

MISSISSIPPI VALLEY CONSERVATION AUTHORITY

44th ANNUAL MEETING

Mill of Kintail Gatehouse

MINUTES

February 22, 2012

MEMBERS PRESENT:

M. Burnham, Chair;
J. Karau, Vice-Chair;
D. Abbott;
D. Black;
G. Code;
A. Gillis;
A. Jones;
G. McEvoy;
W. Millar;
P. Sweetnam.

MEMBERS ABSENT:

E. El-Chantiry;
R. Kidd;
G. Martin;
A. Snider;
B. Sutcliffe.

INVITED MEMBERS PRESENT:

L. Antonakos;
E. Preston.

STAFF PRESENT:

P. Lehman, P. Eng., General Manager;
J. Sargeant, Secretary-Treasurer;
A. Broadbent, Information Management
Supervisor;
C. Craig, Project Manager;
M. Craig, Manager, Planning & Regulatory
Services;
R. Fergusson, Operations Supervisor;
E. Levi, Administrative Assistant;
S. McFarlane, Community Relations Coordinator;
G. Mountenay, Water Management Supervisor.

OTHERS PRESENT:

S. Casgrain-Robertson, Mississippi-Rideau Source
Protection Committee;
J. Stavinga, Mississippi-Rideau Source Protection
Committee;
M. Maybee, Ontario Wood Works;
G. Street, Cross Street & Company;
R. Vandenberg, Vandenberg & Wildeboer
Architects.

The meeting was called to order at 1:45 p.m.

BUSINESS:

1. Minutes – Board of Directors Meeting – December 7, 2011

B02/22/12-1

MOVED BY: W. Millar

SECONDED BY: G. McEvoy

Resolved, That the Minutes of the Mississippi Valley Conservation Authority Board of Directors meeting held on December 7, 2011 be received and approved as printed.

“CARRIED”

2. Minutes – Office Building Committee Meeting – January 31, 2012

B02/22/12-2

MOVED BY: A. Jones

SECONDED BY: D. Black

Resolved, That the Minutes of the Mississippi Valley Conservation Authority Office Building Committee meeting held on January 31, 2012 be received.

“CARRIED”

3. 2011 Financial Statements

Mrs. Sargeant commented on the Statement of Operations and noted that the annual surplus is \$93,465.00 which increases the unrestricted surplus at December 31, 2011. She explained the reason for the surplus and noted that unrestricted surplus has been identified for use in the 2012 budget in the amount of \$97,000.00. Mr. Street commented on the Auditor’s Report, the Statement of Financial Position, the Statement of Change in Net Debt, the Statement of Accumulated Surplus and the Statement of Cash Flow.

Mr. Antonakos expressed concern about the deferred contributions related to future capital for water control structures not changing from December 2010 to December 2011. Mr. Lehman advised that funding for an Asset Management Plan has been included in the 2012 budget. The Plan will identify future requirements for capital assets.

In response to a question, Mr. Street commented on the standard testing carried out during the audit to detect fraudulent activities if they exist. He noted that an audit letter will be provided to the Authority with concerns or recommendations for present and future financial reporting.

B02/22/12-3

MOVED BY: W. Millar

SECONDED BY: G. McEvoy

**Resolved, That the audited Financial Statements for the period ended December 31, 2011 be received, and further,
Resolved, That the Financial Statements for the period ended December 31, 2011 be adopted.**

“CARRIED”

4. Elections of Officers for 2012

B02/22/12-4

MOVED BY: G. McEvoy

SECONDED BY: A. Jones

Resolved, That Glenn Street be appointed as Chairman for the Election of Chairman for 2012.

“CARRIED”

B02/22/12-5

MOVED BY: A. Jones

SECONDED BY: D. Black

Resolved, That Cliff Craig and Suzanne McFarlane be appointed to serve as Scrutineers in the event of an election.

“CARRIED”

Gail Code nominated Mark Burnham for the position of Chairman of the Conservation Authority for 2012. Mr. Street asked three times for further nominations.

B02/22/12-6

MOVED BY: P. Sweetnam

SECONDED BY: J. Karau

Resolved, That nominations for the position of Chairman be closed.

“CARRIED”

Mr. Burnham agreed to stand for the position of Chairman and was duly elected by acclamation.

Mr. Sweetnam nominated John Karau for the position of Vice-Chairman of the Conservation Authority for 2012. Mr. Burnham asked three times for further nominations.

B02/22/12-7

MOVED BY: A. Jones

SECONDED BY: D. Black

Resolved, That nominations for the position of Vice-Chairman be closed.

