

BOARD OF DIRECTORS MEETING

Thursday, November 17, 2022
Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area

IN PERSON/VIDEO CONFERENCE

DIRECTORS PRESENT

Ray Chartrand, Doug Cook, Adrian Cornelissen, Bob Harvey, George Irvin, Dave Jewitt, Marissa Vaughan

DIRECTORS ABSENT

Mike Tam, Alex Westman

STAFF PRESENT

Geoff Cade, Tina Crown, Abbie Gutteridge, Brian Horner, Ian Jean, Daniel King, Mary Lynn MacDonald, Tracey McPherson, Kate Monk, Nathan Schoelier, Meghan Tydd-Hrynyk, Angela Van Niekerk, Mari Veliz

CALL TO ORDER

Chair Dave Jewitt called the meeting to order at 10:01 a.m., and welcomed everyone in attendance, both in person and virtually.

LAND ACKNOWLEDGEMENT STATEMENT

Chair Jewitt read the Land Acknowledgement Statement, acknowledging the original stewards of this land, the Haudenosaunee and Anishinaabe.

ADOPTION OF AGENDA

MOTION #BD 104/22

**Moved Doug Cook
Seconded by Ray Chartrand**

“RESOLVED, THAT the agenda for the November 17, 2022 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

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 105/22

**Moved by Bob Harvey
Seconded by Marissa Vaughan**

“RESOLVED, THAT the minutes of the Board of Directors meeting held on October 20, 2022 and the motions therein be approved as circulated.”

Carried.

BUSINESS OUT OF THE MINUTES

2023 Fee Schedule and Pay Grid Approval

Brian Horner advised that changes to the fee schedule and the pay grid increase of 2 % was incorporated into preparing the proposed budget for 2023.

MOTION #BD 106/22

**Moved by Marissa Vaughan
Seconded by Ray Chartrand**

“RESOLVED, THAT the 2023 fee schedule and pay grid be approved as presented.”

Carried.

PRESENTATION

Adam Skillen, of Skillen Investment Management, presented a semi-annual update on the investment income since spring. Like the global markets, the ABCA portfolio has had a 5.6% decrease over this period; however, it is still performing better than both the Canadian and global markets. The targets of 35% equities and 65% bonds will remain in place.

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 10 *Applications for Permission* and 17 *Minor Works Applications*.

(b) Violations/Appeals Update

Daniel King reported that there are still a number of violations before the courts, and noted that there is an upcoming court date for a violation in Lambton Shores.

MOTION #BD 107/22

**Moved by George Irvin
Seconded by Doug Cook**

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

Carried.

2. Conservation Authorities Act Update

Brian Horner provided an update on the ongoing implementation of the *Conservation Authorities Act* Update. He noted that Municipal staff are providing input to the draft Cost Apportioning Agreement for Category 3 programs and services. In addition, staff have developed a draft Fee Policy as a requirement of the *Conservation Authorities Act*, which will replace the policy approved in 2007. Of particular note, Bill 23 *More Homes Built Faster Act, 2022* was introduced by the province on October 25, which would change the way municipalities and conservation authorities review and approve housing proposals. It also includes changes to the *Conservation Authorities Act*.

MOTION #BD 108/22

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

“RESOLVED, THAT the Board of Directors receive the update on the *Conservation Authorities Act* as presented.”

Carried.

3. Bill 23, More Homes Built Faster Act, 2022

Brian Horner provided background information on Bill 23, which was introduced by the Province on October 25, 2022. The intent of the bill is to expedite housing development,

which will have wide-spread implications for development. Of particular concern to the Ausable Bayfield Conservation Authority are four areas of importance:

1. Transferring CA regulatory responsibilities to municipalities
2. Commenting on natural heritage matters through the Planning Act
3. Freezing or waiving fees paid by developers
4. Identifying conservation authority land suitable for development.

Staff have drafted a letter to submit to the Province and Environmental Registry of Ontario with the following recommendations:

1. Keep all hazard-related responsibilities with Conservation Authorities.
2. Development subject to *Planning Act* authorizations should not be exempt from Conservation Authority permits.
3. Municipalities should retain the option to enter into Memorandums of Understanding (MOUs) with conservation authorities for natural heritage and other plan review matters the municipalities deem advisable. Remove the clauses in Bill 23 that prevent this from occurring.
4. Conservation Authority fees should not be frozen since they are based on cost recovery.
5. Conservation Authority lands in areas suitable for development should be evaluated on a case-by-case basis and only considered under exceptional circumstances.
6. Re-establish the Multi-Stakeholder Conservation Authority Working Group comprised of members from conservation authorities, municipalities, the development sector and agriculture to help guide the province in its implementation of the last round of changes to the *Conservation Authorities Act*.

