

BOARD OF DIRECTORS MEETING

Thursday, November 21, 2024

Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area

DIRECTORS PRESENT

Ray Chartrand, Adrian Cornelissen, Joey Groot, Steve Herold, Dave Jewitt, Dave Marsh, Wayne Shipley, Marissa Vaughan

DIRECTORS ABSENT

Jaden Hodgins

STAFF PRESENT

Elizabeth Balfour, Andrew Bicknell, Tina Crown, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Nathan Schoelier, Erik Strahl, Ellen Westelaken.

CALL TO ORDER

Chair Marissa Vaughan called the meeting to order at 10:02 a.m., welcomed everyone in attendance, and read the Land Acknowledgement Statement.

ADOPTION OF AGENDA

MOTION #BD 89/24

Moved Dave Jewitt

Seconded by Dave Marsh

“RESOLVED, THAT the agenda for the November 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 90/24

**Moved by Steve Herold
Seconded by Ray Chartrand**

“RESOLVED, THAT the minutes of the Board of Directors meeting held on October 24, 2024, and the motions therein be approved as circulated.”

Carried.

BUSINESS OUT OF THE MINUTES

2025 Fee Schedule and Pay Grid

Davin Heinbuck, General Manager/Secretary-Treasurer, advised that the changes to the Fee Schedule and pay grid increase of 2.5% was incorporated into preparing the proposed budget for 2025. Direction at the Budget Committee meeting was that the pay grid increase was reasonable.

MOTION #BD 91/24

**Moved by Wayne Shipley
Seconded by Ray Chartrand**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors approve the proposed 2025 Fee Schedule as presented, and

“FURTHER, THAT the Ausable Bayfield Conservation Authority Board of Directors approve the pay grid increase of 2.5% as presented.”

Carried.

PRESENTATION

Adam Skillen, of Skillen Investment Management, presented a semi-annual update on the investment income since spring 2024. He noted that generally, the ABCA portfolio continues to perform well and is on an increasing trend. There has been some deviation from the ABCA targets of 35% equities and 65% bonds, but they are continually adjusting toward these targets. Adam noted that there could be more volatility in the coming years due to election outcomes, but that staying the course with ABCA investments has worked well in past years and advised Board members to continue in that direction.

MOTION #BD 92/24

**Moved by Ray Chartrand
Seconded by Joey Groot**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors receive the update on investments for information.”

Carried.

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

Andrew Bicknell, Senior Regulations Coordinator, presented the Development Review report pursuant to Ontario Regulation Ontario Regulation 41/24 *Prohibited Activities, Exemptions and Permits*. Through the application process, proposed developments within regulated areas are protected from flooding and erosion hazards. Staff granted permission for 6 *Applications for Permission* and 2 *Minor Works Applications*.

(b) Violation/Appeals Update

Andrew Bicknell advised that there was no update on current violations and appeals.

MOTION #BD 93/24

**Moved by Wayne Shipley
Seconded by Adrian Cornelissen**

“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. Process for Administration Review Under Section 8 of Ontario Regulation 41/24

Davin Heinbuck presented an Administration Review Policy developed because of Ontario Regulation 41/24, and the new accountability requirements that were introduced in spring 2024. Section 8 of the regulation permits an applicant to seek a formal review of an application when there is a question regarding whether the application is complete or not, the reasonableness of requests for additional information, and when the ABCA has not provided a formal response within 21 days. Staff have drafted a process (attached) to reflect local concerns and capacity and is recommending delegating the review process to the Authority’s General Manager.

MOTION #BD 94/24

**Moved by Joey Groot
Seconded by Dave Jewitt**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors delegates the ABCA’s Administrative Review powers, as defined in Section 8 of Ontario Regulation 41/24, to the General Manager of the Ausable Bayfield Conservation Authority, and

“THAT the Board of Directors approves the Process for Administrative Review under Section 8 of Ontario Regulation 41/24 for use by ABCA staff.”

Carried.

3. Conservation Lands Strategy

Nathan Schoelier, Stewardship and Lands Manager, presented the Conservation Lands Strategy, fulfilling requirements under Ontario Regulation 686/21: Mandatory Programs and Services under the *Conservation Authorities Act* (CA Act). There were several phases of consultation for this strategy including, public consultation through an online survey, consultation with the Chippewas of Kettle and Stony Point First Nation, posting on the ABCA website for public consultation from October 1 through October 22, 2024, and a draft provided to stakeholders including municipalities, and volunteer groups. The feedback is summarized in the “What We Heard – Engagement Summary” in the strategy. Once approved, the Conservation Lands Strategy will be posted to the ABCA website for public availability.