“CARRIED”

Mr. Karau agreed to stand for the position of Vice-Chair and was duly elected by acclamation.

5. Appointment of Auditors for 2012

B02/22/12-8

MOVED BY: G. McEvoy

SECONDED BY: W. Millar

Resolved, That the firm of Cross Street & Company be engaged as the Authority’s Auditor for the year 2012.

“CARRIED”

6. Administration Office Preliminary Design and Status Report

Mr. Vandenberg gave a presentation on the design of the new administrative office and Mr.

Lehman provided a status report on discussions with the town of Carleton Place.

Mr. Black noted that concern has been expressed about the view from the back of the building. He requested that landscaping to enhance the back view would be appreciated by the public living in the area.

There was a discussion on the treatment of surface water. Mr. Lehman explained the storm water plans for the site which are being designed by Conservation Authority staff to reduce costs for the project.

7. OMERS

Mrs. Sargeant advised that OMERS requires a very specific motion from the Board of Directors before proceeding with enrollment for staff. She pointed out that it is a housekeeping item since the Board already approved the change to OMERS in September 2011. She noted that the motion drafted by OMERS is an acknowledgement of how OMERS works and confirmation that Mississippi Valley Conservation has the authority of the Board of Directors to move forward with the change to a Registered Pension Plan.

B02/22/12-9

MOVED BY: D. Abbott

SECONDED BY: G. McEvoy

A Resolution to authorize participation in the OMERS primary pension plan (“Primary Plan”), and the retirement compensation arrangement that provides benefits for members and former members of the Primary Plan (“RCA”), in respect of the employees of Mississippi Valley Conservation Authority identified herein.

Whereas pursuant to subsection 6(1) of the Primary Plan an employer who is eligible under the *Ontario Municipal Employees Retirement System Act, 2006* (“OMERS Act, 2006”) to participate in the Primary Plan and the RCA may, by By-Law/Resolution or resolution, participate in the Primary Plan and the RCA and pay to the funds for the Primary Plan and the RCA the total of the employer and member contributions, and has all of the powers necessary and incidental thereto.

Therefore the Board of the Mississippi Valley Conservation Authority enacts as follows:

- | | |
|-------------------------------------|--|
| (Election re:
Employees) | 1. The Employer shall participate in the Primary Plan and the RCA in respect of each person who is employed by the Employer and who is eligible to be a member of the Primary Plan and the RCA under subsection 5(3) of the OMERS Act, 2006, as amended from time to time, (“Employee”) as of the fifth day of March 2012 (“Effective Date”) and authorizes the Secretary/Treasurer to submit forthwith a certified copy of this Resolution to the OMERS Administration Corporation (“AC”). |
| (Current
CFT | 2. An Employee who is employed on a continuous full-time basis (“CFT Employee”), as defined in subsection 9(1) of |

- Employees)** **the Primary Plan, as amended from time to time, and who commenced employment with the Employer before the Effective Date is entitled to become a member of the Primary Plan and the RCA on the first day of the month following the month in which the CFT Employee’s application is received by the AC, provided that the AC may, at the request of the Employer, fix an earlier date on which the CFT Employee becomes a member but not before the date on which the CFT Employee became entitled to be a member or the first day of January in the year in which the application is received by the AC, whichever is the later date.**
- (Future CFT Employees)** 3. **Every person who becomes a CFT Employee on or after the Effective Date shall, as a condition of employment, become a member of the Primary Plan and the RCA, or if such person is already a member, resume contributions to the Primary Plan and the RCA on the date so employed.**
- (PBA Membership for OTCFT Employees)** 4. **An Employee who is employed on other than a continuous full-time basis (“OTCFT Employee”) and meets the eligibility criteria in subsection 9(6) of the Primary Plan, as amended from time to time, is entitled to become a member of the Primary Plan and the RCA on the first day of the month following the month in which the OTCFT Employee’s application is received by the AC, provided that the AC may, at the request of the Employer, fix an earlier date on which the OTCFT Employee becomes a member but not before the date on which the OTCFT Employee became entitled to be a member or the first day of January in the year in which the application is received by the AC, whichever is the later date.**

- (Senior Management Official)
5. **Any person who holds a senior management position with the Employer (“Senior Management Official”), as the Employer may designate from time to time, is hereby authorized on behalf of the Employer to take all such action and execute all such documents, certificates and agreements, as they may consider necessary to give effect to the provisions of this Resolution and to fulfill the Employer’s duties and obligations with respect to the Primary Plan and the RCA, as required from time to time.**

“CARRIED”

8. 2012 Budget

Mr. Lehman presented the 2012 Budget and outlined the budget pressures. He commented on the operations, capital, water and erosion control infrastructure and the new administrative office programs and the levy required to support the overall budget.

