Siemon
Seconded Jim Ginn**

“RESOLVED, THAT the recommendation of staff be approved as presented.”

Janisse Zimmerman commented that because this is a budgetary issue, a decision should not be made until after the 2012 budget has been approved. By consensus the directors agreed to defer a decision until after the budget vote.

PRESENTATION

Tom Prout gave a slide presentation created by Conservation Ontario for an information meeting and discussion with Honourable Minister Gravelle, Ministry of Natural Resources on the role and benefits of environmental programs delivered by conservation authorities in Ontario.

BUSINESS OUT OF THE MINUTES

Chairman Frayne asked if the directors wanted to move back on the agenda to the 2012 proposed general levy and proposed levy vote.

MOTION #BD 13/12

**Moved by Bill Siemon
Seconded by Jim Ginn**

“RESOLVED, THAT the Board of Directors proceed with the vote on the 2012 proposed general levy and project levy.

Carried.

Tom Prout, General Manager reported that he or Brian Horner, Financial Services Supervisor had attended several municipal council meetings to present the proposed budget and answer any queries. Dave Frayne asked for clarification on the director’s responsibility when voting. Tom Prout responded that the members have been appointed to the Ausable Bayfield Conservation Authority Board of Directors and are voting to represent the interests of the Authority.

2012 Proposed General Levy**MOTION #BD 14/12****Moved by Jim Ginn****Seconded by Don Shipway****“RESOLVED, THAT the 2012 General Levy be approved at \$880,572.”**

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Adelaide Metcalfe	✓		
Bluewater		✓	
Central Huron	✓		
Huron East	✓		
Lambton Shores			✓
Lucan Biddulph	✓		
Middlesex Centre	✓		
North Middlesex	✓		
Perth South	✓		
South Huron		✓	
Warwick			✓
West Perth	✓		

The result was Yea 48.13% and Nay 51.87% based on the current value assessment apportionment schedule.”

Defeated.2012 Proposed Project Levy**MOTION #BD 15/12****Moved by Bill Siemon****Seconded by Janisse Zimmerman****“RESOLVED, THAT the 2012 Project Levy be approved at \$298,526.”**

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Adelaide Metcalfe	✓		
Bluewater		✓	
Central Huron	✓		
Huron East	✓		
Lambton Shores			✓
Lucan Biddulph	✓		
Middlesex Centre	✓		
North Middlesex	✓		
Perth South	✓		
South Huron	✓		
Warwick			✓
West Perth	✓		

The result was Yea 72.02% and Nay 27.98% based on the current value assessment apportionment schedule.”

Carried.

Chairman Frayne asked how the directors wanted to proceed. Janisse Zimmerman advised the discussion of the Municipality of Bluewater council was that this is a difficult economic time and they weren't comfortable with a 5 ½% increase. Jim Ginn asked for clarification on whether the council was acknowledging assessment growth. The response was to look at a 2 ½ % increase and not consider assessment growth. Bill Siemon questioned whether there was direction as to what is to be cut, however it is up to the Board to identify the areas of reduction. Brian Horner said a 3% reduction equals \$25,000 which would be 0% increase in general levy when acknowledging a 3% growth in assessment for municipalities.

MOTION #BD 16/12

Moved by Janisse Zimmerman

Seconded by Ute Stumpf

“RESOLVED, THAT staff bring back a report for discussion at the next Board of Directors meeting with a recommendation of suggested areas that would set the 2012 general levy at a 3% increase.”

Carried.

DELEGATION

Brad Oke and Frank Moore attended the meeting with a request pursuant to fees related to an *Application for Permission*. Chairman Frayne advised the delegation that they would have 10 minutes to make their presentation followed by questions of the Board. ABCA staff would then be given 10 minutes to present followed by questions from the Board.

Frank Moore introduced the Board to the property in question located within an regulated area at 71 River Road, Grand Bend in the Municipality of Lambton Shores. Frank and Nancy Moore share ownership of the property with Brad Oke and the intent is to renovate the building into a restaurant with an apartment on the upper floor. Brad Oke spoke about the project and a chronology of events that led to a violation charge pursuant to Ontario Regulation 147/06 along with violation surcharge of \$1200 being levied to the landowners. In September 2011 Mr. Oke discussed the project and design with ABCA staff. A municipal building permit was applied for and the ABCA was advised of this on October 3. On October 13th, the owners were advised by the municipality that a building permit had been issued, so construction on the upper floor began on the interior of the structure. When work began on the exterior of the building, ABCA staff became aware that construction had commenced without an *Application for Permission* and on November 30, 2011, Andrew Bicknell was on-site to advise there was no permit. Mr. Oke and Mr. Moore feel that they are not 100% responsible for what has happened recognizing that a municipal building permit should not have been issued without ABCA approval, so therefore they should not have to pay a \$1200 violation surcharge.

