

## BOARD OF DIRECTORS ANNUAL GENERAL MEETING

Thursday, March 21, 2024

Ausable Bayfield Conservation Authority Boardroom  
Morrison Dam Conservation Area

### DIRECTORS PRESENT

Ray Chartrand, Adrian Cornelissen, Steve Herold, Jaden Hodgins, Dave Jewitt, Greg Lamport, Dave Marsh, Marissa Vaughan

### DIRECTORS ABSENT

Wayne Shipley

### STAFF PRESENT

Andrew Bicknell, Geoff Cade, Tina Crown, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Daniel King, Mary Lynn MacDonald, Kate Monk, Meghan Tydd-Hrynyk, Will Van Dongen-Miles, Jeff Van Niekerk

### CALL TO ORDER

Ausable Bayfield Conservation Authority (ABCA) Chair Marissa Vaughan called the meeting to order at 2:30 p.m., welcomed everyone in attendance and read the Land Acknowledgement Statement.

### ADOPTION OF AGENDA

#### **MOTION #BD 20/24**

**Moved Ray Chartrand  
Seconded by Greg Lamport**

**“RESOLVED, THAT the agenda for the March 21, 2024 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

None

ADOPTION OF MINUTES**MOTION #BD 21/24**

**Moved by Dave Marsh  
Seconded by Greg Lamport**

**“RESOLVED, THAT the minutes of the Board of Directors meeting held on February 15, 2024 and the motions therein be approved as circulated.”**

**Carried.**

BUSINESS OUT OF THE MINUTES**1. Audit, Financial Institution, and Investment Services Request for Quote**

Davin Heinbuck, General Manager/Secretary-Treasurer noted that at the Annual Meeting, the Board of Directors approved staff asking for requests for quotes (RFQ) from the current Auditors, Financial Institution and Investment Services, as they were satisfied with the current providers. To date, staff have not received a quote from the current financial institution. The current auditor, Seebach & Company, provided a five-year quote with a modest increase of \$250 per year (approximately 2% per annum). Raymond James, Skillen Investment Management, also provided a five-year quote, indicating maintaining their current fee, which is 1%.

**MOTION #BD 22/24**

**Moved by Ray Chartrand  
Seconded by Adrian Cornelissen**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority retain the services of Seebach & Company Chartered Professional Accountants, Clinton for performing the audit over the five-year period 2024 – 2028 at the proposed set rates, and**

**“FURTHER, THAT the Ausable Bayfield Conservation Authority retain the services of Raymond James, Skillen Investment Management, for the five-year period from 2024 – 2028 with fees consistent with current costs.”**

**Carried.**

**2. Watershed-Based Resource Management Strategy Update**

Kate Monk, Projects Coordinator, provided the Board of Directors with a brief update regarding consultation with the Chippewas of Kettle and Stony Point First Nations (CKSPFN). While this is not a legal duty for the Watershed-Based Resource Management Strategy, staff believe it will be of benefit to both the ABCA and First Nations community. While some comments have been received, CKSPFN have not provided final comments. Kate also noted that the Watershed Strategy is at the point where it could be of use to staff for funding proposals, budget forecasting and workplans, and recommend that the Board approve the draft for current use.

**MOTION #BD 23/24****Moved by Steve Herold  
Seconded by Dave Jewitt**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority continues to receive feedback on the Watershed-Based Resource Management Strategy, and**

**“FURTHER, THAT staff be authorized to use the Draft Watershed-Based Resource Management Strategy for guidance and direction.”**

**Carried.**

**PRESENTATION**

Paul Seebach, of Seebach & Company, presented the 2023 audited financial statement for the Ausable Bayfield Conservation Authority. There were no audit issues found or unusual transactions. The statements of financial position and operations were reviewed.

**MOTION #BD 24/24****Moved by Jaden Hodgins  
Seconded by Dave Jewitt**

**“RESOLVED, THAT the 2023 audited financial statement be approved as presented.”**

**Carried.**

**PROGRAM REPORTS****1. (a) Development Review**

Daniel King, 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 *7 Applications for Permission* and *6 Minor Works Applications*.

**(b) Violation/Appeals Update**

Geoff Cade, Water and Planning Manager, noted that there are several ongoing violations that are currently moving through the court system. One ongoing violation in Lambton Shores may be close to a resolution. Geoff also noted that one of the hearings that came before the Board in 2023 has been appealed to the Ontario Land Tribunal, so staff will be working through that process. Directors asked that reports be brought back to the Board of Directors regarding the conclusion of legal matters, as well as the legal costs associated.

**MOTION #BD 25/23****Moved by Steve Herold  
Seconded by Dave Marsh**

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

**Carried.**

**2. Conservation Authorities Act Update – Progress Report**

Kate Monk, Projects Coordinator, provided a brief update on the implementation of the Conservation Authorities Act and associated regulations. Many of the requirements and projects have already been completed. In 2024, the Watershed-Based Resource Management Strategy, the Conservation Lands Strategy, the Conservation Lands Inventory, as well as the Capital Asset Management Plan will also be completed. Two additional projects that will need to be updated or developed in 2024 – the Ice Management Plan, and the Operational Plan for Water and Erosion Control Infrastructure. The ABCA already has documents that can be referenced to help with these projects.