In response to a question regarding mileage costs from the new office location, Mr. Karau pointed out that the potential for more automated monitoring equipment would reduce mileage costs as well as provide for enhanced sharing of information with the public. Mr. Sweetnam noted that members seem to support the expenditure of additional capital dollars on satellite equipment that could download data directly to the MVC office without staff having to travel to various sites across the watershed.

Mr. Black pointed out that he would like to see the Authority move towards automated technology in the water management and water quality programs so that data could be instantly available for the public to see on a display in the new office.

B02/22/12-10

MOVED BY: A. Gillis

SECONDED BY: W. Millar

Resolved, That the total 2012 Operating and Capital expenditure in the amount of \$8,521,301 be approved; and furthermore,

Resolved, That the 2012 Administration levy to be apportioned on a general benefiting basis be in the amount of \$1,976,144; and furthermore,

Resolved, That the 2012 Capital Project levy to be apportioned on a general benefiting basis be in the amount of \$300,000.

“CARRIED”

9. Ontario Regulation 153/06 Permits

B02/22/12-11

MOVED BY: A. Gillis

SECONDED BY: D. Abbott

Resolved, That the Board of Directors approve Permit Nos. W12/02, W11/133, W12/04, W12/09, W11/106, W11/114, W11/116, W11/118, W11/123, W11/124, W11/126, W11/128, W11/130, W11/136, W11/137, W11/141, W11/143, W11/69, W11/95.

“CARRIED”

10. Provincial Groundwater Monitoring Network Agreement

Mr. Lehman advised that the Provincial Groundwater Monitoring Network Agreement attached to Staff Report #2665/12 will continue MVC's participation in the Provincial Groundwater Monitoring Network Program that started in 2001. Under the agreement the Program will continue for a period of four years with the option to extend the agreement by mutual consent. In response to a question, he explained that MVC's responsibilities under the agreement include monitoring the nine wells in the watershed, collect data and provide routine maintenance on the wells and equipment.

Mr. Sweetnam, Mr. Black and Mr. Karau commented on equipment available on the market that could monitor the wells electronically. Mr. Sweetnam stressed that the Authority must consider electronic equipment for the flood forecasting and water management program.

B02/22/12-12

MOVED BY: G. Code

SECONDED BY: J. Karau

Resolved, That Mississippi Valley Conservation renew the proposed agreement for continued participation in the Provincial Groundwater Monitoring Network Program effective April 1, 2012.

“CARRIED”

11. Accessibility for Ontarians with Disabilities Act – Customer Service

Mrs. McFarlane commented on Staff Report #2666/12. It was noted that the *Accessibility for Ontarians with Disabilities Act* (AODA) was passed by the Ontario legislature to develop specific standards of accessibility which are enforceable. The standards are established through regulations, and they provide the details to help meet the goal of the Act. The AODA is the foundation on which the standards are built.

The purpose of the accessibility standards is to move organizations in Ontario forward on accessibility. The standards will set requirements in a number of key areas and will be reviewed at least every five years. As Ontario's population ages, the number of people with disabilities will increase. Visitors and tourists, along with their friends and family will need to travel, shop, use programs, services, and information and to access buildings, parks, and other places in a way that is accessible to them.

The Accessibility Standards for Customer Service became law on January 1, 2008. It is the first accessibility standard under the *Accessibility for Ontarian with Disabilities Act* and it is an important step to create a barrier-free and accessible Ontario by 2025. Accessible customer service is about understanding that people with disabilities may have different needs.

Mississippi Valley Conservation is committed to excellence in serving all customers including people with disabilities. The authority will make every reasonable effort to ensure that its policies, practices, and procedures are consistent with the principles of dignity, independence, integration and equal opportunity. As a result, Mrs. McFarlane noted that MVC staff have completed the mandatory training for customer service. Each Board member must complete the training as well. Mrs. McFarlane requested that members who have already completed the training provide a certificate of completion for the Authority's records. She noted that training is available through the conservation authority for those members that have not had training.

12. Palmerston-Canonto Conservation Area Lease

Staff Report #2667/12 regarding the Palmerston-Canonto Conservation Area Lease was reviewed.

It was noted that since 2002 MVC has leased the Palmerston-Canonto Conservation Area to the Township of North Frontenac so that the Township could assume operation and maintenance of the beach and facilities at the site. In 2011, the Board of Directors authorized a five-year lease renewal with the Township. The original lease covered the entire 102 ha property however, the Township has requested that certain portions be excluded from the lease as it does not have any interest in those parcels. As such, staff have revised the lease agreement to exclude those parcels amounting to approximately 27 ha as noted on the agreement and extended the term of the lease from March 1, 2012 to February 28, 2017.