MOTION #BD 95/24

**Moved by Steve Herold
Seconded by Wayne Shipley**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors approves the Conservation Lands Strategy.”

Carried.

4. Workshop Renovation Tender Process

Nathan Schoelier reminded the Board that renovations to the ABCA workshop will be needed to meet accessibility requirements outlined in the Accessibility for Ontarians with Disabilities Act (AODA). MR Engineering and Design Ltd. was the successful contractor for designing the renovation, and completing inspections to ensure the work is completed correctly. Matt Runge of MR Engineering and Design Ltd. advised ABCA staff that the contract administration process for a public tender would be significant and is not advisable for a relatively small project, as it could have financial impacts comparable to the actual construction costs. He recommended that the ABCA complete the tendering process by invitation, providing opportunities to local contractors recommended by the designer at the MR Engineering and Design Ltd., and that MR Engineering and Design Ltd. prepare the tender opportunities and distribute it at a cost of \$4000.

MOTION #96/24

**Moved by Dave Marsh
Seconded by Joey Groot**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors approves staff to retain MR Engineering and Design Ltd. to prepare a tender opportunity for the Morrison Dam Conservation Area workshop renovation project, and

“THAT the Ausable Bayfield Conservation Authority Board of Directors approves the tender opportunity to be distributed to contractors recommended by MR Engineering and Design Ltd.”

Carried.

5. Appointment of Risk Management Official/Inspector

Elizabeth Balfour, Drinking Water Source Protection Co-Supervisor, reported that the ABCA has entered into agreements to provide Part IV power enforcement services to eight municipalities, and in 2015 Mary Lynn MacDonald, Donna Clarkson, and Tim Cumming were appointed as Risk Management Officials (RMOs) and Risk Management Inspectors (RMIs) after completing the mandatory training. Recently, Elizabeth Balfour and Aaron Clarke have completed their training and require appointment by the Board. In addition, Mary Lynn MacDonald retired on May 31, 2024, and her appointment should be rescinded.

MOTION #BD 97/24**Moved by Ray Chartrand****Seconded by Wayne Shipley**

“RESOLVED, THAT the reappointment of Donna Clarkson and Tim Cumming, and the appointment of Elizabeth Balfour and Aaron Clarke as Risk Management Official (RMO) and Risk Management Inspector (RMI) as required under Sections 48 (1-3) of the Clean Water Act, 2005 be approved, and

“THAT the appointment of Mary Lynn MacDonald as RMO/RMI be rescinded, and

“THAT a certificate of appointment be issued for Elizabeth Balfour and Aaron Clare as required by Section 48(3) of the Act.”

Carried.

6. ABCA Infrastructure Operational Plan

Daniel King, Water Resources Engineer, presented the ABCA Operational Plan that was prepared by staff to meet Ontario Regulation 686/21: Mandatory Programs and Services, Section 5: Infrastructure, of the *Conservation Authorities Act*. The plan focuses on Parkhill Dam, as it is the only structure actively operated; however, there are several additional structures for flooding and erosion that are inspected and maintained by the ABCA. The plan will be reviewed and amended by ABCA staff as needed and is intended to be a living document that provides overview of these operations.

MOTION #98/24**Moved by Joey Groot****Seconded by Dave Marsh**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors receives the report ABCA Infrastructure Operational Plan for information as presented.”

Carried.

COMMITTEE REPORTS

None.

CORRESPONDENCE

- a) Reference: Direction of Freezing of Fees

File: A.5.1

Brief: Davin Heinbuck noted that we have received notification from several municipalities regarding the current fee freeze, noting their support and willingness to sign a letter to the Ministry of Natural Resources. North Middlesex and Middlesex Centre reported that they also support the direction and will be sending notification to the ABCA.

NEW BUSINESS

1. Davin Heinbuck reported that ABCA will be sending an email out to municipalities with the Capital Asset Management Plan, as well as the full Schedule A for budgeting purposes. He noted that two pages of Schedule A was missed in scanning, however the total numbers were included in the initial email.
2. Chair Vaughan reminded the Directors that the next Board Meeting would be held on December 19 at 2:30 p.m. to allow all to attend the Christmas Dinner following the meeting. She also noted that there would be no meeting in January, but that the Annual General Meeting would be in February.

COMMITTEE OF THE WHOLE

None.

ADJOURNMENT

The meeting was adjourned at 11:15 a.m.

Marissa Vaughan
Chair

Abigail Gutteridge
Secretary

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