**MOTION #BD 26/24**

**Moved by Ray Chartrand**

**Seconded by Jaden Hodgins**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors receive the Conservation Authorities Act Update for information as presented.”**

**Carried.**

**3. Legislative and Regulatory Changes, Conservation Authorities Act – Ontario Regulation 41/24, Prohibited Activities, Exemptions and Permits**

Geoff Cade provided a report on new legislative and regulatory changes coming into effect on April 1, 2024. These changes relate to Sections 28 and 30 of the Conservation Authorities Act. Each conservation authority’s regulation will be repealed and replaced with Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

Key Legislative Changes include amendments to some of the tests that conservation authorities use to consider permits, amendments to both the review and appeal processes, and now provides the Minister power to either direct a CA to issue or not issue a permit. In addition, a new ‘class’ of Provincial Offences Officers is being created, and new fines are being implemented.

Regulatory changes will result from the implementation of the new Ontario Regulation 41/24. Some of the changes will include where a conservation authority can regulate. For example, there are changes to the definition of a watercourse, and setbacks have been reduced from provincially significant wetlands. There are also some changes to what is regulated. Small docks, decks and accessory structures, reconstructed garages, certain agricultural drainage works and some types of fences are now exempt. There are also some procedural changes. A summary of all of these changes can be found in the accompanying report.

ABCA staff have developed a phased approach and an interim policy to begin to implement these changes, as there will be insufficient time to implement everything prior to April 1, 2024. The interim policy is also attached.

**MOTION #BD 27/24**

**Moved by Dave Jewitt  
Seconded by Adrian Cornelissen**

**“RESOLVED, THAT the Board of Directors receive staff’s report outlining amendments to the Conservation Authorities Act and the replacement of Ontario Regulation 147/06, and**

**“FURTHER, THAT the Board of Directors approves the Interim Policy for the Administration and Implementation of Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits effective April 1, 2024, and**

**“FURTHER, THAT the Board of Directors approves the Transitional Procedures and Guidelines for Review of ABCA Permit Applications, Extension of Existing ABCA Permits, Enforcement of ABCA Regulation and ABCA Plan Review Services effective March 22, 2024.”**

**Carried.**

**4. Utility Vehicle Tender Results**

Jeff Van Niekerk, Field Services, presented tender results for a new utility vehicle for the ABCA. The 2024 budget included funds for the purchase of a new utility vehicle to replace the 2014 Arctic Cat ATV and the 2011 John Deere Gator. Utility Vehicles are primarily used by field services, but is also used by various other departments, such as Conservation Education. Staff sent requests for quotations on January 21, and staff met February 29, 2023 to open and review the tenders. Staff received seven tenders and selected the quote submitted by Country Corners in Exeter, for a 2023 Argo Magnum XF 500, which met the specifications listed by staff and was within the 2024 budget.

**MOTION #BD 28/24**

**Moved by Dave Marsh  
Seconded by Adrian Cornelissen**

**“RESOLVED, THAT the Board of Directors receive the report on the Utility Vehicle Tender Results as presented, and affirm that the purchase be awarded to Country Corners for a 2023 Argo Magnum XF 500 at a purchase price of \$15,023.43 plus taxes and fees.”**

**Carried.**

**5. Flood Emergency Planning Meeting**

Daniel King reported on the 2024 Flood Emergency Planning Meeting, which was held on March 5, 2024 at the Exeter Legion. The 40 attendees at the meeting included representatives from nine watershed municipalities, staff or CEMC from all four watershed counties, Huron and Perth County

OPP and one neighbouring Conservation Authority. Information presented or discussed included the roles and responsibilities in flood emergencies, river ice break up or jamming, flooding communications, as well as a watershed conditions update. Attendees indicated that they find this to be a worthwhile meeting.

**MOTION #BD 29/24**

**Moved by Jaden Hodgins  
Seconded by Greg Lamport**

**“RESOLVED, THAT the report on the Flood Emergency Planning Meeting be received as presented.”**

**Carried.**

COMMITTEE REPORTS

None.

CORRESPONDANCE

## a) Reference: Notice of Resignation

File: A.5.1

Brief: A letter from Kate Monk, noting her intention to retire from the ABCA at the end of March, and thank staff and the Board of Directors for their support over the course of her career.

NEW BUSINESS

1. Adrian Cornelissen requested feedback on Tenet Security, who has been hired to periodically patrol ABCA properties. Nathan noted that they had some staffing challenges, and as a response ABCA is providing more formal training to ABCA staff. It is hoped that a hybrid between external and internal staff will be used in the future.

COMMITTEE OF THE WHOLE**MOTION #BD 30/24**

**Moved by Dave Marsh  
Seconded by Steve Herold**

**“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 4:21 p.m. to discuss a property matter with Davin Heinbuck, Abbie Gutteridge, and Nathan Schoelier remaining in attendance.”**

**Carried.**

**MOTION #BD 31/24**

**Moved by Greg Lamport  
Seconded by Dave Marsh**

**“RESOLVED, THAT the Committee of the Whole rise and report at 4:37 p.m.”**

**Carried.**

**MOTION #BD 32/24**

**Moved by Jaden Hodgins  
Seconded by Dave Jewitt**

**“RESOLVED, THAT the Board of Directors direct staff to proceed as directed regarding the purchase of the property in question.”**

**Carried.**

**ADJOURNMENT**

The meeting was adjourned at 4:38 p.m.

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Marissa Vaughan  
Chair

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Abigail Gutteridge  
Secretary

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