



# MINUTES



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## BOARD OF DIRECTORS

Thursday, September 17, 2009

\_\_\_\_\_ Ausable Bayfield Conservation Authority Boardroom  
Morrison Dam Conservation Area

### CALL TO ORDER

Chair McLachlan called the Board of Directors meeting to order at 10:00 a.m.

### DIRECTORS PRESENT

David Bolton, Dave Frayne, Paul Hodgins, George Irvin, Lawrence McLachlan, Bob Norris, Bill Siemon, Mark Simpson

### DIRECTORS ABSENT

Jim Ginn

### STAFF PRESENT

Andrew Bicknell, Tracey Boitson, Bev Brown, Cathie Brown, Tim Cumming, Geoff Cade, Brian Horner, Kate Monk, Judith Parker, Tom Prout, Alec Scott, Ross Wilson

### OTHERS PRESENT

Bob Fisher, Huron East Councillor

### ADOPTION OF AGENDA

#### **MOTION #BD 81/09**

**Moved by Bill Siemon  
Seconded by David Frayne**

**“RESOLVED, THAT the agenda for the September 17, 2009 Ausable Bayfield Conservation Authority Board of Directors 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 82/09**

**Moved by Mark Simpson  
Seconded by Bob Norris**

**“RESOLVED, THAT the minutes of the Board of Directors Meeting held on July 16, 2009 and the motions therein be approved as circulated.”**

**Carried.**

BUSINESS OUT OF THE MINUTES1. Bendway Weir Project

Alec Scott, Water & Planning Manager provided a chronology of issues affecting the landowner share of the assessment schedule for the Armstrong West Bendway Weir Erosion Control Project. Recently the ABCA received correspondence on the final assessment of local costs for this project, subsequent to comments made by residents at the June 20<sup>th</sup> Committee of Revision meeting.

In relation to the issue of Lots owned by ABCA having been merged into one lot in 1958, it was thought that the frontage of only one side of the road could be used in the assessment. However, the municipal solicitor has advised that since the frontage is contiguous, and none of the frontage has been eroded, the full frontage would be liable for charges.

Based on the one time contribution from Lambton Shores and assessment on all land packages owned by the ABCA in the April Schedule of Assessment, invoices for the following amounts were included in the August 10, 2009 correspondence:

Plan 427 Lot 21-23

Total assessed amount	\$34,550.26
Less Lambton Shores Contribution	<u>\$ 3,959.27</u>
Amount of invoice	\$30,590.99

This amount has been collected by the ABCA during previous budget years and it is recommended that the invoice in the amount of \$30,590.99 for the assessment on Lot 21-23 Plan 427 for the Armstrong East Bendway Weir Erosion Control project be paid.

Plan 427 Lot 24

Total assessed amount	\$8,391.42
Less Lambton Shores Contribution	<u>\$ 961.61</u>
Amount of invoice	\$7,429.81

This amount has been collected by the ABCA during previous budget years and it is recommended that the invoice in the amount of \$7,429.81 for the assessment on Lot 24 Plan 427 for the Armstrong East Bendway Weir Erosion Control project be paid.

Plan 427 Lot 26

Total assessed amount	\$27,638.91
Less Lambton Shores Contribution	<u>\$ 3,167.27</u>
Amount of invoice	\$24,471.64

The amount of \$11,900 was collected by the ABCA during previous budget years for this Lot.

In relation to the history of Lot 26, until after the project was completed, it was assumed by all parties that this lot was owned by Lambton Shores. However, when Lambton Shores went to sell the lot to cover the assessed costs towards the Bendway Weir project, it was discovered that the lot was actually owned by the ABCA. In June of this year it was also discovered that the lot no longer existed but had actually been merged with nearby ABCA lots by a municipal by-law in 1958. Had all of this information been known at the start of the project, it may have influenced the method of cost assessment for the ABCA property or the ABCA reaction to the project. The ABCA would only have been considered to have one property rather than a number of parcels.