Geoff Cade, Supervisor of Water & Planning spoke for the ABCA and advised that the Authority's fee schedule contained a category for a Violation Surcharge. The Violation Surcharge is levied in

instances where a violation has taken place and the proponent is offered the option of making application for a permit.

In regards to the amount of the surcharge, the concern is that work proceeded without a permit. Mr. Cade indicated that based on particulars of the proposal and Mr. Oke's history with the ABCA, that a Violation Surcharge was levied and it was based upon the Board approved fee schedule. The Board was informed that Mr. Oke regularly discusses development proposals and ABCA regulatory requirements with staff. Mr. Oke regularly receives permits from the Authority. It was outlined that ABCA staff had been in discussion with Mr. Oke about the development in question prior to work starting at the site. The Board was notified that the current case was not Mr. Oke's first violation.

Mr. Cade outlined that the fee schedule made allowance for doubling of the surcharge with recurring violations and where the applicant is offered the opportunity to apply for a permit. Jim Ginn asked if he was correct in assuming the municipal building permit should not have been issued. The response was affirmative. Bill Siemon commented that the ABCA staff are acting in accordance to the policy.

MOTION #BD 17/12

Moved by Jim Ginn

Seconded by Bill Siemon

“RESOLVED, THAT the Board of Directors follow the staff recommendation and uphold that the violation surcharge of \$1200 remain in effect”.

Carried.

Jim Ginn left the meeting at 11:40 a.m.

COMMITTEE REPORTS

MOTION #BD 18/12

Moved by Paul Hodgins

Seconded by Ute Stumpf

“RESOLVED, THAT the minutes of Ausable Bayfield Conservation Foundation meeting held on January 9, 2012; the Human Resources Management Committee meeting held on February 2, 2012; the Property Management Committee meeting held on January 26, 2012; the Striking Committee meeting held on February 2, 2012; the Joint Management Committee meeting held on November 25, 2011 and the motions therein be approved as presented.”

Carried.

GENERAL MANAGER'S REPORT

Tom Prout provided a written report with a brief update on the progress of various projects, staff training and development, upcoming meetings or events and general activities over the previous month.

CORRESPONDENCE

- a) Reference: Rock Glen Falls
File: R.11.1
Brief: Notice from Conservation Ontario that a photo of Rock Glen Falls submitted by Joyce Callcott, won honourable mention in the Conservation Ontario photo contest in the 'my favourite conservation area' category.
- b) Reference: Ausable River Drain
File: L.12.15.1
Brief: Resolution from Municipality of Bluewater that council agrees to allow ABCA to pay the Ausable River Drain assessment over a two year period, but deny waiving of the interest charge.
- c) Reference: Biennial Tour
File: A.7.4.1
Brief: Invitation to attend the upcoming Biennial Tour hosted by Grey Sauble Conservation and Saugeen Conservation from Sunday September 16 to Wednesday September 19, 2012.
- d) Reference: In appreciation
File: C.16.49
Brief: Letter of appreciation from George Finch, volunteer on the annual Family Winterfest committee recognizing the dedication of Tim Cumming, ABCA Communications Specialist as the media relations person for the community event.
- e) Reference: Wellness Survey
File: P.8.2.1
Reference: A copy of the 2011 Buffett National Wellness Survey was received offering a detailed analysis on the status of worksite wellness in Canada.

MOTION #BD 19/12**Moved by Bill Siemon****Seconded by Janisse Zimmerman**

“RESOLVED, THAT staff bring back a summary report of the survey for presentation at a future Board meeting.”

Carried.

- f) Reference: Cropland Drainage BMP
File: L.2.13
Reference: Copy of the recently released *Cropland Drainage* best management practices book in the BMP series. Davin Heinbuck was part of the team in development of the guide.

NEW BUSINESS

MOTION #BD 20/12

Moved by Bill Siemon

Seconded by Janisse Zimmerman

“RESOLVED, THAT staff bring back a report to the Board with information on policies around the reserves held by the Ausable Bayfield Conservation Authority.”

Carried.

ADJOURNMENT

The meeting was adjourned at 12:03 p.m.

Dave Frayne
Chair

Judith Parker
Corporate Services Coordinator

*Copies of Program Reports are available upon request.
Contact Judith Parker, Corporate Services Coordinator.*

