

## BOARD OF DIRECTORS MEETING

Thursday, December 16, 2021

Ausable Bayfield Conservation Authority Boardroom  
Morrison Dam Conservation Area

VIA VIDEO CONFERENCE

### DIRECTORS PRESENT

Adrian Cornelissen, Bob Harvey, George Irvin, Dave Jewitt, Mike Tam, Marissa Vaughan,

### DIRECTORS ABSENT

Ray Chartrand, Doug Cook, Alex Westman

### STAFF PRESENT

Geoff Cade, Tina Crown, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Daniel King, Mary Lynn MacDonald, Tracey McPherson, Kate Monk, Meghan Tydd-Hrynyk, Mari Veliz

### CALL TO ORDER

Vice Chair Dave Jewitt called the virtual meeting to order at 2:32 p.m., welcomed everyone in attendance, both in person and virtually, and read the Land Acknowledgement Statement.

### ADOPTION OF AGENDA

**MOTION #BD 131/21**

**Moved Mike Tam**

**Seconded by Bob Harvey**

**“RESOLVED, THAT the agenda for the December 16, 2021 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.

### DISCLOSURE OF INTENTION TO RECORD

Vice Chair Jewitt noted that this meeting was being recorded on Zoom for temporary posting online, and is not an official record. The official record of this meeting will be the approved minutes.

### ADOPTION OF MINUTES

**MOTION #BD 132/21**

**Moved by George Irvin**

**Seconded by Marissa Vaughan**

**“RESOLVED, THAT the minutes of the Board of Directors meeting held on November 18, 2021 and the motions therein be approved as circulated.”**

**Carried.**

**BUSINESS OUT OF THE MINUTES**

**Proposed General Levy, Project Levy and Budget**

General Manager, Brian Horner, reviewed the project and general levy totals and advised approval is by weighted vote.

**2022 Proposed General Levy and Project Levy Vote**

**MOTION #BD 133/21**

**Moved by George Irvin  
Seconded by Bob Harvey**

**“RESOLVED, THAT the 2022 General Levy be approved at \$1,119,184.”**

	<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	✓		

**“AND FURTHER, THAT the 2022 Project Levy be approved at \$249,595.”**

	<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 100% based on the current value assessment apportionment schedule.”**

**Carried.**

2022 Proposed Budget

**MOTION #BD 135/21**

**Moved by George Irvin  
Seconded by Marissa Vaughan**

**“RESOLVED, THAT the proposed 2022 overall budget be approved.”**

**Carried.**

Staff Report – Re: Willson/Gilby Delegation, October 21, 2021

At the Board of Directors meeting on October 21, 2021, a delegation including Mr. Nigel Gilby and Mr. Greg Willson presented their concerns on shoreline erosion and provided the Board with a policy recommendation to consider. The recommended changes were for new shore protection only, in dynamic beach areas. The Board of Directors requested that staff bring back a report in response to the suggested changes. Proposed changes can be found in the Agenda Package for December 16, 2021.

Geoff Cade, Water and Planning Manager, presented a report and noted that staff would not be in a position to issue a permit until for new shoreline protection in a dynamic beach area unless Section 3 of Ontario Regulation 147/06 is satisfied. This section allows staff to grant permission for development in these areas if, in the Authority’s opinion, the land will not be affected by the development. Geoff also noted the significant public consultation for the 2019 Shoreline Management Plan and Development Guidelines, as well as the consultation for the amendments to the guidelines, which were approved in May 2021. The intent of the amendments were to relax the Development Guidelines to permit shoreline protection in dynamic beach areas where it otherwise would not have been approved. The policy advanced by the delegation was very similar to wording submitted by a landowner group in a delegation to the Board in December 2020.

Staff is unable to support the policy advanced by the delegation in October 2021 based on several points including:

- the proposed wording seeks to permit shore protection to be installed closer to the lake than permitted by ABCA policy
- wording “unnecessarily or without justification” is too vague,
- it is staff’s opinion that works approved under such a policy would interrupt important dynamic beach processes

- long standing ABCA policy, provincial policy, and provincial technical guidelines do not support proponents “engineering” themselves further into hazardous areas, whether it be erosional zones, floodplains or shorelines
- the wording is very similar to a policy option advanced previously through delegation and consultation, and which had already received consideration by staff and the Board of Directors.

**MOTION #BD 136/21**

**Moved by Adrian Cornelissen  
Seconded by Bob Harvey**

**“RESOLVED, THAT the Board of Directors do not revise the Shoreline Management Plan Development Guidelines at this time.”**

**Carried.**

**PROGRAM REPORTS**

1. (a) Development Review

Meghan Tydd-Hrynyk, Planning & Regulations Officer, 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 20 *Applications for Permission* and 4 *Minor Works Applications*.