Given the uncertainty and history around Lot 26, it might be better to equally share the assessed costs for this lot with Lambton Shores, rather than try to appeal the present assessment. It is recommended that the Municipality of Lambton Shores be asked to share the assessed costs for the Armstrong East Bendway Weir Erosion Control project of \$27,638.91 for Lot 26 Plan 427 with the ABCA with each party contributing an equal share of \$13, 819.46 based on the changes in property ownership status and findings about the lots being merged over the course of the project.

Bill Siemon questioned why the ABCA was being assessed on conservation lands that are unbuildable. Chair Lawrence McLachlan queried the Board for comments on offering to transfer the ABCA owned lots in Plan 427 to the Municipality of Lambton Shores. The municipal land use planning bylaws would ensure protection of the dune ecosystem.

**MOTION #BD 83/09**

**Moved by George Irvin  
Seconded by Dave Frayne**

**“RESOLVED, THAT the ABCA staff pursue the suggestion of transferring ownership of all lots acquired by the Ausable Bayfield Conservation Authority in Plan 427, Port Franks to the Municipality of Lambton Shores and provide a report for discussion at a future Board of Directors meeting.”**

**Carried.**

**MOTION #BD 84/09**

**Moved by Bill Siemon  
Seconded by Dave Frayne**

**“RESOLVED, THAT the staff recommendation regarding Plan 427, Lot 21-23 and Plan 427, Lot 24 be tabled until presentation of the report for discussion on transferring ownership of Plan 427, Port Franks.”**

**Carried.**

## 2. Proposed Policy - Committee of the Whole

As requested, General Manager Tom Prout, presented a proposed policy relating to the *Municipal Act*, providing guidance on matters that should be discussed in Committee of the Whole. He outlined the current policy for open and closed meetings as documented in the ABCA Administrative Regulations but noted that the policies are silent regarding Committees and procedures. Revisions to the current policy were highlighted.

**MOTION #BD 85/09**

**Moved by Bob Norris**

**Seconded by David Bolton**

**“RESOLVED, THAT the amended policy regarding matters to be discussed in Committee of the Whole be approved as presented and become effective September 17, 2009.”**

**Carried.**

## PROGRAM REPORTS

### 1. Development Review

Andrew Bicknell, Regulations Coordinator prepared 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 fourteen *Applications for Permission* and six *Minor Works* applications.

**MOTION #BD 86/09**

**Moved by George Irvin**

**Seconded by Mark Simpson**

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

**Carried.**

Geoff Cade, Supervisor of Water & Planning advised that the Thames Valley District School Board has appealed to the Mining and Lands Commissioner subsequent to the Hearing held on August 18, 2009 where the Board of Directors denied their application to construct Lucan Public School without the required flood relief culvert under Beech Street.

**MOTION #BD 87/09**

**Moved by Bill Siemon**

**Seconded by Bob Norris**

**“RESOLVED, THAT the Board of Directors authorize staff to represent the Ausable Bayfield Conservation Authority in its defence of the Thames Valley District School Board’s appeal to the Mining and Lands Commissioner, and**

**FURTHER, THAT the Board of Directors authorize the Authority’s solicitor to be retained to represent the Authority for that appeal.”**

**Carried.**

Mark Simpson left the meeting at 10:30 a.m.

**2. Proposed 2010 Budget Schedule**

Brian Horner, Financial Services Supervisor provided a schedule for presentation and approval of the 2010 budget. A budget meeting is proposed for October 8<sup>th</sup> at 9:00 a.m. Any revisions will be presented at the regular October 15<sup>th</sup> Board of Directors meeting. The ABCA is proposing to host an information session for Clerk Treasurers & Councillors on the 2010 proposed budget, levy and programs.

**MOTION #BD 88/09**

**Moved by Paul Hodgins  
Seconded by David Bolton**

**“RESOLVED, THAT the Board of Directors approve of the 2010 budget schedule and support the staff proposal to host an information session for municipal clerk-treasurers and councillors.”**

**Carried.**

**3. Pandemic Flu Interim Policy**

Tom Prout presented an interim policy outlining the actions to be taken to ensure the safety and well-being of all employees in the organization, in case of a pandemic flu.

