

BOARD OF DIRECTORS MEETING

Thursday, September 19, 2019

Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area

DIRECTORS PRESENT

Ray Chartrand, Doug Cook, Adrian Cornelissen, Bob Harvey, George Irvin, Dave Jewitt, Mike Tam, Marissa Vaughan, Alex Westman

STAFF PRESENT

Bev Brown, Geoff Cade, Abbie Gutteridge, Brian Horner, Daniel King, Mary Lynn MacDonald, Tracey McPherson, Kate Monk, Judith Parker, Meghan Tydd-Hrynyk, Angela Van Niekerk, Mari Veliz

OTHERS PRESENT

Susan Layard

CALL TO ORDER

Chair George Irvin called the meeting to order at 10:00 a.m. and welcomed everyone in attendance.

ADOPTION OF AGENDA

MOTION #BD 60/19

Moved by Doug Cook

Seconded by Dave Jewitt

“RESOLVED, THAT the agenda for the September 19, 2019 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.

DISCLOSURE OF INTENTION TO RECORD PROCEEDINGS

None

ADOPTION OF MINUTES**MOTION #BD 61/19**

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

“RESOLVED, THAT the minutes of the Board of Directors meeting held on July 18, 2019 and the motions therein be approved as circulated.”

Carried.

BUSINESS OUT OF THE MINUTES

Meghan Tydd-Hrynyk, Regulations & Planning Officer provided a staff report on the two delegations heard at the July 18, 2019 Board of Directors meeting.

1. The proposed development at 77583 Birchcliff Drive in the Municipality of Central Huron is to remove the existing structure and rebuild a two storey single family residence. The landowners are requesting relief of the new *Shoreline Management Plan 2019* (SMP) development guideline policies approved on February 21, 2019. The homeowner was informed by ABCA staff in July 2018 that the SMP from 2000 was being updated. A meeting was held with the architect, Mr. Robert McCrea in November 16, 2018 regarding the site plan. An application with drawings for a new build were received in May 2019. Renovations and maintenance of the existing structure would be permitted under the *SMP 2019* guidelines, however, not the rebuild as there appears to be insufficient room on the property. The proposed works would be permitted under the development guidelines in the *SMP 2000*. There was discussion on whether the new structure would be an increased hazard. Also that it will be more efficient under current building codes.

MOTION #BD 62/19

**Moved by Doug Cook
Seconded by Dave Jewitt**

“RESOLVED, THAT the Board of Directors approve the request of the delegation and direct staff to review the Application for Permission at 77583 Birchcliff Drive, Municipality of Central Huron, using the development guideline policies of the *Shoreline Management Plan, 2000.*”

Carried.

2. The proposed development is to put an addition onto an existing single family residence at 10318 Shoreline Drive in the Municipality of Lambton Shores. The homeowners are requesting relief from the *Shoreline Management Plan 2019* development guidelines. Staff attended a site meeting in November 2018 to review the site and discuss shoreline management plan policies with the landowners. Further discussions were held in May 2019 but no design or Application for Permission has been received for the proposed works.

MOTION #BD 63/19

**Moved by Doug Cook
Seconded by Ray Chartrand**

“RESOLVED, THAT the Board of Directors affirm its Implementation Policy of February 21, 2019 and support the staff recommendation to advise the landowners that an Application for Permission at 10318 Shoreline Drive, Municipality of Lambton Shores would be considered using the *Shoreline Management Plan, 2019 Development Guidelines.*”

Carried.

Susan Layard left the meeting at 10:21 a.m.

PRESENTATION

Glenn Sheppard, Vice President at Marsh Canada provided an insurance overview highlighting the changing landscape for directors and officers. Directors have a fiduciary duty to act honestly and in good faith, making decisions in the best interests of the corporation. They have a duty of care to be diligent in knowing the business of the corporation. Recent trends in litigation show the importance of directors, officers and senior staff having documentation on reasons, considerations and discussions when making decisions.

An increase in event-driven litigation is a result of cyber breaches, social media, and privacy as well as employment practice claims. Directors should be aware of any conflict of interest issues and declare it. Mr. Sheppard reiterated that if professional advice has been given, there should be documentation with reasons, when directors make a decision contrary to the professional/staff recommendation.

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 18 *Applications for Permission* and 22 *Minor Works Permits*.

Marissa Vaughan commented that the turnaround time for reviewing and approving completed applications was impressive and she appreciated staff's efforts.

1. (b) Violation/Appeals Update

Staff advised that a landowner along the shoreline in the Municipality of Bluewater installed shore protection and a patio on the beach without a permit. In the Municipality of Central Huron, a residence has been constructed without permits and staff are working with the municipal building official and seeking legal advice as to next steps.

MOTION #BD 64/19

**Moved by Ray Chartrand
Seconded by Alex Westman**

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

Carried.