**MOTION #BD 137/21**

**Moved by George Irvin  
Seconded by Marissa Vaughan**

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

**Carried.**

(b) Violations/Appeals Update

Geoff Cade advised that staff are continuing to work on a number of violations. The Beach o’ Pines violations have made some progress, in that one landowner and the contractor pleaded guilty. Two landowners are still before the courts. In addition, a violation in Central Huron will be going before the courts in January 2022.

**MOTION #BD 138/21**

**Moved by Adrian Cornelissen  
Seconded by Marissa Vaughan**

**“RESOLVED, THAT the Board of Directors receive the Violations and Appeals update as presented.”**

**Carried.**

## 2. CA Act Update – Inventory of Programs and Services

Kate Monk, Projects Coordinator, along with other ABCA department managers presented the current inventory of programs and services, which is required under Section 21.1.2 of Ontario Regulation 687/21: Transition Plans and Agreements for Programs and Services. This document lists all programs and services the authority is providing as of February 28, 2022, and intends to provide following that date. Average costs of current programs, as well as estimated costs of new programs, are also listed in the document. Each program listed in one of three categories. Category 1 includes mandatory programs and services as listed in the Conservation Authorities Act, Category 2 are programs at the request of, or on behalf of, a municipality through a Memorandum of Understanding or other agreement, and Category 3 are programs and services that the conservation authority decides are required to conserve the watershed. The majority of ABCA activities fall under Categories 1 and 3.

The inventory document will be provided to member municipalities and the province by February 28, 2022 for their information. Phase 2 of the transition period will begin on March 1, 2022, and conservation authorities will begin consulting with municipalities on the inventory and start the process to enter into agreements.

**MOTION #BD 139/21**

**Moved by George Irvin  
Seconded by Bob Harvey**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority approves the Inventory of Programs and Services.”**

**Carried.**

## COMMITTEE REPORTS

**MOTION #BD 140/21**

**Moved by Adrian Cornelissen  
Seconded by Marissa Vaughan**

**“RESOLVED, THAT the minutes of the Ausable Bayfield Conservation Foundation meeting held on November 23, 2021 and the motions therein be approved as circulated.”**

**Carried.**

## CORRESPONDANCE

- a) Reference: Article Highlighting Municipality of Bluewater, ABCA 75<sup>th</sup> Anniversary  
File: A.5.5  
Brief: Laurie Spence Bannerman, CAO for the Municipality of Bluewater, sent an email of thanks to the ABCA staff offering congratulations on the ABCA 75<sup>th</sup> Anniversary, and expressed thanks for the article, which highlights the work of the Pioneer Park Association in Bayfield.
- b) Reference: Cystic Fibrosis Donation from Staff  
File: A.5

Brief: A brief letter of thanks to ABCA staff for a donation to the Cystic Fibrosis Donation. This donation came from funds raised through the ABCA “Dress Down Friday” program.

c) Reference: Letter of Confirmation

File: W.6.3.3

Brief: A letter from the ABCA’s solicitor, Trudy Mauth, confirming that she appeared in the Sarnia Provincial Offences Court in the matter of ABCA v. Stewart Webb and Sons and Richard Webb, and that their prosecution has been completed.

d) Reference: 2022 Budget and Levy

File: F.6

Brief: Acknowledgement from the Municipality of Huron east that they received correspondence regarding the proposed 2022 Budget and Municipal Levies. Accordingly, a motion was passed acknowledging the overall budget increase of 2.43%, as well as the projected levy for Huron East.

### NEW BUSINESS

1. Brian Horner noted that the Ausable Bayfield Conservation Foundation Board of Directors has had a vacant position for some time. Staff reached out to several community members, including Janet Clarke, who has volunteered with the Conservation Dinner for several years. Janet Clarke has expressed interest in joining the ABCF Board of Directors.

### **MOTION #BD 141/21**

**Moved by Marissa Vaughan**

**Seconded by George Irvin**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors appoint Janet Clarke to the Ausable Bayfield Conservation Foundation Board of Directors.”**

**Carried.**

### COMMITTEE OF THE WHOLE

None

### ADJOURNMENT

The meeting was adjourned at 4:03 p.m.

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Dave Jewitt  
Vice Chair

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Abigail Gutteridge  
Corporate Services Coordinator

*Copies of program reports are available upon request.  
Contact Abigail Gutteridge, Corporate Services Coordinator*