**MOTION #BD 89/09**

**Moved by Paul Hodgins  
Seconded by Bob Norris**

**“RESOLVED, THAT the ABCA Pandemic Flu interim policy be approved as presented.”**

**Carried.**

**4. Assessment of the ABCA Flood Forecasting & Warning System**

The Ministry of Natural Resources has published a document entitled *Provincial Flood Forecasting and Warning Implementation Guidelines for Conservation Authorities and the Ministry of Natural Resources*. The purpose was to provide guidance for the minimum level of a flood forecasting and warning program and implementation. Ross Wilson, Water & Stewardship Technologist reported on the self-assessment of the present ABCA Flood Forecasting and Warning program in relation to the guidelines document, documentation of any improvements that may be required, costs associated with improvements and a suggested time frame to update the ABCA program if required. A summary of estimated costs of required improvements total \$332,850 which can be phased into future budgets Alec Scott advised that all costs should be eligible for 50% grant but the ABCA is at a predetermined amount and we are in a shortfall position.

**MOTION #BD 90/09**

**Moved by Bill Siemon  
Seconded by George Irvin**

**“RESOLVED, THAT the ABCA Board of Directors approve the report on the Assessment of the ABCA Flood Forecasting and Warning System, and**

**FURTHER, THAT the proposed phased improvements be considered during the preparation of future budgets starting in 2010, and**

**FURTHER, THAT the Honourable Minister of Natural Resources be advised of the provincial and municipal funding which will be required to bring the ABCA Flood Forecasting and Warning System into compliance with the *Provincial Flood Forecasting and Warning Implementation Guidelines for Conservation Authorities* and the Ministry of Natural Resources, and**

**FURTHER, THAT the Honourable Minister be advised that current grant levels from the Ministry of Natural Resources are insufficient for ABCA to be in compliance with the new guidelines.”**

**Carried.**

5. ABCA Stewardship Programs

Kate Monk, Stewardship & Conservation Lands Supervisor provided a summary of the current grant programs for the ABCA watershed. Last year the ABCA connected with more than 100 landowners with funding to complete environmental improvement projects. Funding was secured from various agencies and government ministries for distribution to landowners doing projects to protect the environment.

6. Draft 2010-2020 Business Plan

Tim Cumming, Communication Specialist introduced the components being incorporated into the draft 2010-2020 Business Plan. Directors participated in a group dialogue which provided input and guidance into the purpose and goals for the document. It is anticipated to complete the 10 year business plan by year end and present at the Annual Meeting.

7. Internal Internet Mapping Applications

Tracey Boitson, GIS/CAD Information Systems Specialist presented a demonstration on the internal computer mapping applications available to staff. The presentation illustrated that data could now be accessed by staff in an efficient manner, providing a better service to the member municipalities and the public.

COMMITTEE REPORTS

Property Management Committee

Lawrence McLachlan reviewed the minutes from the Property Management Committee meeting held on September 3, 2009. A number of recommendations to the Board were presented for review.

**MOTION #BD 91/09**

**Moved by Dave Frayne  
Seconded by Bill Siemon**

**“RESOLVED, THAT the Board of Directors approve the recommendation of the Property Management Committee that the current policy to allow pedestrian access and to prohibit motorized vehicles with the exemption of vehicles used for medical emergencies remain in effect at ‘The Cut’ property owned by the Ausable Bayfield Conservation Authority in the Port Franks area, and**

**FURTHER, THAT the issue of permitting motorized vehicles on ABCA property in the Port Franks area not be revisited until after a two year trial period.”**

**Carried.**

**MOTION #BD 92/09**

**Moved by David Bolton  
Seconded by Bob Norris**

**“RESOLVED, THAT Board of Directors approve the recommendation of the Property Management Committee that discussions with Randy Wilson Architect Incorporated for the next phase of the office addition be postponed until there is a response as to possible infrastructure funding.”**

**Carried.**

**MOTION #BD 93/09**

**Moved by Bill Siemon  
Seconded by Paul Hodgins**

**“RESOLVED, THAT Board of Directors approve the recommendation of the Property Management Committee that the ABCA agree to pay 100% of the cost up to \$2,500 to lessen the slope at the north end of the earthen berm beside the Cameron Gillies Diversion Channel with staff coordinating and overseeing the work, and**