2. Stewardship Program Project Review

Angela Van Niekerk, Wetlands Specialist presented 14 project applications eligible for stewardship funding from incentive grants provided by Habitat Stewardship Program (Fisheries and Oceans Canada); EcoAction (Environment Canada); and Canada Nature Fund (Fisheries and Oceans Canada). Projects included tree planting for buffers, windbreaks, marginal land and wetland restoration.

MOTION #BD 65/19

**Moved by Doug Cook
Seconded by Alex Westman**

“RESOLVED, THAT the Board of Directors approve the projects eligible for stewardship program funding as presented.”

Carried.

2. Generic Regulation Mapping Updates

Tracey McPherson, GIS/IT Coordinator provided an update from the report given in December 2018 on the Regulations Mapping Update Project. GIS staff have been integrating new layers of information such as the watercourse layer, wetland layer and new digital elevation model (contours). Subsequent to the approval of the *Shoreline Management Plan, 2019* in February all updates are complete and the total area mapped under Ont Reg. 147/06 was reduced by 4.6%.

MOTION #BD 66/19

**Moved by Doug Cook
Seconded by Bob Harvey**

“RESOLVED, THAT all changes to the regulation limit GIS layer be approved, and

FURTHER, THAT the changes be reflected on CaMaps.ca mapping site, and

FURTHER THAT the updated mapping be distributed to the Counties for use in the mapping systems.”

Carried.

GENERAL MANAGER’S REPORT

Brian Horner provided a written report with a brief update on the progress of various projects, staff training, upcoming meetings or events and general activities over the previous month.

COMMITTEE REPORTS**MOTION #BD 67/19**

**Moved by Ray Chartrand
Seconded by Alex Westman**

“RESOLVED, THAT the minutes of the Source Protection Committee meeting held July 31, 2019 and the motions therein be approved as circulated.”

Carried.

CORRESPONDENCE

- a) Reference: Resignation
File: A.9.15.1
Brief: A letter of resignation was received from Steve Boles, Director on the Huron Tract Land Trust Conservancy Board. Steve was appointed to the board on its inception in 2011.
- b) Reference: Section 36 of the *Clean Water Act*
File: A.6.23
Brief: Confirmation from Minister Jeff Yurek, Ministry of Environment, Conservation and Parks to proceed with the work plan for review and updates to the assessment reports and Source Protection Plans for the Ausable Bayfield Maitland Valley Source Protection Region.
- c) Reference: Review of CA Programs
File: A.7.1.
Brief: Correspondence was received on August 16, 2019 from Minister Jeff Yurek, Ministry of Environment, Conservation and Parks requesting that conservation authorities review and consider their activities and begin preparations and planning to wind down activities that fall outside the scope of the core mandate.
- d) Reference: Programs & Services
File: A.5.5
Brief: Resolution from the Municipality of Bluewater Council asking the General Manager to attend a future Council meeting and provide an overview of the ABCA level of services.
- e) Reference: CA Programs
File: A.5.5.
Brief: Resolution from the Municipality of South Huron stating their support of a resolution by the Town of St. Marys Council to Minister Yurek regarding conservation authority programs and services.

NEW BUSINESS

1. Brian Horner circulated the results of the Backup Generator Project tender opening held on September 9, 2019. The project was included in the 2019 approved budget, but due to the provincial funding reduction mid year, the purchase and installation was on hold.

MOTION #BD 68/19

**Moved by Doug Cook
Seconded by Adrian Cornelissen**

“RESOLVED, THAT a decision on the acceptance of any tender be deferred until later in the 2020 budget process when funding becomes clearer.

Carried.

2. Brian Horner advised that Kim McCabe has expressed interest in becoming a director on the Huron Tract Land Trust Conservancy. She has been involved with the Thames Talbot Land Trust in the past but is now living in the Bayfield area.

MOTION #BD 69/19

**Moved by Mike Tam
Seconded by Ray Chartrand**

“RESOLVED, THAT the Board of Directors approve the appointment of Kim McCabe as a director on the Board of the Huron Tract Land Trust Conservancy.”

Carried.

COMMITTEE OF THE WHOLE

MOTION #BD 70/19

**Moved by Ray Chartrand
Seconded by Alex Westman**

“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 11:55 a.m. for a personal matter with Brian Horner, Judith Parker and Kate Monk remaining in attendance.”

Carried.

MOTION #BD 71/19

**Moved by Ray Chartrand
Seconded by Doug Cook**

“RESOLVED, THAT Committee of the Whole rise and report.”

Carried.

MOTION #BD 72/19

**Moved by Mike Tam
Seconded by Doug Cook**

“RESOLVED, THAT the report regarding the personal matter be received and supported.”

Carried.

ADJOURNMENT

The meeting was adjourned at 12:30 p.m.

George Irvin
Chair

Judith Parker
Corporate Services Coordinator

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