MOTION #BD 109/22

Moved by George Irvin

Seconded by Ray Chartrand

“RESOLVED, THAT the Board of Directors submit comments to the Environmental Registry of Ontario 19-6141 with the above noted recommendations.”

Carried.

4. ABCA Fee Policy

Kate Monk, Projects presented a Fee Policy, which updates current Fee Policy approved in 2007. Section 21.2 of the Conservation Authorities Act sets out that each Conservation Authority will prepare and adopt a written fee policy and fee schedule with respect to the fees it charges for the programs and services provided. ABCA has had written Fee Schedules for several decades that are reviewed annually and approved as part of the budget process. The updated policy confirms that the ABCA uses a user-pay principle and requires the beneficiary of the service to fully or partially pay for the cost of the service. The updated

policy includes principles, appeal process, review schedule, consultation and notification processes and implementation details for departments. The fee schedule will continue to be reviewed and approved annually.

MOTION #BD 110/22**Moved by Bob Harvey****Seconded by Marissa Vaughan**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Fee Policy be received and approved as presented.”

Carried.

5. Stewardship Project Review

Angela Van Niekerk, Wetlands Specialist, presented a number of stewardship projects that were funded through several different sources. Two wetlands, eight additional fragile land retirement projects and twelve additional cover crop projects were funded by Canada Nature Fund for the Ausable watershed, and four fragile land retirement projects and eight cover crop projects were funded through Canada Nature Fund for the Bayfield watershed. Environment and Climate Change Canada funded a 2.6 acre wetland, and EcoAction funding also funded one wetland. The Habitat Stewardship Project funded 1 wetland, and will be funding more planting projects in the coming months. One particular community project funded was plantings at a Lucan stormwater pond to help with filtration. This project also attracted other local funding sources for further plantings and signage. Finally, the Ontario Community Environment Fund provided funding for two wetland projects and one tree planting project.

MOTION #BD 111/22**Moved by Doug Cook****Seconded by Ray Chartrand**

“RESOLVED, THAT the Stewardship Project Review be received as presented.”

Carried.

6. Parkhill Dam Hydro and Telephone Service

Geoff Cade, Water and Planning Manager, provided some information to the Board regarding the Hydro and Telephone service at the Parkhill Dam. During construction of the new watermain in the town of Parkhill, the hydro and electric connections to the dam were severed. ABCA staff have met with the contractor, the design engineer and staff from the Municipality of North Middlesex. At present, staff are not concerned that watershed conditions would require the operation of the dam. The dam can be operated manually if needed in an emergency. It is expected that connections will be restored in the next week.

Ray Chartrand wondered if any thought had been given to a backup generator. To date, this has not been considered as the only place for construction would be in the floodplain.

MOTION #BD 112/22

Moved by Adrian Cornelissen

Seconded by Marissa Vaughan

“RESOLVED, THAT the report on the Parkhill Dam hydro and electrical services be received for information purposes.”

Carried.

CORRESPONDENCE

a) Reference: Thank you notes

File: A.5.1

Brief: Two thank you notes from watershed residents. The first was from Barbara Wraith of Lucan, ON, thanking staff for excellent trail maintenance, and included a \$500 donation. The second was from Margaret Lee of Seaforth, thanking staff for excellent education programs, including the owl prowling and turtle release, and included a financial donation.

b) Reference: Appointment to the ABCA Board of Directors

File: A.10.1

Brief: Email correspondence from Jessica Rudy, Clerk for the Municipality of Huron East, informing Brian Horner that the Huron East Council appointed Ray Chartrand to the ABCA Board of Directors for the term. A formal letter will be following.

NEW BUSINESS

1. Information Sessions

Brian Horner noted that staff are planning two information sessions in January for new and returning board appointees, municipal councilors and interested municipal staff. These sessions will explain what a conservation authority does, programs and services and sources of funding. The information sessions will be held on Tuesday, January 17 at 6:30 pm, and Thursday, January 19 at 1:30 pm

COMMITTEE OF THE WHOLE

MOTION #BD 113/22

Moved by George Irvin

Seconded by Marissa

“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 11:18 a.m. to discuss a property matter with Brian Horner, Abigail Gutteridge and Nathan Schoelier remaining in attendance.”

Carried.

MOTION #BD 114/22

Moved by Doug Cook

Seconded by George Irvin

“RESOLVED, THAT the Committee of the Whole rise and report at 11:25 a.m.

Carried.

ADJOURNMENT

The meeting was adjourned at 11:26 a.m.

Dave Jewitt
Chair

Abigail Gutteridge
Corporate Services Coordinator

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