**FURTHER, THAT the landowner be responsible for all costs related to the hauling away of excess excavated material.”**

**Carried.**

**MOTION #BD 94/09**

**Moved by George Irvin  
Seconded by Paul Hodgins**

**“RESOLVED, THAT the Board of Directors approve the request for a drain outlet at the corner of Anna and Eagle Streets in Parkhill, onto ABCA property subject to the conditions being met and payment of the permit fee of \$110 plus GST.”**

**Carried.**

**MOTION #BD 95/09**

**Moved by Dave Frayne  
Seconded by Paul Hodgins**

**“RESOLVED, THAT the Board of Directors approve the recommendation of the Property Management Committee for restoration of the eastern portion of the Wright-Thompson Tract to a prairie ecosystem through the Management of Abandoned Aggregate Properties Program with project costs paid by MAAP.”**

**Carried.**

Source Protection Committee

The minutes of the June 23, 2009 meeting of the Source Protection Committee were circulated for the Board's information.

GENERAL MANAGER'S REPORT

For the directors information, Tom Prout provided an overview of projects, staff training and development, funding opportunities, Conservation Ontario activities and upcoming events over the past month.

CORRESPONDENCE

- a) Reference: Thank you  
File: A.5.1  
Brief: A card of thanks from the organizers of the Terry Fox Run and Big Brothers Big Sisters of SouthHuron for the support in maintaining the MacNaughton Morrison Trail for fundraising. There are six charities that host fundraising events annually at Bannockburn Conservation Area and the MacNaughton Morrison Trail.
- b) Reference: Farm Rental  
File: L.17.20  
Brief: A request from Steve Keys, agricultural tenant at the Linfield Wildlife Area, to renew the farm lease from 2010-2013 to assist in maintaining crop rotation.

**MOTION #BD 96/09**

**Moved by Dave Frayne  
Seconded by David Bolton**

**“RESOLVED, THAT the farm lease agreement with Steve Keys be renewed from January 1, 2010 to December 31, 2013 at a rate of \$130 per acre.”**

**Carried.**

- c) Reference: Huron Water Protection Steering Committee  
File: A.7.36  
Brief: Correspondence from Susanna Reid advising that the Huron Water Protection Steering Committee meets quarterly in the morning on the third Thursday which conflicts with the Board of Directors meeting. By consensus it was decided that the Board of



Directors meeting remain at 10:00 a.m. on the third Thursday of the month.

- d) Reference: Chair's Honourarium  
File: A.10.2  
Brief: Notice from the Ontario Municipal Board that the request to increase the annual honourarium paid to the Chair has been approved at \$1,160 per year effective January 1, 2010.
- e) Reference: Land Securement Plan (2008-2020)  
File: L.4.1.5  
Brief: Notice from the Ministry of Natural Resources of Minister's Approval under Section 24 of the *Conservation Authorities Act*, R.S.O. 1990 for the ABCA Land Securement Plan (2008-2020)
- f) Reference: International River Foundation  
File: A.5.1  
Brief: Correspondence from the International River Foundation that the nomination from the Ausable Bayfield Maitland Valley Source Protection Region for the 2009 International Thies Riverprize was not selected as one of the five finalists.
- g) Reference: CA Program Review  
File: A.5.3  
Brief: Correspondence from John Cottrill, MNR CA Policy Advisor that he will be visiting the ABCA for a watershed tour or projects and to meet with appropriate staff and Board members.
- h) Reference: Agriculture Management Institute Nomination  
File: A.7.2  
Brief: Notice that Ross Wilson, ABCA Water & Stewardship Technologist has been nominated by Conservation Ontario to the Agriculture Management Institute.
- i) Reference: RBC Foundation  
File: A.37.18  
Brief: Response from RBC Foundation that the Leadership Grant application for funding through the RBC Blue Water Project was denied.
- j) Reference: Trees Ontario  
File: A.5.3  
Brief: Thank you from Trees Ontario for participating in the Ministry of Natural Resources 50 Million Trees Program which has exceeded their target of planting 2 million seedlings across the province.

## NEW BUSINESS

None

ADJOURNMENT

The meeting was adjourned at 12:15 p.m.

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Lawrence McLachlan  
Chairman

Judith Parker  
Corporate Services Coordinator

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