B02/22/12-13

MOVED BY: J. Karau

SECONDED BY: G. Code

Resolved, That staff be authorized to execute the revised lease agreement for the Palmerston-Canonto Conservation Area with the Township of North Frontenac for a period of five years.

“CARRIED”

13. 2012 Committee Appointments

Staff Report #2668/12 regarding 2012 Committee Appointments was reviewed. Mrs. Sargeant noted that the special purpose committees for 2012 will remain the same as 2011 since membership has not changed. In accordance with Section 28 of the Conservation Authorities Act, MVC is required to conduct a hearing of any application for permission made under the Fill, Construction and Alteration to Waterways Regulation before permission is denied. The responsibility rests with the Board of Directors, however, the power to conduct a hearing and render a decision can be delegated to an executive committee.

To facilitate a timely decision of any hearings, a Regulations Committee has been appointed to hear applications pursuant to Ontario Regulation 153/06 and render a decision on behalf of MVC.

The Regulations Committee consists of the Chair, Vice-Chair and five additional members from the Board of Directors.

B02/22/12-14

MOVED BY: G. Code

SECONDED BY: A. Jones

Resolved, That the Mississippi Valley Conservation Authority hereby appoints the Chair, Vice-Chair, Eli-El-Chantiry, Alan Jones, Gail Code, Phil Sweetnam, Duncan Abbott and Doug Black to the Regulations Committee to hear applications pursuant to Ontario Regulation 153/06, and furthermore;

Resolved, That the members of the Regulations Committee deliberate on the evidence presented at the hearing, and grant or deny such permission on behalf of the Mississippi Valley Conservation Authority and provide the applicant with reasons, in writing, thereof.

“CARRIED”

It was noted that the Mississippi Valley Conservation Authority is entitled to appoint one representative to Conservation Ontario as a Voting Delegate and two as alternates.

B02/22/12-15

MOVED BY: A. Jones

SECONDED BY: D. Black

Resolved, That the Mississippi Valley Conservation Authority Board of Directors hereby appoints Mark Burnham as the voting delegate, John Karau as the first alternate and Paul Lehman as the second alternate to Conservation Ontario for 2012.

“CARRIED”

B02/22/12-16

MOVED BY: G. McEvoy

SECONDED BY: D. Abbott

Resolved, That Ernie Preston and Louis Antonakos be invited members to the Conservation Authority for the year 2012.

“CARRIED”

14. Correspondence – County of Lanark

Mr. Lehman advised that he will be attending a Lanark County Community Development Committee meeting on March 7 to make a presentation on matters regarding the conservation authority and to provide clarification on the Authority decision to increase planning fees.

15. Property Acquisition Status

B02/22/12-17

MOVED BY: A. Jones

SECONDED BY: J. Karau

Resolved, That the Board of Directors move into closed session to address a matter pertaining to a proposed or pending acquisition or disposal of real property for Authority purposes; and further,

Resolved, That staff and the invited members remain in the room.

“CARRIED”

B02/22/12-18

MOVED BY: A. Jones

SECONDED BY: D. Black

Resolved, That the Board of Directors move out of closed session.

“CARRIED

16. Conservation Authorities Biennial Tour

It was noted that the Conservation Authority Biennial Tour is held every second year. In 2010 it was hosted by the Mississippi and Rideau Valley Conservation Authorities. The 2012 Tour will be hosted by the Saugeen and Grey Sauble Conservation Authorities. Members were asked to advise staff if they wish to attend so that savings can be realized as a result of early bird registration.

17. Other Business

Mrs. McFarlane advised that the Tri-Valley Awards will be held on April 18 with March 1 being the deadline to nominate candidates for the awards.

Mr. Sweetnam advised that the 2011 census data has been released. He requested that the issue of appointments by watershed municipalities being based on population in the municipality be referred to the Policy and Priorities Advisory Committee for consideration. He noted that the Authority can change the way it obtains members from the watershed municipalities as long as all municipalities agree to the revised method of calculating the number of members to be appointed to the Conservation Authority.

ADJOURNMENT

The meeting was adjourned at 3:55 p.m.

B02/22/12-19

MOVED BY: D. Abbott

SECONDED BY: G. McEvoy

Resolved, That the Board of Directors meeting be adjourned.

“CARRIED”

“J. Sargeant, Recording Secretary

M. Burnham, Chairman”